Department for Education

Working together to improve school attendance

Statutory guidance for maintained schools, academies, independent schools and local authorities

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Summary

About this guidance

1. This is guidance from the Department for Education (DfE). This guidance is statutory, and schools, trusts, governing bodies, and local authorities must have regard to it as part of their efforts to maintain high levels of school attendance[1].

2. This guidance should be read alongside the statutory guidance documents on children missing education, supporting pupils with medical conditions at school, education for children with health needs who cannot attend school, suspensions and exclusions, alternative provision, and Keeping Children Safe in Education.

3. Where this guidance refers to a parent, the school and/or local authority will need to decide which adult is most appropriate to work with. Generally, parents include:

- all natural parents, whether they are married or not;
- all those who have parental responsibility for a child or young person;
- those who have day to day responsibility for the child (i.e. lives with and looks after the child).

Who this publication is for

4. This guidance is for:

- All school and academy trust staff, headteachers, governors, academy trustees, and alternative provision providers
- Local authority attendance staff, early help lead practitioners, social workers, and virtual school heads
- Statutory safeguarding (including police and integrated care boards) and other local partners
- This guidance may also be useful for parents

[1] It is issued under: section 175(4) of the Education Act 2002 (all chapters), sections 19(4A) and 444B(3) of the Education Act 1996 (chapters 2, 4, 5 and 6), section 19(9) of the Anti-Social Behaviour Act 2003 (chapters 1-6), paragraph 7(b) of the Education (Independent School Standards) Regulations 2014 (chapters 1 and 2) and paragraph 3(a) of the Non-Maintained Special Schools (England) Regulations 2015 (chapters 1 and 2).

What has changed in this edition

5. Following feedback the guidance has been updated to:

- Be clearer on the link between improving attendance and wider school culture, including the importance of working in partnership with families to find supportive routes to improve attendance.
- Reflect changes to the law on keeping school attendance and admission registers including a revised set of codes, granting leaves of absence and access to, and sharing of, attendance information introduced through the School Attendance (Pupil Registration) (England) Regulations 2024.
- Set out the new National Framework for issuing penalty notices and reflect changes to the law introduced through the Education (Penalty Notices) (England) (Amendment) Regulations 2024.
- Change ‘parenting contracts’ for attendance to ‘attendance contracts’ to better reflect the agreement between parents, schools and/or local authorities.

6. The expectations of schools have been updated to:

- Update the section on pupils who are prevented from attending school due to physical or mental ill health to be clear where schools’ role starts and ends, provide further clarification around medical evidence, additional support for pupils with special educational needs and disabilities and part-time timetables.
- Explain the new requirements for schools on data sharing introduced through the Education (Information about Individual Pupils) (England) (Amendment) Regulations 2024.
- Provide clarification of the expectations of schools’ senior attendance champions.
- Expect schools to inform a pupil’s youth offending team worker of any unexplained absences.

7. The expectations of local authorities have been updated to:

- Provide further detail to clarify additional attendance services that may be traded with schools, local authority responsibilities in relation to cross-border pupils and how to hold effective Targeting Support Meetings.
- Allow flexibility in how local authorities work with independent schools to better suit the needs of different local independent schools.
- Provide further detail on cross partnership ownership of attendance improvement.

Chapter 1: The importance of school attendance

8. Improving attendance is everyone's business. The barriers to accessing education are wide and complex, both within and beyond the school gates, and are often specific to individual pupils and families. Good attendance begins with school being somewhere pupils want to be and therefore the foundation of securing good attendance is that school is a calm, orderly, safe, and supportive environment where all pupils are keen and ready to learn.

9. Some pupils find it harder than others to attend school and therefore at all stages of improving attendance, schools and partners should work in partnership with pupils and parents collaboratively to remove any barriers to attendance by building strong and trusting relationships and working together to put the right support in place. Securing good attendance cannot therefore be seen in isolation, and effective practices for improvement will involve close interaction with schools' efforts on curriculum, behaviour, bullying, special educational needs support, pastoral and mental health and wellbeing, and effective use of resources, including pupil premium. It cannot solely be the preserve of a single member of staff, or organisation, it must be a concerted effort across all teaching and non-teaching staff in school, the trust or governing body, the local authority, and other local partners.

The law on school attendance and right to a full-time education

10. The law entitles every child of compulsory school age to an efficient, full-time education suitable to their age, aptitude, and any special educational need they may have. It is the legal responsibility of every parent to make sure their child receives that education either by attendance at a school or by education otherwise than at a school.

11. Where parents decide to have their child registered at school, they have an additional legal duty to ensure their child attends that school regularly. This means their child must attend every day that the school is open, except in a small number of allowable circumstances such as being too ill to attend or being given permission for an absence in advance from the school.

12. This is essential for pupils to get the most out of their school experience, including their attainment, wellbeing, and wider life chances. The pupils with the highest attainment at the end of key stage 2 and key stage 4 have higher rates of attendance over the key stage compared to those with the lowest attainment. At KS2, pupils not meeting the expected standard in reading, writing and maths had an overall absence rate of 4.7%, compared to 3.5% among those meeting the expected standard. Moreover, the overall absence rate of pupils not meeting the expected standard was higher than among those meeting the higher standard (4.7% compared to 2.7%). At KS4, pupils not achieving grade 9 to 4 in English and maths had an overall absence rate of 8.8%, compared to 5.2%

among those achieving grade 4[2]. The overall absence rate of pupils not achieving grade 9 to 4 was over twice as high as those achieving grade 9 to 5 (8.8% compared to 3.7%).[3]

13. For the most vulnerable pupils, regular attendance is also an important protective factor and the best opportunity for needs to be identified and support provided. Research has shown associations between regular absence from school and a number of extra-familial harms, including crime (the proportion of children that had been cautioned or sentenced for any offence that had ever been persistently absent was 81% and for serious violence offence was 85%)[4].

[2] https://explore-education-statistics.service.gov.uk/find-statistics/the-link-between-absence-and-attainment-at-ks2-and-ks4/2018-19

[3] https://explore-education-statistics.service.gov.uk/find-statistics/the-link-between-absence-and-attainment-at-ks2-and-ks4/2018-19

[4] https://explore-education-statistics.service.gov.uk/find-statistics/education-children-s-social-care-and-offending-local-authority-level-dashboard/2019-20

Working together to improve attendance

14. Successfully treating the root causes of absence and removing barriers to attendance, at home, in school or more broadly requires schools and local partners to work collaboratively in partnership with, not against families. All partners should work together to:

Expect

Aspire to high standards of attendance from all pupils and parents and build a culture where all can, and want to, be in school and ready to learn by prioritising attendance improvement across the school.

Monitor

Rigorously use attendance data to identify patterns of poor attendance (at individual and cohort level) as soon as possible so all parties can work together to resolve them before they become entrenched.

Listen and understand

When a pattern is spotted, discuss with pupils and parents to listen to and understand barriers to attendance and agree how all partners can work together to resolve them.

Facilitate support

Remove barriers in school and help pupils and parents to access the support they need to overcome the barriers outside of school. This might include an early help or whole family plan where absence is a symptom of wider issues.

Formalise support

Where absence persists and voluntary support is not working or not being engaged with, partners should work together to explain the consequences clearly and ensure support is also in place to enable families to respond. Depending on the circumstances this may include formalising support through an attendance contract or education supervision order.

Enforce

Where all other avenues have been exhausted and support is not working or not being engaged with, enforce attendance through statutory intervention: a penalty notice in line with the National Framework or prosecution to protect the pupil's right to an education.

Chapter 2: Expectations of schools

15. All schools have a continuing responsibility to proactively manage and improve attendance across their school community. As set out in chapter 1, attendance is the essential foundation to positive outcomes for all pupils including their safeguarding and welfare and should therefore be seen as everyone's responsibility in school. That starts with the senior attendance champion on the school's leadership team, but includes all school staff.

16. The most effective schools consistently promote the benefits of good attendance at school and make schools a place pupils want to be, set high expectations for every pupil, communicate those expectations clearly and consistently to pupils and parents, systematically analyse their data to identify patterns to target their improvement efforts, and work effectively with the local authority and other local partners to overcome barriers to attendance. They also recognise that attendance cannot be seen in isolation and that the foundation to good attendance is a calm, orderly, safe and supportive environment in which all pupils can learn and thrive. To manage and improve attendance effectively, all schools are expected to:

- Build strong relationships and work jointly with families, listening to and understanding barriers to attendance and working in partnership with families to remove them.
- Develop and maintain a whole school culture that promotes the benefits of high attendance.
- Have a clear school attendance policy which all staff, pupils and parents understand.
- Accurately complete admission and, with the exception of schools where all pupils are boarders, attendance registers and have effective day to day processes in place to follow-up absence.
- Regularly monitor and analyse attendance and absence data to identify pupils or cohorts that require support with their attendance and put effective strategies in place.
- Share information and work collaboratively with other schools in the area, local authorities, and other partners where a pupil's absence is at risk of becoming persistent or severe.
- Be particularly mindful of pupils absent from school due to mental or physical ill health or their special educational needs and/or disabilities, and provide them with additional support.

