

The Darent Federation of Schools

Attendance Policy



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Attendance Policy

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1. Statement of intent

The Darent Federation of Primary Schools is committed to ensuring that all pupils attend school regularly and punctually so that they can benefit fully from the educational opportunities available to them. Regular attendance and punctuality are essential for pupils' learning, wellbeing, safeguarding and long-term life chances.

The Federation recognises that barriers to attendance can arise for a range of reasons and is committed to working in partnership with pupils, parents/carers and external agencies to remove these barriers. We adopt a **support-first approach**, offering early help and targeted intervention wherever possible. Where attendance does not improve despite support, the Federation will take appropriate action in line with statutory guidance and local authority procedures.

This policy applies to all pupils on roll at schools within the Darent Federation of Primary Schools.

2. Legislation and guidance

This policy meets the requirements of the following legislation and statutory guidance:

- School Attendance (Pupil Registration) (England) Regulations 2024
- Education Act 1996
- Education (Penalty Notices) (England) (Amendment) Regulations 2024
- *Working together to improve school attendance* (Department for Education, statutory guidance, applies from 19 August 2024)
- *Keeping Children Safe in Education* (latest statutory guidance)
- Kent County Council Penalty Notice Code of Conduct (latest version)

This policy also reflects the non-statutory guidance:

- *Supporting pupils at school with medical conditions*
- *Children missing education*

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3. Roles and responsibilities

3.1 The Governing Board

The Governing Board is responsible for:

- Setting high expectations for attendance and punctuality
- Approving and reviewing this policy
- Monitoring attendance data and trends on a termly basis
- Holding senior leaders to account for attendance outcomes

3.2 Executive Headteacher and Heads of School

The Executive Headteacher, supported by Heads of School, is responsible for:

- Ensuring the effective implementation of this policy across the Federation
- Ensuring that attendance is prioritised and resourced appropriately
- Ensuring that statutory duties relating to attendance and safeguarding are met
- Working with the local authority and external agencies where necessary

3.3 Attendance lead

The attendance lead (supported by senior leaders and administrative staff) has operational responsibility for:

- Monitoring attendance daily
- Identifying pupils whose attendance is below expected levels
- Coordinating early help, intervention and support
- Liaising with parents/carers and external agencies
- Maintaining accurate attendance records

3.4 Staff

All staff are responsible for:

- Promoting regular attendance and punctuality
- Taking accurate registers
- Identifying and reporting concerns promptly
- Building positive relationships with pupils and parents/carers

3.5 Parents/carers

Parents/carers are responsible for:

- Ensuring their child attends school regularly and punctually
- Informing the school promptly of reasons for absence
- Working with the school to address attendance concerns

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4. Recording attendance

4.1 Attendance register

The attendance register is taken at the start of the morning session and once during the afternoon session, in accordance with statutory requirements. Registers are completed accurately using the correct national attendance codes.

4.2 Late arrival

Pupils arriving after the start of the school day but before the register closes are recorded as **late (L)**. Pupils arriving after the register has closed are recorded as **late after register closes (U)**, which constitutes an unauthorised absence.

Persistent lateness is monitored and addressed in line with this policy, as it has a significant impact on learning and safeguarding.

4.3 Authorised and unauthorised absence

Absence may be authorised where the school is satisfied that the reason is unavoidable or acceptable, such as illness or unavoidable medical appointments.

Leave of absence during term time will only be authorised in **exceptional circumstances**, at the discretion of the Executive Headteacher.

Any absence that does not meet the criteria for authorisation will be recorded as unauthorised.

4.4 Unexplained absence

Where a pupil is absent and no explanation has been received, the school will take prompt action on the first day of absence to establish the reason and ensure the pupil is safe. This may include contacting parents/carers, emergency contacts or relevant professionals.

If the school is unable to establish a reason for absence and there is a safeguarding concern, safeguarding procedures will be followed. This may include welfare checks and, where appropriate, involving external agencies, including the police, in line with safeguarding thresholds.

5. Promoting and supporting attendance

The Federation promotes attendance through a graduated approach:

- **Promote:** universal strategies that encourage regular attendance and punctuality
- **Support:** targeted intervention where concerns begin to emerge
- **Challenge:** formal action where attendance does not improve despite support

Attendance is monitored daily at operational level, half-termly by senior leaders, and termly by the Governing Board.

6. Persistent and severe absence

A pupil is defined as **persistently absent** when they miss **10% or more of their possible school sessions**, whether those absences are authorised or unauthorised.