Build strong relationships and work jointly with families, listening to and understanding barriers to attendance and working in partnership with families to remove them

17. Good attendance starts with close and productive relationships with parents and pupils. Schools should treat all pupils and parents with dignity and staff should model respectful relationships to build a positive relationship between home and school that can be the foundation of good attendance. In working in partnership with parents, schools should discuss the link between attendance and attainment and wider wellbeing, and challenge parents' views where they have misconceptions about what 'good' attendance looks like. Where a pupil or family needs support with attendance, it is important that the best placed person in the school works alongside and supports the family and wherever possible the person should be kept consistent.

18. Where a pattern of absence is at risk of becoming, or becomes, problematic schools should draw on these relationships and listen to and understand the barriers to attendance the pupil or family is experiencing. In doing so, schools should take into consideration the sensitivity of some of the reasons for absence and understand the importance of school as a place of safety and support rather than reaching immediately for punitive approaches.

19. In the first instance, all schools are expected to:

- Support pupils and parents by working together to address any in-school barriers to attendance.
- Where barriers are outside of the school's control, all partners should work together to support pupils and parents to access any support they may need voluntarily. As a minimum, this should include meeting with pupils at risk of persistent or severe absence and their parents to understand barriers to being in school and agreeing actions or interventions to address them. This may include referrals to services and organisations that can provide support. These actions should be regularly discussed and reviewed together with pupils and families.

20. Where absence intensifies, so should the support provided, which will require the school to work in tandem with the local authority and other relevant partners:

- If the needs and barriers are individual to the pupil this may include provision of mentoring, careers advice, college placements, 1-2-1 tuition or out of hours learning, or where appropriate an education, health and care plan or alternative provision.
- Where the needs are wider and a whole family response is more appropriate, this is likely to include a voluntary early help assessment.
- Where engagement in support is proving challenging, schools should hold more formal conversations with the parents (and pupil where they are old enough to

understand). This is likely to be led by the school's senior attendance champion and may include the school's point of contact in the local authority School Attendance Support Team. These meetings should clearly explain the consequences of persistent and severe absence to the pupil and family and the potential need for legal intervention in future, but should also be an opportunity to continue to listen to and understand the barriers to attendance and explain the help that is available to avoid those consequences.

21. Where voluntary support has not been effective and/or has not been engaged with all schools should work with the local authority to:

- Put formal support in place in the form of an attendance contract or an education supervision order.
- Issue a Notice to Improve and/or penalty notice where support would not be appropriate or has not been successful or engaged with and it is likely to change the parents' behaviour.
- Intensify support through statutory children's social care involvement where there are safeguarding concerns, especially where absence becomes severe (below 50% attendance).
- Prosecute parents where all other routes have failed or are not deemed appropriate. This could include making the case for a community or parenting order where the parent is convicted to secure engagement with support.

For further details, see chapter 6.

22. Supportive approaches are most effective when they are put in place as early as possible and therefore it is essential all partners work together in a timely manner. If a pupil's absence requires support from an outside agency which is not provided quickly (e.g. subject to a waiting list), schools and/or local authorities should consider other avenues of support or other temporary solutions whilst waiting.

23. In all cases, the school should monitor the impact of any intervention(s) and make adjustments where necessary in discussion with the pupil, parents and any other partners involved as part of any whole family plan or team around the family.

24. Where interventions are failing, all parties should work together to identify the reasons why and either adjust or change the approach. In very few cases will all options have been exhausted therefore partners are expected to work together to continue offering new approaches. If a particular form of support is refused or does not work initially, schools and partners are expected to provide further opportunities to engage in that support, try something else or ultimately take legal action if support is not appropriate.

Develop and maintain a whole school culture that promotes the benefits of high attendance

25. Good attendance is a learned behaviour, and the most effective schools recognise the importance of developing good patterns of attendance from the outset. Schools that have good attendance recognise that it is not a discrete piece of work but rather it is an integral part of the school's ethos and culture. In building a culture of good school attendance, all schools are expected to:

- Recognise the importance of good attendance and, alongside good behaviour, make it a central part of the school's vision, values, ethos, and day to day life.
- Recognise that absence is a symptom and that improving pupil's attendance is part of improving the pupil's overall welfare. This can be achieved by prioritising attendance in strategies on attainment, behaviour, bullying, special educational needs support, supporting pupils with medical conditions or disabilities, safeguarding, wellbeing, and support for disadvantaged students including use of pupil premium and support for young carers and children with a social worker.
- Recognise improving attendance is a school leadership issue and have a designated senior leader with overall responsibility for championing and improving attendance in school and liaising with pupils, parents and external agencies where needed. The Senior Attendance Champion is expected to set a clear vision for improving and maintaining good attendance, establish and maintain effective systems for tackling absence and make sure they are followed by all staff and have a strong grasp of absence data to focus the collective efforts of the school. It is an ongoing responsibility, and the Senior Attendance Champion is also expected to regularly monitor and evaluate progress, including the efficacy of the school's strategies and processes.
- Make sure all teaching and non-teaching staff know the importance of good attendance, are consistent in their communication with pupils and parents, and receive the training and professional development they need.
- Make sure attendance support and improvement is appropriately resourced, including where applicable through effective use of pupil premium funding. Where possible this should include attendance or pastoral support staff (either school based or contracted) who can work in partnership with families, conduct home visits and work in partnership with school leaders, the local authority's School Attendance Support Team and other partners.
- Set high expectations for the attendance and punctuality of all pupils and communicate these regularly to pupils and parents through all available channels. In doing so, schools should help parents to understand what is expected of them and why attendance is important to their child's attainment, wellbeing, and wider development. It should also include clarity on the short and long term consequences of poor attendance.

- Visibly demonstrate the benefits of good attendance throughout school life. This may include in displays, assemblies or in registration periods. Where used sensitively and without discrimination, this may also include praising and rewarding improvements in attendance at year group, class/form and individual level.
- Recognise that attendance is never 'solved' and is a continuous process by regularly reviewing and updating messages, processes, and strategies.
- Recognise children missing education can act as a vital warning sign to a range of safeguarding issues including neglect, sexual abuse and child sexual and criminal exploitation.

Have a clear school attendance policy which all leaders, staff, pupils, and parents understand

26. An effective whole school culture of high attendance is underpinned by clear expectations, procedures, and responsibilities. To ensure all leaders, staff, pupils, and parents understand these expectations, all schools are expected to have a clear, written school attendance policy based on the expectations set out this guidance. As a minimum it should detail:

- The attendance and punctuality expectations of pupils and parents, including start and close of the day, register closing times and the processes for requesting leaves of absence and informing the school of the reason for an unexpected absence.
- The name and contact details of the school's Senior Attendance Champion.
- Information and contact details of the school staff who pupils and parents should contact about attendance on a day to day basis (such as a form tutor, attendance officer etc) and for more detailed support on attendance (such as a head of year, pastoral lead or family liaison officer etc).
- The school's day to day processes for managing attendance, for example first day calling and processes to follow up on unexplained absence.
- How the school is promoting and incentivising good attendance.
- The school's strategy for using data to target attendance improvement efforts to the pupils or pupil cohorts who need it most.
- The school's strategy for reducing persistent and severe absence, including how access to wider support services will be provided to remove the barriers to attendance and when support will be formalised in conjunction with the local authority.
- Details of the National Framework for Penalty Notices and when Notices to Improve, penalty notices or other legal interventions will be sought if support is not appropriate (e.g. for a holiday in term time), not successful, or not engaged with.

27. Whilst every pupil has a right to a full-time education and high attendance expectations should be set for all pupils, the attendance policy should account for the specific needs of certain pupils and pupil cohorts. The policy should be applied fairly and

consistently but in doing so schools should always consider the individual needs of pupils and their families who have specific barriers to attendance. In development and implementation of their policy, schools must consider their obligations under the Equality Act 2010 or considerations under the UN Convention on the Rights of the Child.

28. Schools where all or some of their pupils are boarders are expected to cover all of the above areas in their policies but will want to do so in a way that meets their specific needs.

29. The policy should be easily accessible to leaders, staff, pupils, and parents, including being published on the school's website. Parents should be sent it with any initial information when pupils join the school and reminded of it at the beginning of each school year and when it is updated.

30. As the barriers to attendance evolve quickly, the policy should be reviewed and updated as necessary. In doing so, schools should seek the views of pupils and parents.

Accurately complete admission and attendance registers and have effective day to day processes in place to follow-up absence

31. The law requires all schools including independent schools to have an admission register and, except for schools where all pupils are boarders, an attendance register. These registers must be kept electronically. All pupils (regardless of their age) must be placed on the admission register and have their attendance recorded in the attendance register. The proprietor of a school who fails to comply with these regulations is guilty of an offence and can be fined.

Admission register ('the school roll')

32. The admission register (sometimes referred to as the school roll) must contain specific personal details of every pupil in the school along with their starting date, information regarding parents, and details of the school last attended.

33. A pupil's name can only lawfully be deleted from the admission register if a reason set out in regulation 9 of the School Attendance (Pupil Registration) (England) Regulations 2024 applies.

Full details on the keeping of the admission register can be found in chapter 7.

Attendance register

34. Schools must also take the attendance register at the start of each morning session of each school day and once during each afternoon session. On each occasion they must record whether each registered pupil is physically present in school or, if not, the reason

they are not in school by using the appropriate national attendance and absence codes from regulation 10 of the School Attendance (Pupil Registration) (England) Regulations 2024.

Full details on the keeping of the attendance register can be found in chapter 8.

Retaining and amending registers

35. Effective and timely use and sharing of register data is critical to improve attendance. Schools are expected to use an electronic management information system to keep their attendance and admission registers to improve accuracy, speed up the process of sharing and analysing information, and make returns to local authorities and DfE easier.

36. Registers are legal records and all schools must preserve every entry in the attendance or admission register for 6 years from the date the data was entered. Where amendments are made, all schools must ensure the registers show the original entry, the amended entry, the reason for the amendment, the date on which the amendment was made, and the name of the person who made the amendment. As the attendance register is a record of the pupil's presence at the time it was taken, this register should only routinely be amended where the reason for absence cannot be established at the time it is taken and it is subsequently necessary to correct the entry.

Granting leaves of absence

37. All schools can grant a leave of absence when a pupil needs to be absent from school with permission. All schools are expected to restrict leaves of absence to the specific circumstances set out in regulation 11 of the School Attendance (Pupil Registration) (England) Regulations 2024 and schools maintained by a local authority and special schools not maintained by a local authority must do so. These circumstances are:

- **Taking part in a regulated performance or employment abroad**: in line with a licence issued by a local authority or Justice of the Peace or a body of persons approval (BOPA). (For full details please see Code C1)
- **Attending an interview**: for entry into another educational institution or for future employment where requested in advance by a parent the pupil normally lives with.
- **Study leave**: for public examinations, as agreed in advance with a parent the pupil normally lives with. Please note this does not include any internal examinations such as mocks as study leave should not be granted in such cases.
- **A temporary, time-limited part-time timetable**: where the pupil is of compulsory school age, both the parent who the pupil normally lives with and school agree the pupil should temporarily be educated on a part-time basis for exceptional reasons and have agreed the times and dates when the pupil will be expected to attend school as part of that timetable. (For full details please see part-time timetable)

- **Exceptional circumstances**: All schools can grant a leave of absence for other exceptional circumstances at their discretion. In the case of schools maintained by local authorities and special schools not maintained by local authorities, it must be requested in advance by a parent who the pupil normally lives with. Schools are then expected to consider each application individually taking into account the specific facts and circumstances and relevant background context behind the request. If a leave of absence is granted, it is for the school to determine the length of the time the pupil can be away from school.

38. Generally, the DfE does not consider a need or desire for a holiday or other absence for the purpose of leisure and recreation to be an exceptional circumstance. Leave of absence should not be granted for a pupil to take part in protest activity during school hours.

39. All schools are also able to allow pupils of non-compulsory school age to be absent for sessions they are not timetabled to attend (For full details see code X).

40. If a pupil is over compulsory school age (e.g. in sixth form) leave can be requested or agreed by the pupil or a parent they normally live with.

Education off site

41. As well as the above leaves of absence, all schools can also allow pupils to be absent from the school site for certain educational activities or to attend other schools or settings:

- To attend an offsite approved educational activity. (For full details see Code B)
- To attend another school at which the pupil is registered (dual-registration). (For full details see Code D)
- To attend provision arranged by the local authority. e.g. alternative provision or as part of an education, health and care plan. (For full details see Code K)
- To participate in an approved sporting activity. (For full details see Code P)
- To attend an educational visit or trip arranged by the school. (For full details see Code V)
- To attend work experience. (For full details see Code W)

42. As these circumstances are part of delivering a full time education they are not classified as absences for statistical purposes. See chapter 8 for full details on recording these circumstances.

Day to day processes

43. Alongside accurate recording of attendance and absence, effective schools have robust day to day processes to track and follow up absence and poor punctuality which are rigorously applied across the school. All schools are expected to develop processes that

meet the needs of their pupils and contexts. As a minimum this should include arrangements to:

- Proactively manage lateness and set out in their attendance policy the length of time the register will be open, after which a pupil will be recorded as absent. This should be the same for every session and not longer than 30 minutes.
- Expect parents to contact the school when their child is absent to explain the reason and put in place processes to contact parents on the first day of absence where a reason has not been provided. If absence continues without explanation, further contact should be made to ensure safeguarding.
- Identify any absences that are not explained for each session and contact parents (and where appropriate foster carers and/or social workers/ youth offending team workers) to understand why and when the pupil will return. Where absence is recorded as unexplained in the attendance register, the correct code should be inputted as soon as the reason is ascertained, but no later than 5 working days after the session.
- Where reasonably possible hold more than one emergency contact number for each pupil. This is good practice to give the school additional options to make contact with a responsible adult.
- Regularly inform parents about their child's attendance and absence levels. Schools should avoid headline percentages and instead make this understandable for parents (e.g. the amount of time missed and the impact on the pupil's learning).
- Hold regular meetings with the parents of pupils who the school (and/or local authority) consider to be vulnerable or are persistently or severely absent to discuss attendance and engagement at school.
- Identify pupils who need support from wider partners as quickly as possible and make the necessary referrals.
- Make the necessary statutory data returns to the local authority and Secretary of State (see paragraph 49 and 52).
- Support pupils back into school following a lengthy or unavoidable period of absence and provide support to build confidence and bridge gaps.

44. Schools, particularly secondary schools, may also wish to monitor lesson attendance within sessions to identify patterns of absence within the school day and deal with any pupils who are on site but not attending lessons through pastoral and special educational needs or disability support or behaviour policy.

Regularly analyse attendance and absence data to identify pupils or cohorts that require support with their attendance and put effective strategies in place

45. As poor attendance is habitual, prevention and early intervention is crucial. The key to this is regular data analysis to both identify and provide immediate additional support to

pupils or pupil cohorts that need it, and to look at historic and emerging patterns across the school and develop strategies to address them. To achieve this all schools are expected to:

- Monitor and analyse weekly attendance patterns and trends and deliver intervention and support in a targeted way to pupils and families. This should go beyond headline attendance percentages and should look at individual pupils, cohorts and year groups (including their punctuality) across the school to help schools achieve their responsibilities under the Public Sector Equality Duty. When analysing patterns, some schools, especially secondary schools, may wish to look further into patterns of attendance within a session to ensure all pupils are attending all timetabled lessons.
- Use this analysis to provide regular attendance reports to class teachers or tutors to facilitate discussions with pupils and to leaders (including any special educational needs coordinators, designated safeguarding leads and pupil premium leads).
- Undertake frequent individual level analysis to identify the pupils who need support and focus staff efforts on developing targeted actions for those cases. This should not just focus on persistent and severe absence, but look at all severities of absence to identify pupils who can be supported earlier before patterns become entrenched.
- Conduct thorough analysis of half-termly, termly, and full year data to identify patterns and trends. This should include analysis of pupils and cohorts and identifying patterns in uses of certain codes, days of poor attendance and where appropriate, subjects which have low lesson attendance.
- Benchmark their attendance data (at whole school, year group and cohort level) against local, regional, and national levels to identify areas of focus for improvement.
- Devise specific strategies to address areas of poor attendance identified through data. This may, for example, include pupils in a year group with higher than average absence or pupils eligible for free school meals if their attendance falls behind that of their more advantaged peers.
- Monitor in the data the impact of school wide attendance efforts, including any specific strategies implemented. The findings should then be used to evaluate approaches or inform future strategies.
- Provide data and reports to support the work of the board or governing body, as set out in chapter 3.

46. Schools should decide which cohorts of pupils should be included in their data analysis based on their context and school population. This may include: boys and girls, year groups, pupils with special educational needs or disabilities, pupils with a social worker or who are looked-after by the local authority, pupils eligible for free school meals, and any pupils from backgrounds (including ethnicities, religions or beliefs, or sexual

orientations where applicable) in the school community that have, or have historically had, lower attendance than their peers.

47. Schools may wish to make use of the View Your Education Data tool to compare attendance outcomes of different cohorts of pupils at a local and national level to identify where intervention is most needed.

Share information and work collaboratively with other schools in the area, local authorities and other partners when absence is at risk of becoming persistent or severe

48. All schools should work with local communities (including voluntary and community groups) to help remove the barriers to attendance that families experience. In some cases, families will experience the same or similar barriers to attendance for multiple children who attend different schools in the area. As such, it is of mutual benefit for such schools to work together where possible. This will be particularly beneficial in supporting transition between feeder schools.

49. Schools of all types, local authorities and other local partners should work jointly and share data on individual cases where it is of benefit to the pupil (e.g. health services where there are medical conditions or the police where there are extra-familial harms). Local authorities and schools (of all types) are expected to have regular Targeting Support Meetings. Further, to facilitate timely collaborative working across partners, all schools are also legally required to share information from their registers with the local authority. As a minimum this includes:

- **New Pupil and Deletion returns:** notifying the local authority when a pupil's name is added to or deleted from the school admission register outside of standard transition times. For full details see paragraphs 211 and 219.
- **Attendance returns:** providing the local authority with the names and addresses of all pupils of compulsory school age who fail to attend school regularly or have been absent for a continuous period of ten school days where their absence has been recorded with one or more of the codes statistically classified as unauthorised (G, N, O, and/or U). Local authorities must agree the frequency that attendance returns are to be provided with all schools in their area. This should be no less frequently than once per calendar month.
- **Sickness returns:** providing the local authority with the full name and address of all pupils of compulsory school age who have been recorded with code I (illness) and who the school has reasonable grounds to believe will miss 15 days consecutively or cumulatively because of sickness. Only one sickness return is required for a continuous period of sickness in a school year. This is to help the school and local authority to agree any provision needed to ensure continuity of education for pupils

who cannot attend because of health needs, in line with the statutory guidance on arranging education for children who cannot attend school because of health needs.