Persistent absence is monitored closely as it may indicate unmet need or barriers to learning. Where a pupil is identified as persistently absent, the school will work with parents/carers to understand the reasons and put appropriate support in place. This may include early help, referrals to external agencies or an attendance support plan.

Severe absence is defined as attendance below 50% and will be treated as a safeguarding concern.

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7. Legal sanctions

The Federation will always adopt a support-first approach. Where attendance does not improve despite support and intervention, the school may request that Kent County Council consider legal action.

A Penalty Notice may be considered when a pupil has missed **10 or more sessions of unauthorised absence within a rolling 10 school-week period**, and when the school can demonstrate that appropriate support has already been offered.

Before a Penalty Notice is issued, parents/carers will normally be issued with a **Notice to Improve**, giving them at least 20 school days to work with the school to address attendance concerns.

Penalty Notices are issued in line with the national framework and Kent County Council's Code of Conduct:

- First Penalty Notice: £80 per parent per child if paid within 21 days, rising to £160 if paid within 28 days
- Second Penalty Notice (within a rolling 3-year period): £160 per parent per child
- Third offence (within the same rolling 3-year period): a Penalty Notice will not be issued and the case may be considered for prosecution or other legal intervention

Full details are set out in Appendix 2.

8. Monitoring and review

This policy will be reviewed annually by the Governing Board, or earlier if required by changes to legislation or guidance.

Appendices

- Appendix 1: Attendance codes
- Appendix 2: Kent County Council Penalty Notice Code of Conduct

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Appendix 1: attendance codes

Summary of Attendance Codes and Meanings

In accordance with the School Attendance (Pupil Registration) (England) Regulations 2024 a pupil should be recorded as present or absent in the Attendance Register.

1. If a pupil is present in school the following codes from table 1 should be used

Code	Meaning	Criteria	Statistical Value
/	Present at school AM	Must be in school at registration	Attending (Present)
\	Present at school PM	Must be in school at registration	Attending (Present)
L	Late arrival before register is closed	The pupil was absent when the register started being taken but arrived before the register is closed.	Attending (present)

2. If a pupil is absent from school so that they can attend a place other than school for any of the following reasons the relevant code from table 2 should be used.

Code	Meaning	Criteria	Statistical Value
K	Attending Education provision arranged the LA	The nature of the provision must also be recorded.	Attending an approved educational activity (present)
V	Attending an Educational visit or trip	The pupil is attending a place, other than the school or any other school at which they are a registered pupil, for an educational visit or trip.	Attending an approved educational activity (present)
P	Participating in a Sporting Activity	P code can only be used if the pupil is present at the activity, which has an educational purpose. The sporting activity must take place during the session for which it is recorded.	Attending an approved educational activity (present)
W	Attending Work Experience	W code can only be used if the pupil is present at the activity Under arrangements by school or LA.	Attending an approved educational activity (present)
B	Attending any other approved Educational Activity		Attending an approved educational activity (present)
D	Dual Registered at another school	The school at which the pupil is scheduled to attend must record the pupil's attendance and absence with the relevant code.	Not a possible attendance (neither present or absent)

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3. If a pupil is absent with leave (NB schools not required to follow regulation 11 in granting a leave of absence should still use the relevant code)

Code	Meaning	Criteria	Statistical Value
C1	Leave of absence – performance or regulated employment abroad	Performance licence issued by LA or Body of Persons Approval issued by LA or Justice of peace has given licence for pupil to go abroad for performance or regulated purpose.	Authorised absence
M	Leave of absence for Medical or dental Appointment	Agreement in advance	Authorised absence
J1	Leave of absence for Interview	Agreement in Advance	Authorised absence
S	Leave of absence for Studying for public examination	Agreement in Advance	Authorised absence
X	Non – Compulsory School age pupil not required to attend school	For part time attendance	Not a possible attendance (neither present or absent)
C2	Leave of absence – compulsory school age pupil subject to part time timetable	Exceptional circumstances and where the school and a parent have agreed that, exceptionally, the pupil should temporarily be educated only part-time.	Authorised Absence
C	Leave of absence exceptional circumstances	Exceptional circumstances at School discretion. Generally, a need or desire for a holiday or other absence for the purpose of leisure and recreation would not constitute an exceptional circumstance.	Authorised absence

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4. Pupil Absent for other authorised reasons