50. Local authorities may seek, and schools are expected to provide, more frequent or comprehensive sharing of data than the statutory minimum where it is essential to fulfilling their obligations under the Education Acts and the expectations set out in chapter 4 of this guidance. To avoid any unnecessary burdens for schools this should always be automatic from school registers and not require additional manual data collection/returns (e.g. through a data aggregator directly from management information systems). This collaboration allows local authorities to facilitate quicker, more efficient joint working and better target their area wide attendance strategy.

51. The law also allows local authority officers access to the attendance and admission registers of all types of schools to carry out their functions under the Education Acts to support joint working between schools, trusts and local authorities. These officers are also permitted to take digital or physical extracts.

52. State funded schools[5] must also provide specific pupil information on request to the Secretary of State, for full details see: guidance for sharing daily pupil attendance data. The easiest way to meet this requirement is having an electronic management information system containing the required information that can be accessed by DfE. Once a school has granted permission the flow of data is completely automated and does not place any further burden on schools or local authorities. Schools that meet their requirement by sharing their school attendance data directly from their management information system receive access to the secure View Your Education Data tool. This tool allows schools to monitor pupil level attendance and have access to near real time data to understand trends in attendance patterns.

Pupils with a social worker and/or youth offending team worker

53. To facilitate effective working across the local authority area, schools are expected to inform a pupil's social worker and/or youth offending team worker if there are unexplained absences from school. Children missing education officers or a school's point of contact in the School Attendance Support Team should also inform a pupil's social worker and/or youth offending team worker if their name is to be deleted from the school register.

[5] With the exception of nursery schools, city technology colleges and city colleges for the technology of the arts.

Be particularly mindful of pupils absent from school due to mental or physical ill health or their special educational needs and/or disabilities, and provide them with additional support.

54. Many children will experience normal but difficult emotions that make them nervous about attending school, such as worries about friendships, schoolwork, examinations or variable moods. It is important to note that these pupils are still expected to attend school regularly - in many instances, attendance at school may serve to help with the underlying issue as being away from school might exacerbate it, and a prolonged period of absence may heighten anxious feelings about attending in future.

55. School staff play a critical role in communicating this expectation to parents. They should also work alongside families to ensure that such circumstances do not act as a barrier to regular attendance by mitigating anxious feelings in school as much as possible. Schools may also find it helpful to refer to DfE's non-statutory guidance on mental health issues affecting a pupil's attendance for case study examples.

56. Some pupils face more complex barriers to attendance. This can include pupils who have long term physical or mental health conditions or who have special educational needs and disabilities (SEND). Their right to an education is the same as any other pupil and therefore the attendance ambition for these pupils should be the same as it is for any other pupil but additional support may need to be provided.

57. In developing this support, the usual processes relevant to any attendance case apply:

- Understanding the individual needs of the pupil and family
- Working in partnership with the pupil and family to put in-school support in place and working with other the local authority and other agencies where external support is needed (and available)
- Regularly reviewing and updating the support approach to make sure it continues to meet individual needs.

58. In cases of both long term physical or mental ill health, school staff are not expected to diagnose or treat physical or mental health conditions, but they are expected to work together with families and other agencies with the aim of ensuring regular attendance for every pupil. They should:

- Facilitate any relevant pastoral support with the clear aim of improving attendance as much as possible whilst supporting the underlying health issue.
- Consider adjustments to practice and policies to help meet the needs of pupils who are struggling to attend school, as well as making formal reasonable adjustments under section 20 of the Equality Act 2010 where a pupil has a disability. Any adjustments should be agreed by, and regularly reviewed with the pupil and their parents.

- Consider whether a time-limited phased return to school would be appropriate, for example for those affected by anxious feelings about school attendance.
- Make a sickness return to the local authority if a pupil is recorded in the attendance register as absent using code I (unable to attend because of sickness) and there are reasonable grounds to believe the pupil will have to miss 15 consecutive school days or more for illness or the pupil's total number of school days missed during the current school year because of illness (whether consecutive or cumulative) will reach or exceed 15 school days. (See paragraph 49)

59. For pupils with special educational needs and disabilities, schools are expected to:

- Work in partnership with parents to develop specific support approaches for attendance for pupils with special educational needs and disabilities, including, where applicable, ensuring the provision outlined in the pupil's education, health and care plan is accessed.
- Work in partnership with families to help support routines where school transport is regularly being missed and work with other partners to encourage the scheduling of additional support interventions or medical appointments outside of the main school day. Please see further details on SEN support.
- Establish strategies for removing the in-school barriers these pupils face, including considering support or reasonable adjustments for uniform, transport, routines, access to support in school and lunchtime arrangements.
- Consider adjustments to practice and policies to help meet the needs of pupils who are struggling to attend school, as well as making formal reasonable adjustments under section 20 of the Equality Act 2010 where a pupil has a disability. Any adjustments should be agreed by, and regularly reviewed with the pupil and their parents.
- Ensure joined up pastoral care is in place where needed and consider whether a time-limited phased return to school would be appropriate.

60. Attendance is everyone's business so in many of these cases school will not be able to fully support a pupil without the assistance of a range of other agencies. School should:

- Make use of school nursing services and mental health support teams where they are available.
- Consider whether additional support from other external partners (including the local authority, children and young people's mental health services, GPs or other health services) would be appropriate and make referrals.
- Where external support is provided work together with those services to deliver any subsequent support.

61. If the child has an education health and care plan, school staff should:

- Communicate with the local authority where a pupil's attendance falls or they become aware of barriers to attendance that relate to the pupil's needs.
- Where possible agree adjustments to its policies and practices that are consistent with the special educational provision set out in the education health and care plan in collaboration with parents.
- Where needed work with the local authority to review and amend the education health and care plan to incorporate the additional or different attendance support identified.

62. Medical evidence for recording absences should only be needed in a minority of cases (see Code I). Where a pupil's health need means they need reasonable adjustments or support because it is complex or long term, schools can seek medical evidence to better understand the needs of the pupil and identify the most suitable provision in line with the statutory guidance in supporting pupils at school with medical conditions or arranging education for children who cannot attend school because of health needs.

63. Where parents do not engage in support, schools should work with the local authority or other local partners to formalise that support and as a last resort, enforce attendance through legal intervention.

64. Schools should ensure data is regularly monitored for pupils with long term illnesses and or special educational needs or disabilities including at board and governing body meetings and in Targeting Support Meetings with the local authority so that additional support from other partners is accessed where necessary.

Part-time timetables

65. All pupils of compulsory school age are entitled to a full-time education suitable to their age, aptitude and any special educational needs they may have. In some circumstances their education may be provided partially at school and partially at another educational setting or through education otherwise than at a school in line with section 19 of the Education Act 1996 or section 42 or 61 of the Children and Families Act 2014. Time away from school to receive education in other ways must be recorded in the attendance register using the appropriate codes (see chapter 8).

66. In very exceptional circumstances, where it is in a pupil's best interests, there may be a need for a school to provide a pupil of compulsory school age with less than full-time education through a temporary part-time timetable to meet their individual needs. For example, where a medical condition prevents a pupil from attending school or another setting full-time and a part-time timetable is used to help the pupil access as much education as possible. A part-time timetable should not be used to manage a pupil's behaviour.

67. A part-time timetable should:

- Have the agreement of both the school and the parent the pupil normally lives with.
- Have a clear ambition and be part of the pupil's wider support, health care or reintegration plan.
- Have regular review dates which include the pupil and their parents to ensure it is only in place for the shortest time necessary.
- Have a proposed end date that takes into account the circumstances of the pupil, after which the pupil is expected to attend full-time, either at school or alternative provision. It can, however, be extended as part of the regular review process. In some limited cases, a pupil with a long-term health condition may require a part-time timetable for a prolonged period.

68. Where the pupil has a social worker, the school is expected to keep them informed and involved in the process.

69. If the pupil has an education health and care plan, the school should discuss the part-time timetable with the local authority so that any support package that is in place can be reviewed as swiftly as possible.

70. In agreeing to a part-time timetable, a school has agreed to a pupil being absent from school for part of the week or day and therefore must record the absence accordingly (normally using code X or C2).

Chapter 3: Expectations of academy trust boards and governing bodies of maintained schools

71. Improving attendance requires constant focus, and effective whole school approaches require regular ongoing support, guidance, and challenge. Therefore, all trusts and governing bodies are expected to:

- Recognise the importance of school attendance and promote it across the school's ethos and policies.
- Ensure school leaders fulfil expectations and statutory duties.
- Regularly review attendance data, discuss, and challenge trends, and help school leaders focus improvement efforts on the individual pupils or cohorts who need it most.
- Ensure school staff receive adequate training on attendance.

72. Multi-academy trust boards and governing bodies of federations are also expected to:

- Share effective practice on attendance management and improvement across schools.

73. Whilst it is expected that all trusts and governing bodies will provide support covering these areas, the approach to delivering it should be proportionate to the size of the group of schools and type of school(s) within it.

Recognise the importance of school attendance and promote it across the school's ethos and policies

74. Strategies for improving school attendance begin at board level, therefore all academy trust boards, and governing bodies of maintained schools should take an active role in attendance improvement, support their school(s) to prioritise attendance, and work together with school leaders to set whole school attendance cultures. This should include:

- Setting high expectations of all leaders, staff, pupils, and parents.
- Recognising that absence is a symptom and that improving pupil's attendance is part of improving the pupil's overall welfare. This can be achieved by prioritising attendance in strategies, such as raising attainment, behaviour and combatting bullying, special educational needs and disabilities, wellbeing, and safeguarding.

- Ensuring their schools' attendance management processes are delivered effectively, and that consistent attendance support is provided for pupils who require it most by prioritising the staff and resources needed. This includes ensuring schools engage and work effectively with the local authority School Attendance Support Team and wider local partners and services.
- Ensuring high aspirations are maintained for all pupils, but that processes and support are adapted to the individual needs of particular pupils. This includes those with long term illnesses, special educational needs and disabilities, pupils with a social worker and pupils from cohorts with historically lower attendance such as those eligible for free school meals.
- Repeatedly evaluating the effectiveness of their school(s)' processes and improvement efforts to ensure they are meeting the needs of pupils as experiences and barriers to attendance evolve.
- Boards may also wish to have a governor or trustee that focusses on attendance.

75. In addition, multi-academy trusts and federation governing bodies should identify and monitor attendance patterns across their schools to identify common issues and barriers and share effective practice between schools. For trusts whose schools are geographically concentrated, this may also include sharing of staff and other resources between schools in the area (especially where a member of staff is supporting pupils from the same family but at different schools run by the trust).

76. For larger trusts, this may include having a dedicated attendance lead and/or central attendance staff who can drive attendance improvement across the trust, work more intensively with the schools who require it, and act as a central contact point for schools with attendance queries. All trusts may also find it useful to liaise with DfE's regional teams for advice about wider support programmes.

Ensure school leaders fulfil expectations and statutory duties

77. As the proprietor of a school, academy trusts and governing bodies of maintained schools are ultimately responsible for ensuring due regard to guidance and compliance with the law on school attendance. All trusts and governing bodies should therefore ensure their schools:

- Have an attendance policy which meets the expectations outlined in chapter 2, and which is published and publicised regularly so that it is easily accessible to pupils, parents and staff. Some trusts and federations may wish to have one attendance policy which covers all their schools. Whilst this can be useful in sharing effective practice, the attendance policy should be tailored to the needs of each individual school and the barriers to attendance pupils experience as identified through analysis of school level attendance data.

- Record attendance accurately in the register (see chapter 8) and share the required information with DfE and local authorities.
- Work effectively with local partners to help remove the barriers to attendance that go beyond the school gates, including building strong links with local statutory services (including social care, health and police) and the voluntary and community sector.

Regularly review attendance data, discussing and challenging trends, and helping school leaders focus improvement efforts on the individual pupils or cohorts who need it most

78. All trusts and governing bodies should provide support and challenge to their schools around current trends on attendance in the school community, by:

- Regularly reviewing attendance data at board meetings. This should include thorough examination of recent and historic trends at a school level as well as benchmarking to comparator schools within the trust, local authority area, region and nationwide.
- Paying particular attention to attendance of pupil cohorts within their school(s) that have historically had poor attendance or that face entrenched barriers to attendance. This should be specific to the school's context, but may include pupils who have a social worker, are from a background or ethnicity where attendance has historically been low, have a long-term medical condition, special educational needs or a disability, or are eligible for free school meals.
- Working with school leaders to set goals or areas of focus for attendance and providing support and challenge around delivery against those focus areas.

79. In addition, for schools that are struggling with their attendance, academy trust boards and governing bodies of maintained schools should work with school leaders to develop a comprehensive attendance action plan to improve attendance. This should be evaluated and reviewed regularly. This may form part of a wider school improvement plan, including where appropriate school-to-school support from system leaders.

80. Multi-academy trusts and governing bodies of federations may also wish to hold termly attendance review meetings with each individual school and/or ask them to report on their attendance at defined intervals.

Ensure school staff receive adequate training on attendance

81. Improving attendance requires knowledge of guidance and regulations but also expertise in working with families to remove barriers to attendance and safeguard pupils. Just as those barriers are regularly evolving, so too is the training that school staff require to address them. All trusts and governing bodies should therefore ensure that:

- Training on attendance is included in the school(s)' continued professional development offer for all staff, and that attendance is covered in any trust/federation wide induction packs. As a minimum this should include all staff understanding:
  - the importance of good attendance and that absence is almost always a symptom of wider circumstances,
  - the law and requirements of schools including on the keeping of registers,
  - the school/trusts' strategies and procedures for tracking, following up and improving attendance,
  - and the processes for working with other partners to provide more intensive support to pupils who need it.

- Dedicated attendance training is provided to any staff with a specified attendance function in their role, including administrative, pastoral or family support staff and senior leaders. In addition, this should include:
  - the necessary skills to interpret and analyse attendance data,
  - and any additional training that would be beneficial to support pupils and pupil cohorts overcome commonly seen barriers to attendance.

Share effective practice on attendance management and improvement across schools

82. Ensuring that attendance improvement is prioritised and strategies and action plans are put in place for pupils with persistent and severe absence is crucial to safeguarding and improving pupils' overall welfare in both the short and long term. One of the most successful approaches to improving attendance is the sharing of effective practice between schools. Multi-academy trusts and federation governing bodies are, therefore, expected to provide regular opportunities to bring together staff from different schools to learn from each other's attendance expertise and share effective interventions.

83. This should be tailored to the needs of their schools and pupils but as a minimum could include, sharing exemplar resources and documents such as communications to pupils and parents, regular networking or Q&A sessions, and topical best practice training or webinars.

84. This is in addition to the expectation of local authorities to provide opportunities to schools of all types within a geographical area to come together to share effective practice (see chapter 4).

Chapter 4: Expectations of local authorities

85. Schools and academy trusts have a crucial role in raising attendance for all their pupils. They also have a protective role in being best placed to spot early patterns of poor attendance for persistent absentees. Individual pupils' barriers to attendance, however, often go far beyond the school gates. Persistent absence is almost always a symptom of wider issues in a pupil's life, and barriers to attendance are often specific to local contexts.

86. The local authority, statutory safeguarding partners and other local partners therefore have a crucial role in supporting pupils to overcome those barriers and ensuring all children can access the full-time education to which they are entitled. Local authorities are facilitators of wider support needed by individual families and schools to overcome barriers in the short term. They are also strategic leaders that work across a geographical area to remove barriers in the longer term.

87. As local authorities vary significantly in size, organisational approach and demographics, it is right that the specifics of attendance service delivery and how those roles are discharged should be determined locally to meet local needs of pupils, parents, and schools. As a minimum, however, all local authorities are expected to:

- **Rigorously track local attendance data** to devise a strategic approach to attendance that prioritises the pupils, pupil cohorts and schools on which to provide support and focus its efforts on to unblock area wide barriers to attendance.
- Have a **School Attendance Support Team** which provides the following core functions free of charge to all schools (regardless of type):
    - **Communication and advice**: regularly bring schools together to communicate messages, provide advice and share best practice between schools and trusts within the area.
    - **Targeting Support Meetings**: hold regular conversations with schools, using their attendance data to identify pupils and cohorts at risk of poor attendance and agree targeted actions and access to services for those pupils.
    - **Multi-disciplinary support for families:** provide access to early help support workers to work intensively with families to provide practical whole-family support where needed to tackle the causes of absenteeism and unblock the barriers to attendance.
    - **Legal intervention**: take forward attendance legal intervention (using the full range of parental responsibility measures) where voluntary support has not been successful or engaged with.
- Monitor and improve the **attendance of children with a social worker** through their Virtual School.

Rigorously track local attendance data to devise a strategic approach to attendance that prioritises the pupils, pupil cohorts and schools on which to provide support to and focus its efforts on to unblock area wide barriers to attendance

88. Both addressing and ultimately removing the wider barriers to attendance requires a strategic approach across local authority services. As such, all local authorities are expected to have a clear strategic approach to their efforts on school attendance that:

- Recognises the importance of good attendance across the council's areas of responsibility, including how attendance improvement is everyone's business. This means that attendance is understood by all frontline operational staff in attendance and associated teams (as a minimum this should include social workers, early help keyworkers, and youth justice teams) as well as local partners (both statutory and voluntary including police and integrated care boards). This should include an understanding of which people and teams are responsible for each element of attendance delivery and how teams and professionals will work together.
- Recognises that absence is a symptom and that improving attendance is part of wider pupil welfare and therefore needs to be a key feature of all frontline council services that work with children and families, but especially services that focus on education or safeguarding or promoting the welfare of children including, early help, statutory social care, and the Virtual School.
- Uses attendance data from all schools in the area to identify the pupil cohorts, schools, and neighbourhoods/ towns where there are attendance or wider welfare concerns on which to focus efforts. This should include benchmarking against neighbouring local authorities (both geographic and statistical) and regional and national averages to identify patterns and trends of concern.
- Uses that analysis to set a clear vision for improving attendance across the geographical area, underpinned by tangible short and longer term aims and priorities for improving attendance and prioritising welfare and safeguarding aims for particular cohorts of pupils identified. This should also include detail on how they will be achieved and by when.
- Is resourced appropriately to develop and maintain the proposed approach.
- Is regularly evaluated, discussed, and reviewed, involving both senior officers and lead members. This should also include input from service users, schools and partners where appropriate.
- Provides statutory/voluntary sector partners and schools (including trusts, governing bodies, and school leaders) with an opportunity to shape the aims and priorities for improvement.