Code	Meaning	Criteria	Statistical Value
T	Parent travelling for occupational purposes.	The pupil is a mobile child and their parent(s) is travelling in the course of their trade or business and the pupil is travelling with them.	Authorised absence
R	Religious Observance	The pupil is absent on a day that is exclusively set apart for religious observance by the religious body the parent(s) belong to (not the parents themselves).	Authorised Absence
I	Illness (not medical appointment)	The pupil is unable to attend due to illness (both physical and mental health related).	Authorised Absence
E	Suspended or Permanently excluded with no alternative provision made	The pupil is suspended from school or permanently excluded from school, but their name is still entered in the admission register, and no alternative provision has been made for the pupil to continue their education.	Authorised Absence

5. Pupil Absent – Unavoidable Cause

Code	Meaning	Criteria	Statistical Value
Q	Unable to attend school because of lack of access arrangements	There is a lack of access arrangements for a pupil as detailed in Dfe guidance.	Not a possible attendance
Y1	Unable to attend due to transport normally provided not been available	The pupil is unable to attend because the school is not within walking distance of their home and the transport to and from the school that is normally provided for the pupil by the school or local authority is not available	Not a possible attendance
Y2	Unable to attend due to widespread travel disruption	The pupil is unable to attend the school because of widespread disruption to travel caused by a local, national, or international emergency	Not a possible attendance
Y3	Unable to attend due to part of the school premises being closed	Part of the school premises is unavoidably out of use and the pupil is one of those that the school considers cannot practicably be accommodated in those part of the premises that remain in use.	Not a possible attendance
Y4	Unable to attend due to the whole school site being unexpectedly closed	Where a school was planned to be open for a session, but the school is closed unexpectedly (e.g. due to adverse weather.	Not a possible attendance

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Y5	Unable to attend as pupil is in criminal justice detention	The pupil is unable to attend the school because they are in police detention or similar.	Not a possible attendance
Y6	Unable to attend in accordance with public health guidance or law	The pupil's travel to or attendance at the school would be contrary to any guidance published by the Secretary of State for Health and Social Care.	Not a possible attendance
Y7	Unable to attend because of any other unavoidable cause	This code should be used only where something in the nature of an emergency has prevented the pupil from attending the session in question.	Not a possible attendance

6. Absent for unauthorised reasons

Code	Meaning	Criteria	Statistical Value
G	Holiday not granted by school	The school has not granted a leave of absence and the pupil is absent for the purpose of a holiday.	Unauthorised absence
N	Reason for absence not yet established	Reason for the absence not known.	Unauthorised absence
O	Absent in other or unknown circumstances	Where no reason for absence is established or the school is not satisfied that the reason given is one that would be recorded using one of the codes statistically classified as authorised.	Unauthorised absence
U	Arrived in school after registration closed	Where a pupil has arrived late after the register has closed but before the end of session.	Unauthorised absence

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Appendix 2: KCC Penalty Notices Code of Conduct

1. The purpose of this local code of conduct is to ensure that penalty notices for school absence are issued in a manner that is fair and consistent across Kent County Council. The code sets **out the arrangements for administering penalty notices in Kent County Council and must be adhered to** by anyone issuing a penalty notice for school absence in this area. The code complies with relevant regulations and the Department for Education's national framework for penalty notices as set out in the ['Working together to improve school attendance'](#) guidance.

Consultation

2. This code has been drawn up in consultation with the headteachers and governing bodies of state-funded schools in Kent.

Legal basis

3. Penalty notices may be issued to a parent as an alternative to prosecution for irregular school attendance under s444 of the Education Act 1996. They can only be issued in relation to pupils of compulsory school age in maintained schools, pupil referral units, academy schools, AP academies, and certain off-site places as set out in section 444A(1)(b).
4. The Education (Penalty Notices) (England) Regulations 2007 (and subsequent amendments) set out how penalty notices for school absence must be used.
5. A penalty notice can only be requested by an authorised officer: that is, a headteacher or a deputy or assistant head authorised by them. Kent County Council is the issuing authority.
6. The national framework for penalty notices is published in statutory guidance 'Working together to improve school attendance'. It provides further national guidance on the operation of penalty notice schemes for school absence in England.
7. The education-related provisions of the Anti-Social Behaviour Act 2003 apply to all parents who fall within the definition set out in Section 576 of the Education Act 1996. This defines 'parent' as:
 - All natural parents, whether they are married or not.
 - Any person who, although they are not a natural parent, has parental responsibility (as defined in the Children Act 1989) for a child or young person.
 - Any person who, although not a natural parent, has care of a child or young person. Having care of a child or young person means that a person with whom the child lives and who looks after the child, irrespective of what their relationship is with the child, is a parent in education law.