89. To facilitate this, all local authorities have access to DfE's Monitor your school attendance service. Through this service, local authorities are able to access and export attendance data for all schools in the local authority for the academic year. Where

attendance data needs to be shared with other agencies supporting children, as the data controller, the local authority can determine what is appropriate data to share in accordance with the Information Commissioners Office – Data Sharing Code of Practice.

School attendance support team

90. All local authorities are expected to have a School Attendance Support Team that works with all schools in its area (regardless of type)[6]. There is no requirement for a specific service delivery model or name, but each local authority is expected to provide four core functions outlined below free of charge to all schools:

Communication and advice

91. Good communication and sharing of effective practice are essential to good multi-agency working. Local authorities are therefore expected to:

- Circulate clear guidance on how schools, the School Attendance Support Team and other partners should work together to provide intensive voluntary and/or formal support for individual pupils and families. This should include clarity around what support schools should already have offered and the point at which the local authority will become involved in individual cases and how the local authority and school will share responsibility in line with the summary of responsibilities table.
- Provide each school with a named point of contact in the School Attendance Support Team who can support with queries and advice, and with whom Targeting Support Meetings will be held.
- Maintain relationships with school leaders and offer opportunities for all schools (regardless of type) to regularly come together to share effective attendance practice. This is not intended to be resource intensive and can happen in person or online (including through newsletters, webinars, or virtual drop-in sessions). The frequency should be determined by local demand but should not normally be less than termly. It may be useful to include representatives of other partners and services in these briefings or sessions such as health, youth justice and children's services.
- Show leadership and work together with all schools to tackle common issues across the geographical area. This may include agreeing common practices to issues such

[6] This includes all state funded schools, non-maintained special schools and independent schools. Where the needs in a local independent school differ significantly from state funded schools, the local authority may wish to, with the agreement of the school, implement different ways of providing the core expectations with that school.

as term time holidays or follow up for persistent lateness so that families receive the same approach if they have children at several schools.

Targeting support meetings

92. As patterns of attendance are habitual, early identification and support is essential for individual pupils in need of help. Where barriers go beyond the classroom, this requires schools, local authorities, and other partners to work together to put joint support in place as quickly as possible. To enable this to happen, all local authorities are expected to organise regular Targeting Support Meetings with each school in their area so the school's attendance leads and their point of contact in the local authority's School Attendance Support Team can:

- Build strong relationships and work collaboratively.
- Identify, discuss, and agree action plans and joint approaches for severely absent pupils (where they do not already have a plan in place).
- Discuss and agree approaches for persistently absent pupils where they have barriers to attendance that require a multi-agency response to overcome.
- Agree which agency will act as lead practitioner, which will be the school in most cases, but can be a local authority or partner team where there are multiple needs if they are the most appropriate service.
- Where schools seek it, conduct data analysis, including comparisons to other schools in the geographical area or identifying areas to focus attendance efforts on.

93. The meeting is not an exhaustive discussion of attendance of all pupils on roll or an audit of the attendance register. Meetings should be virtual or in person and will usually be short but duration will be dependent on the levels of need and number of pupils or pupil cohorts to be discussed in a particular school. They should be focussed, with the allocated time prioritised in a way that benefits both the school and local authority. Meetings should not usually cover cases where joint action is not needed because support is already in place. The time together should be prioritised to discuss:

- Cases where there are out of school barriers to attendance, no existing plan in place and joint action from school, local authority and partners is needed.
- (Where time allows and the school would value the local authority's advice), cases where there are not out of school barriers and schools are expected to put an action plan in place in line with chapter 2.
- (By exception), cases that are already being discussed at other multi-agency meetings but where additional action is deemed necessary.

94. In all cases, local authorities should design a meeting structure that works for their individual local areas and the schools in it. Areas for inclusion are likely to include:

- **Current position and horizon scanning,** for example:

    - Discussion of overall trends in the school's data and any emerging patterns or issues. This is not an opportunity to hold schools to account but to identify patterns early and focus joint efforts and share experiences from other schools that have tackled similar issues or put those schools in touch to share practice.
- **Agreeing joint approaches for all severely absent pupils,** for example:
    - Looking at the overall position for severely absent pupils and the trends and reasons for absence within the group.
    - Agreeing new joint action plans for severely absent pupils since the last meeting.
    - Reviewing progress and/or agreeing additional actions since the last meeting on existing plans.
- **Agreeing joint actions for persistently absent pupils where they have barriers to attendance that require a multi-agency response to overcome them,** for example:
    - Looking at the overall position for persistently absent pupils and trends and reasons for absence within the group.
    - Breaking down the persistently absent cohort into cases where help may be needed from the local authority or other partners to help remove out of school barriers or deal with safeguarding concerns, and those cases which can be supported in school.
    - Agreeing any actions (where needed) for any new cases and review progress or agree additional actions since the last meeting on existing cases.

95. In areas where scheduled 'Team Around the School' meetings already take place between the school, local authority, and other partners, the school's point of contact in the local authority's School Attendance Support Team may join the existing meeting instead of having a separate Targeting Support Meeting for that school.

96. Where Targeting Support Meetings are held separately, it is important they occur regularly so that support can be put in place as early as possible for any cases that need discussing. The frequency of meetings should be proportionate to the level of the attendance challenges in the school:

- For schools with attendance levels below the national average for their phase, it is expected local authorities meet at least termly in all cases.
- For schools with attendance levels above the national average for their phase, the frequency may be reduced to one Targeting Support Meeting per school year where school and local authority agree. There is no expectation for a meeting for schools with the very strongest attendance (where there are no cases to be discussed requiring local authority involvement), but ongoing engagement should happen through the school's point of contact in the School Attendance Support Team.

97. Where a termly meeting is requested, this should be provided. Schools are expected to take part in the Targeting Support Meeting in accordance with their

safeguarding duties, so they should not refuse to meet. If the local authority offers a Targeted Support Meeting and the school do not take up the offer the local authority should follow up and try to secure future dates. If they are not able to do so and can evidence it if required, the expectation will have been met.

Multi-disciplinary support for families

98. In the majority of cases, pupils will be supported in school, but where there are multiple issues requiring other service involvement, schools, local authorities, and other services should work together to provide more intensive whole family support to address them as soon as it becomes clear they would benefit from it. Schools and local authorities are also specifically expected to have agreed a joint approach for all severely absent pupils.

99. Multi-disciplinary support should build on the existing early help offer in local authorities rather than requiring additional resource. In line with early help principles, the family should receive a single assessment, plan, and where necessary, a single lead practitioner. This should be from the team or service best placed to support the family and their needs, which may be the school, a local authority team or service or another statutory partner such as a health professional. For example, in the case of a pupil experiencing barriers to attendance because of a housing issue, the lead practitioner may more sensibly be the family's housing officer.

100. Rather than holding significant numbers of cases, the School Attendance Support Team should support and advise the family's lead practitioner on any attendance related elements of the plan, be part of the team around the family if necessary, and step in to lead any formal support or legal intervention when required. This could include acting as the responsible officer if support is formalised in an attendance contract, education supervision order or parenting order (see chapter 6). A member of the team may, however, act as lead practitioner if they are the most appropriate person.

101. To facilitate effective multi-disciplinary support for families, the School Attendance Support Team is also expected to:

- Provide schools with information on how to raise concerns and make referrals to early help (and other services) outside of their Targeting Support Meetings so families receive the support they require as quickly as possible.
- Build strong relationships with a range of services and partners that can help with specific barriers to attendance and how to access them. This is likely to include health, youth justice, voluntary and community sector, early help, children's social care, local safeguarding partnerships, special educational needs, educational psychologists, and housing support. The team should meet regularly with leads from these services and ensure they know what their role is in attendance support, why it is important and how they fit into the local authority's wider strategy on

attendance. They should also help coordinate strategies and messages on attendance with other partners to improve consistency of approach.

- Build effective data sharing opportunities with different partners as part of the overall data sharing/ governance arrangements in the local partnership to ensure a joined-up approach. Where this is not possible, the team should facilitate opportunities for professionals to come together to coordinate support (such as via case conferencing).
- Work closely with local mental health services, school level senior mental health leads (including school based Mental Health Support Teams where in place), the local School Nursing Service and the local authority's special educational needs and disability team(s) to ensure joined up support for families facing health or disability related barriers to attendance.

102. Effective multi-agency working on attendance within the local authority and wider partnership requires several key principles to be in place to be effective. These are:

- A collaborative culture across early help services that puts the needs of the pupil and wider family at the core of its action (not the service delivery). Thinking 'whole family' and considering siblings and the wider family in deciding on actions.
- Combined staff training and development across early help services, so all staff understand the importance of absence as a symptom of wider need and the benefits of improving attendance to effective outcomes for the whole family.
- Common systems and processes across all local authority family facing teams, including single assessment, planning and case management.
- Setting clear 'success measures' as part of individual and family plans and jointly owning these across all services working with the family.
- An integrated management structure between the local authority's School Attendance Support team and other early help services.
- Where families have multiple needs, aligning of the routes to support to ensure that they receive a holistic, co-ordinated package of support in order to increase the chance of successful outcomes.

103. Achieving this will require input from other agencies and partners including health, police and the voluntary and community sector. Local authorities should encourage shared ownership of attendance improvement, agree shared goals with partners and proactively share attendance data as part of local multi-agency partnership working. This can be achieved through existing partnerships and boards (e.g. the Early Help Partnership Board or Safeguarding Children Partnership) or through a bespoke attendance group. Examples of this may include a local version of the Attendance Action Alliance.

Legal intervention

104. Where all voluntary support options are unsuccessful or are not appropriate (e.g. an unauthorised holiday in term time), the local authority's school Attendance Support Team

should liaise with school and the early help lead practitioner or social worker (where applicable) to take forward attendance legal intervention in line with chapter 6 to formalise support and/or enforce attendance. All local authorities are therefore expected to:

- Understand and make use of formal support options including attendance contracts and education supervision orders and use them fairly and consistently.
- Set out clearly for pupils, parents, and schools when and how attendance legal intervention will be used where voluntary support is not appropriate, or where absence was not for legitimate reasons and support has not been engaged with and/or been successful.
- Secure effective joint working between the School Attendance Support Team and statutory children's social care services to work together where there are safeguarding concerns or absence becomes severe. This should include building attendance expectations into children in need and child protection plans where appropriate or considering developing a plan as an intensification of support where formalised attendance support (such as an education supervision order) is no longer sufficient or has not been effective.
- Issue Notices to Improve and penalty notices in line with the National Framework where absence was unauthorised and support has been provided but has not worked or been engaged with, or would not have been appropriate in the circumstances of the offence (e.g. an unauthorised holiday in term time).
- Take forward attendance prosecution as a last resort where all other routes have been exhausted or deemed inappropriate.

Monitor and improve the attendance of children with a social worker through their Virtual School Head

105. In addition to the benefits for all pupils, good attendance at school also provides an additional safeguard for vulnerable pupils. Absence rates for pupils with a social worker, however, are higher, with 43.4% of children who have ever been Children in Need persistently absent compared to 22.8% of all pupils[7].

106. It is therefore important that we redouble efforts to improve attendance for this group and build on the progress made by Virtual School Heads since the expansion of the programme to provide strategic oversight of the education of pupils with a social worker. As such, local authorities are expected to make use of their Virtual Schools to:

[7] https://explore-education-statistics.service.gov.uk/data-tables/permalink/643a74d8-49f7-4d27-e6fd-08dc2185b3c8

- Regularly monitor the attendance of children with a social worker in their area, including those looked-after by the local authority.
- Set aspirational targets for attendance of pupils with a social worker in the area, and put in place personal education plans for pupils looked-after.
- Provide training for designated teachers about their role in promoting the attendance of children who have ever needed a social worker.
- Secure regular attendance of looked-after children as their corporate parent and provide advice and guidance about the importance of attendance to those services supporting pupils previously looked after.
- Work across children's social care services to make sure all social workers recognise the importance of good school attendance, and that attendance is built into every child in need or child protection plan where attendance is a concern.

107. In doing so local authorities must have regard to the Children's Social Care National Framework and statutory guidance on promoting the education of looked-after and previously looked after children, and the designated teacher for looked-after and previously looked after children. They should also consider the DfE's non-statutory guidance on promoting the education of children with a social worker and children in kinship arrangements.

Trading additional services to schools

108. Whilst the core functions set out in paragraph 87 should not be traded or require service level agreements from schools, local authorities may trade other elements of attendance management and improvement to schools and trusts where there is demand. These include:

- **School processes**, where the local authority is acting on behalf of the school to fulfil the expectations set out in chapter 2. For example, first day calling, home visits, calls or sending out letters from the school, late gates, parent drop ins, attendance advice at parents' evenings, assemblies and analysing schools' data.
- **Casework** on behalf of the school to deliver attendance work with individual pupils and families that is expected of the school. For example: contacting families and understanding what the barriers to attendance are, setting up and leading meetings with families, developing in school reasonable adjustments and initial attendance action plans and completion of referrals to other services.
- **Training school staff on attendance**, either through one off or ongoing delivery. For example, training on the law, casework or application of guidance, training for governors, training on how to analyse data or professional supervision of attendance staff employed by the school or trust.
- **Audits and attendance management support on an ad hoc basis.** For example, intensive work with a school to develop a whole school strategy, day to day processes or an attendance policy. This may also include register audits.

Working with cross-border pupils

109. In cases where a pupil lives in one local authority area and attends school in another, the overarching principle is that both the local authority in whose area the pupil attends school (the 'School LA') and the local authority in whose area the pupil lives (the 'Home LA') work together to support the pupil and family. This feeds into each local authority's responsibility for safeguarding and promoting the welfare of pupils. Each local authority also has specific expectations for delivering certain actions. In general:

- **Identification:** The School LA is responsible for identifying an emerging attendance issue through its work with schools in its area, including Targeting Support Meetings or through a referral. That does not, however, mean that the School LA is automatically responsible for delivering all necessary local authority actions where a pupil lives in another local authority's area.
- **Working together to agree a pupil- and family-centred approach:** Instead, both local authorities are expected to discuss cases where local authority action is needed and agree a way forward. Where pupils are temporarily housed in an additional local authority's area, or local authorities' areas, those local authorities should also be included in any discussion.
- **Agreeing which local authority will lead on specific actions:** As well as agreeing the overall approach, agreement needs to be reached over which local authority will lead or delivery and necessary action(s). This should be in line with the summary table of responsibilities below.
- **Funding:** The local authority responsible for providing the action (in line with the summary table) is generally responsible for funding it.
- **Resolving disagreements:** Where there is disagreement, the School LA should continue to convene discussion on the case to find a way forward and, in the rare cases where that is not possible, escalate so that the pupil or family is not left without the necessary support.
- **Monitoring:** Where the Home LA is taking ownership of delivering certain actions, the School LA should continue to check progress and if those actions are not working discuss with the Home LA to find a different way forward.
- **Data sharing:** As the School LA act as the data controller for the attendance data they receive about pupils attending school in their area, arrangements should be put in place locally to allow Home LAs the data they need to monitor the attendance of their cross-border pupils. Where attendance problems emerge in individual

cases, the School LA will also need to share data with other local authorities involved in a case in line with local arrangements.[8]

Working with cross-border pupils – which local authority is responsible for different types of support

Early help of supporting families' plan

110. Assessing and putting in place any early help or multi-agency family support plan in cases where local authority action is needed sits with the Home LA. Where schools are completing the single assessment or acting as the lead practitioner (but with local authority involvement) the school will need to work together with the Home LA.

Children's Social Care

111. In line with usual processes, any assessment or plan under sections 17 or 47 of the Children Act 1989 sits with the Home LA.

112. For looked-after children, local authorities have a statutory duty to promote the educational attainment of all children in their care, wherever they live or are educated. When a looked-after child is placed out of area, the Virtual School Head of the Home LA should work with Virtual School Heads from other local authorities to support their attendance and additional educational support needs.

Alternative Provision

113. Responsibility for arranging any alternative provision a pupil requires under section 19 of the Education Act 1996 sits with the Home LA.

Special Educational Needs and Disabilities (SEND)

114. **SEN support:** No specific provisions apply, so the expectations of each local authority are the same as for a pupil who is not in receipt of SEN support.

115. **Education, health and care plans (EHCP):** Where a pupil has an EHCP, the School LA should alert the local authority which maintains the EHCP about any significant issues emerging over attendance of which it becomes aware, so that the local authority can consider whether needs continue to be adequately supported through the existing plan.

[8] Local authorities will need to be satisfied about the lawful basis and proportionality of their local arrangements. In England and Wales, a local authority's functions under Parts 1 and 6 of the Education Act 1996, section 175(1) of the Education Act 2002 and Parts 3, 4 and 5 of the Children Act 1989 will normally provide a lawful basis for such arrangements for UK GDPR purposes.

Transport

116. If the child is eligible for free home to school transport under section 508B of the Education Act 1996, responsibility for arranging that travel sits with the Home LA.

Attendance legal intervention

117. **Education supervision order:** Either local authority can apply for an education supervision order, but it will usually be the Home LA that acts as the 'designated LA' and therefore both local authorities should discuss and agree before proceeding.

118. **Penalty notice:** A penalty notice must be issued in line with the National Framework and local code of conduct for the area in which the child goes to school, and if issued by a local authority, it must be the School LA.

119. **Prosecution:** Either local authority has the power to prosecute, but in general it should be the School LA that takes forward prosecutions under section 444(1) and (1A) of the Education Act 1996. It is, however, good practice for the School LA to inform the Home LA that legal action is being taken.

120. **Parenting orders:** Where a prosecution leads to a Parenting Order, the Court will specify a responsible officer in line with section 372(5) of the Sentencing Act 2020. Both local authorities should discuss and agree who is most appropriate to act as responsible officer in advance of seeking the Order, within the statutory requirements. The most appropriate officer will often depend on the reason for absence.

Reasonable enquires to locate a suspected child missing education

121. Where a pupil has not returned from a period of leave or has had a continuous period of absence, the school and the School LA may need to carry out joint reasonable enquiries under regulation 9(1)(h) or (i) of the School Attendance (Pupil Registration) (England) Regulations 2024 to try to find out where the pupil is.

122. In conducting these enquiries the school and the School LA are also expected to liaise with the Home LA and if, following those enquiries, the pupil's name is deleted from the school's register, the Home LA should investigate whether the child is a Child Missing Education.