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Under this code of conduct, a penalty notice can be issued to each parent believed to be liable for the offence or offences. Rationale:

8. Research published by the Department for Education in May 2022 found pupils with higher attainment at KS2 and KS4 had lower levels of absence over the key stage compared to those with lower attainment.
 - Pupils who did not achieve the expected standard in reading, writing and maths in 2019 had an overall absence rate of 4.7% over the key stage, compared with 3.5% among pupils who achieved the expected standard and 2.7% among those who achieved the higher standard.
 - Pupils who did not achieve grade 9 to 4 in English and maths GCSEs in 2019 had an overall absence rate of 8.8% over the key stage, compared with 5.2% among pupils who achieved a grade 4 and 3.7% among pupils who achieved grade 9 to 5 in both English and maths.
9. For the most vulnerable pupils, regular attendance is also an important protective factor and often the best opportunity for needs to be identified and support provided.
10. Where difficulties arise with school attendance, professionals should take a 'support first' approach in line with the DfE's 'Working together to improve school attendance' guidance, only resorting to legal enforcement when necessary. The aim is that the need for legal enforcement is reduced by taking a supportive approach to tackle the barriers to attendance and intervening early before absence becomes entrenched.
11. The national framework for penalty notices is based on the principles that penalty notices should only be used in cases where:
 - support is not appropriate (e.g. a term time holiday) or where support has been provided and not engaged with or not worked, and
 - they are the most appropriate tool to change parental behaviour and improve attendance for that particular child.

When may a penalty notice for absences be appropriate?

12. When the national threshold has been met: when a school becomes aware that the national threshold has been met, they must consider whether a penalty notice can and should be issued or not. The national threshold has been met when a pupil has been recorded as absent for 10 sessions (usually equivalent to 5 school days) within 10 school weeks¹, with one of, or a combination of the following codes:
 - code G (the pupil is absent without leave for the purpose of a holiday or unauthorised leave of absence.
 - code O (none of the other rows of Table 3 in regulation 10(3) of the School Attendance (Pupil Registration) (England) Regulations 2024 applies), and
 - code U (the pupil attended after the taking of the register ended but before the end of the session, where no other code applies)

¹ A school week means any week (Monday to Sunday) in which there is at least one school session. The 10 school-week period when the national threshold applies may span different terms or school years (e.g. 2 sessions of unauthorised absence in the Summer Term and a further 8 within the Autumn Term).

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13. If repeated penalty notices are being issued and they are not working to change behaviour they are unlikely to be most appropriate tool. The national framework for penalty notices sets out that a maximum of 2 penalty notices per child, per parent can be issued within a rolling 3-year period. If the national threshold is met for a third time (or subsequent times) within 3 years, another tool should be used. Kent County Council will consider applying for summons for prosecution in the Magistrates' Court for such cases.
14. For the purpose of the escalation process, previous penalty notices include those not paid (including where prosecution was taken forward if the parent pleaded or was found guilty) but not those which were withdrawn.
15. A penalty notice may also be issued where parents allow their child to be present in a public place during school hours without reasonable justification during the first 5 days of a suspension or permanent exclusion. The school must have notified the parents of the days the pupil must not be present in a public place. This type of penalty notice is not included in the National Framework and therefore not subject to the same considerations about support being provided or count towards the limit as part of the escalation process in the case of repeat offences for non- attendance.

Key considerations prior to the issue of a Penalty Notice for school absence

16. The following considerations will be made before issuing (or requesting that another authorised officer issues) a penalty notice to ensure consistency of approach:
 - Is a penalty notice the best available tool to improve attendance and change parental behaviour for this particular family or would one of the other legal interventions be more appropriate?
 - Is issuing a penalty notice in this case appropriate after considering any obligations under the Equality Act 2010?
 - Is it in the public interest to issue a penalty notice in this case given Kent County Council would be accepting responsibility for any resulting prosecution for the original offence in cases of non- payment?
 - In cases where support is appropriate, consider on a case-by-case basis:

Has sufficient support already been provided? Sufficient support will usually include: Correspondence and telephone calls with parents, inviting parents to a meeting to discuss attendance and supportive intervention to improve attendance? .This may include support from KCC services, health services, and partners in the voluntary and community sectors (VCS)

If the answer to the above questions is 'yes', then a penalty notice (or a notice to improve in cases where support is appropriate) will usually be issued.

In cases where support is not appropriate (for example, for holidays in term time), consider on a case by case basis.

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Notice to improve

17. A notice to improve is a final opportunity for a parent to engage in support and improve attendance before a penalty notice is issued. If the national threshold has been met and support is appropriate but offers of support have not been engaged with by the parent or have not worked, a notice to

improve should usually be sent to give parents a final chance to engage in support.

Kent schools will issue a notice to improve for parentally-condoned absence and unauthorised absence.

It will not be necessary to issue a notice to improve for term time holidays or leave of absence.

The Notice to Improve must include:

- Details of the pupil's attendance record and details of the offences (a copy of the registration certificate should be included).
- The date range in which 10 or more unauthorised absences occurred.
- The benefits of regular attendance and parents' duty under section 7 of the Education Act 1996.
- Details of the support provided so far.
- Opportunities for further support and the option to access previously provided support that was not engaged with.
- A clear warning that a penalty notice may be issued or prosecution considered if attendance improvement is not secured within the improvement period.
- A clear timeframe for the 20 school day improvement period detailing to and from dates.
- Details of what sufficient improvement within that timeframe will look like.

At the end of an unsatisfactory monitoring period, schools may request a penalty notice to be issued if this is considered this is the best course of action to improve attendance. The referral should include evidence of support offered by the school prior to issuing the notice to improve. The notice to improve must comply with Department for Education requirements.

18. Kent County Council (as the issuing authority) will issue a penalty notice if all aspects of the Code of Conduct have been met and as the independent prosecutor, will check reasoning on whether a penalty notice should be issued or not, including whether sufficient support has been provided before issuing a penalty notice.

19. Kent County Council has stringent systems in place to record penalty notices issued in relation to each child to ensure that no more than 2 in 3 years are issued.

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Payment of Penalty Notice fines

20. Arrangements for payment will be detailed within the Penalty Notice.
- The first penalty notice issued to the parent for a child will be charged at £80 if paid within 21 days, rising to £160 if paid between days 22 and 28.
 - Where it is deemed appropriate to issue a second penalty notice to the same parent for the same pupil within 3 years of the first offence, the second notice is charged at a flat rate of £160 and is payable within 28 days. **There is no reduced sum available in this instance.**
 - Part payments or payment plans are not acceptable and fines must be paid in full within 21 or 28 days, at the rate specified within the penalty notice.
 - Payment after the deadline may be accepted in exceptional circumstances. In this situation, the higher amount of £160 is usually payable and must be paid immediately and in full.
 - When paying a penalty notice fine, parents are essentially agreeing to an out of court settlement in respect of the unauthorised absences to which the notice refers. Payment in full against the penalty notice discharges the parent's legal responsibility for the period of unauthorised absence outlined in the Notice and the parent cannot be subsequently prosecuted for that period.
 - Any revenues collected through the system must be ring-fenced to administer the penalty notice system and prosecute for the original offence in cases of non-payment. If a surplus remains after the system has been administered and any non-payers have been prosecuted, this can be spent on the local authority's attendance support offer.
21. When a third or subsequent period of unauthorised absence occurs during a 3 rolling year period and the school wish legal action to be considered, a penalty notice request should be made as usual including supporting documentation. Information regarding previous penalty notices should be provided if known.
22. Kent County Council will not issue a penalty notice but will contact the Headteacher to request additional evidence. The matter will be considered for prosecution via the Single Justice Procedure. This process is only to be used for absence due to term-time holidays or unauthorised leave of absence. For instances where 2 penalty notices have been issued within a 3 year period for parentally condoned absence or persistent lateness after the register has closed, the school must consult with Kent PRU and Attendance Service.
23. Kent County Council will inform the school when penalty notices are withdrawn. If prosecution is being considering following non-payment, Kent County Council will contact the school for pre-prosecution checks.
24. If the school is not contacted following a penalty notice request, an assumption can be made that the penalty notice has been issued and paid. If schools wish to enquire about penalty notices, they should email attendance.enforcement@kent.gov.uk ensuring Penalty Notice status request is inserted in the title of their email.
25. Where pupils move between local authority areas, Kent County Council can be contacted at crossborder.penaltynotice@kent.gov.uk to find out if penalty notices have been issued previously.
26. Where pupils attend school in Kent but live in a different local authority, Kent County Council will liaise with the home Local Authority in cases where a penalty notice is being considered and support is appropriate, and that support is being provided by the home Local Authority.