School Attendance Orders (SAOs)

123. Where it appears a child of compulsory school age in their area is not receiving suitable education, either at school or otherwise than at a school (such as unsuitable home education), that local authority (the Home LA) is responsible for serving a notice and if necessary a SAO in line with sections 437 to 442 of the Education Act 1996. Likewise, if prosecution for breaching the SAO is deemed necessary, it should be taken forward by the Home LA.

Cases where the local authorities are in different home nations

Wales

124. Where the Home LA is in Wales and the School LA is in England or vice versa, the roles apply in the same way as set out in the summary table.[9]

Scotland or Northern Ireland

125. In cases where the Home LA is in England and the school is in either Scotland or Northern Ireland, the roles of the Home LA remain the same as set out in the summary table. In these cases, prosecution or penalty notices under section 444 of the Education Act 1996 cannot be used.

126. In Scotland, where a pupil has failed to attend school regularly without reasonable excuse the local authority may consider referral to the Principal Reporter if appropriate. Where it appears that an offence has been committed under section 35 of the Education (Scotland) Act 1980 (parent's failure to ensure regular attendance at school) a referral can be made to the procurator fiscal.

127. In Northern Ireland, a fine under Part III Schedule 13 of the Education and Libraries (Northern Ireland) Order 1986 or an Education Supervision Order under Article 55 of the Children (Northern Ireland) Order 1995 may instead be taken forward by the Northern Ireland Education Authority's Education Welfare Service if deemed appropriate.

128. If the pupil lives in Scotland or Northern Ireland and the school is in England, section 444 of the Education Act 1996 applies and prosecution and penalty notices can be used by the School LA. The roles of the Home LA, as set out in the summary table do not apply and the School LA should discuss on a case by case basis with the relevant authorities in Scotland or Northern Ireland.

Cases where a pupil is temporarily housed in an additional local authority's area

129. Where a pupil is temporarily accommodated in a different local authority area (the 'Temporary LA'), the local authorities should work together to ensure continuity of education. In general:

- The School LA is expected to identify an emerging attendance issue through its usual channels as it would in any other case. If a case requires local authority

[9] For SEND/ALN the Home LA remains responsible but will act in accordance with the Additional Learning Needs and Tribunal (Wales) Act 2018 and where appropriate will set an Individual Development Plan. For Alternative Provision, different timescales apply for pupils who live in Wales.

action, the School LA should convene a conversation with the Home LA and Temporary LA.

- Unless accommodation has been arranged by the Home LA (i.e. they have temporarily accommodated the family in another local authority's area), the Temporary LA assumes the responsibilities of the Home LA set out in the summary table.
- As with any other case, if a penalty notice or prosecution is required this would be delivered by the School LA.
- The same processes for reasonable enquires to locate a suspected child missing education apply. The Temporary LA, however, should also be included in discussion. Where the pupil's name is deleted from the admission register it would be the Temporary LA's responsibility to investigate whether the child is missing education and if necessary issue any SAO.
- Where the School Attendance Support Team in a local authority is aware properties in the area are used for temporary accommodation of potentially vulnerable children (for example asylum seeking and refugee children and domestic abuse hostels and refuges) they should have processes in place to check suitable education is being provided in a timely manner.

130. In cases where an asylum seeking or refugee child is temporarily accommodated in a local authority area by the Home Office, that local authority assumes the responsibilities of the Home LA. Where the pupils are rehoused in a second local authority's area, both local authorities should work together during the move.

131. In cases where the Home LA has arranged temporary accommodation in another local authority's area, the local authority arranging the accommodation must work with the Temporary LA to fulfil the functions of the Home LA as set out in the summary table. The Temporary LA is likely to assume some of the roles of the Home LA, but the Home LA also retains a duty to satisfy itself the Temporary LA is taking adequate steps to ensure their educational welfare.[10]

[10] Section 11(2)(b) Children Act 2004, see also *R (E) v Islington London Borough Council* [2017] EWHC 1440 (Admin).

Chapter 5: Persistent and severe absence

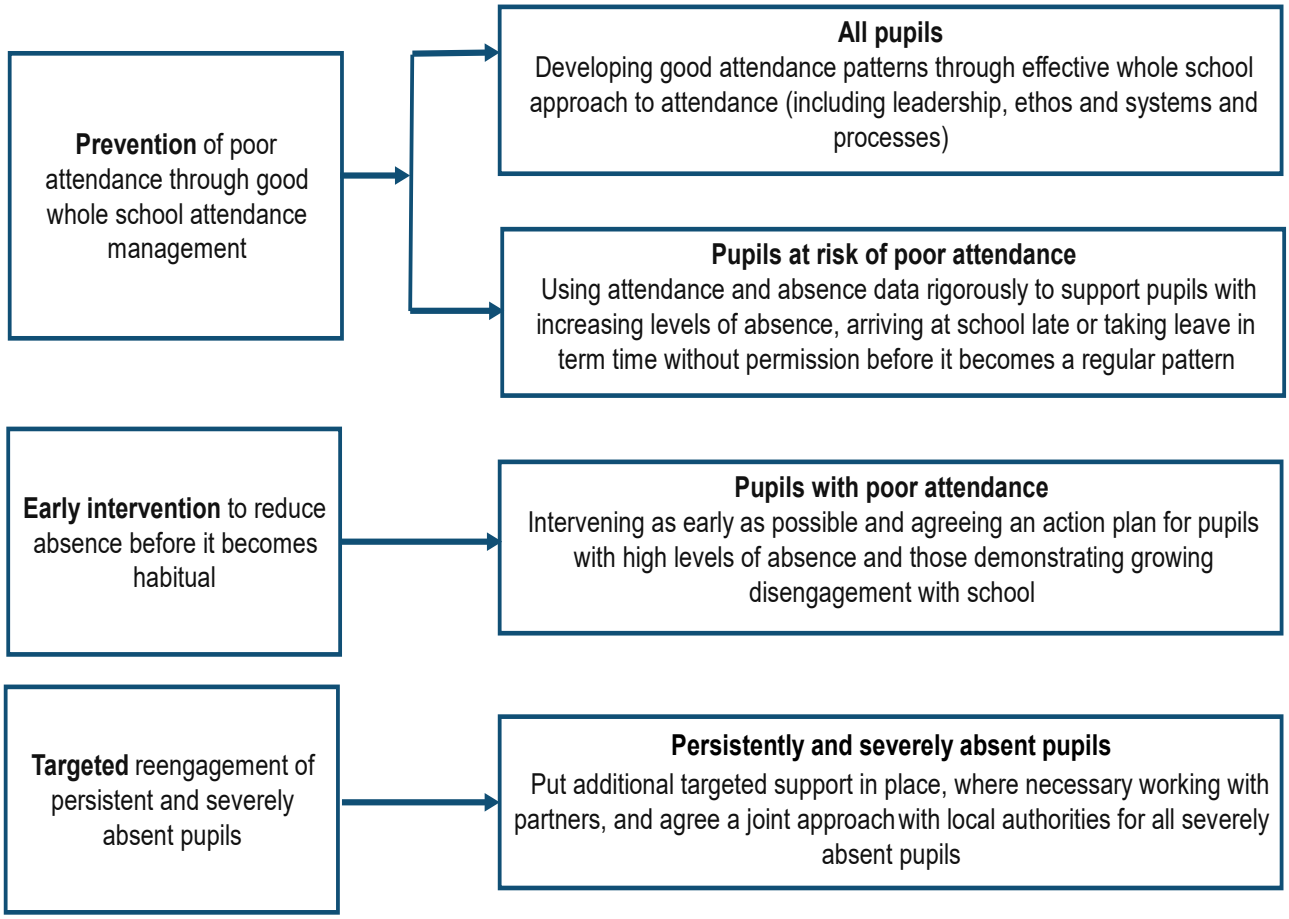
132. Where absence escalates and pupils miss 10% or more of school (equivalent to 1 day or more a fortnight across a full school year), schools and local authorities are expected to work together to put additional targeted support in place to remove any barriers to attendance and reengage these pupils. In doing so, schools should sensitively consider some of the reasons for absence and understand the importance of school as a place of safety and support for children who might be facing difficulties, rather than reaching immediately for punitive approaches.

133. Particular focus should be given by all partners to pupils who are absent from school more than they are present (those missing 50% or more of school). These severely absent pupils may find it more difficult to be in school or face bigger barriers to their regular attendance and as such are likely to need more intensive support across a range of partners. A concerted effort is therefore needed across all relevant services to prioritise them. All partners should work together to make this group the top priority for support – this may include specific support with attendance or a whole family plan, but it may also include consideration for an education, health and care plan or an alternative form of educational provision where necessary to overcome the barriers to being in school.

134. If all avenues of support have been facilitated by schools, local authorities, and other partners, and the appropriate educational support or placements (e.g. an education, health and care plan) have been provided but severe absence for unauthorised reasons continues, it is likely to constitute neglect. Schools and local authorities should be especially conscious of any potential safeguarding issues in these cases and where these remain, conduct a full children's social care assessment. Further information is available in the statutory guidance on Keeping Children Safe in Education.

135. In all cases, schools and local authorities are expected to make patterns of both persistent and severe absence a focus of their regular data monitoring and identify pupils and cohorts who need targeted attendance support as quickly as possible. Both persistent and severe absence should also be central to school, trust, and local authority level strategies for improving attendance.

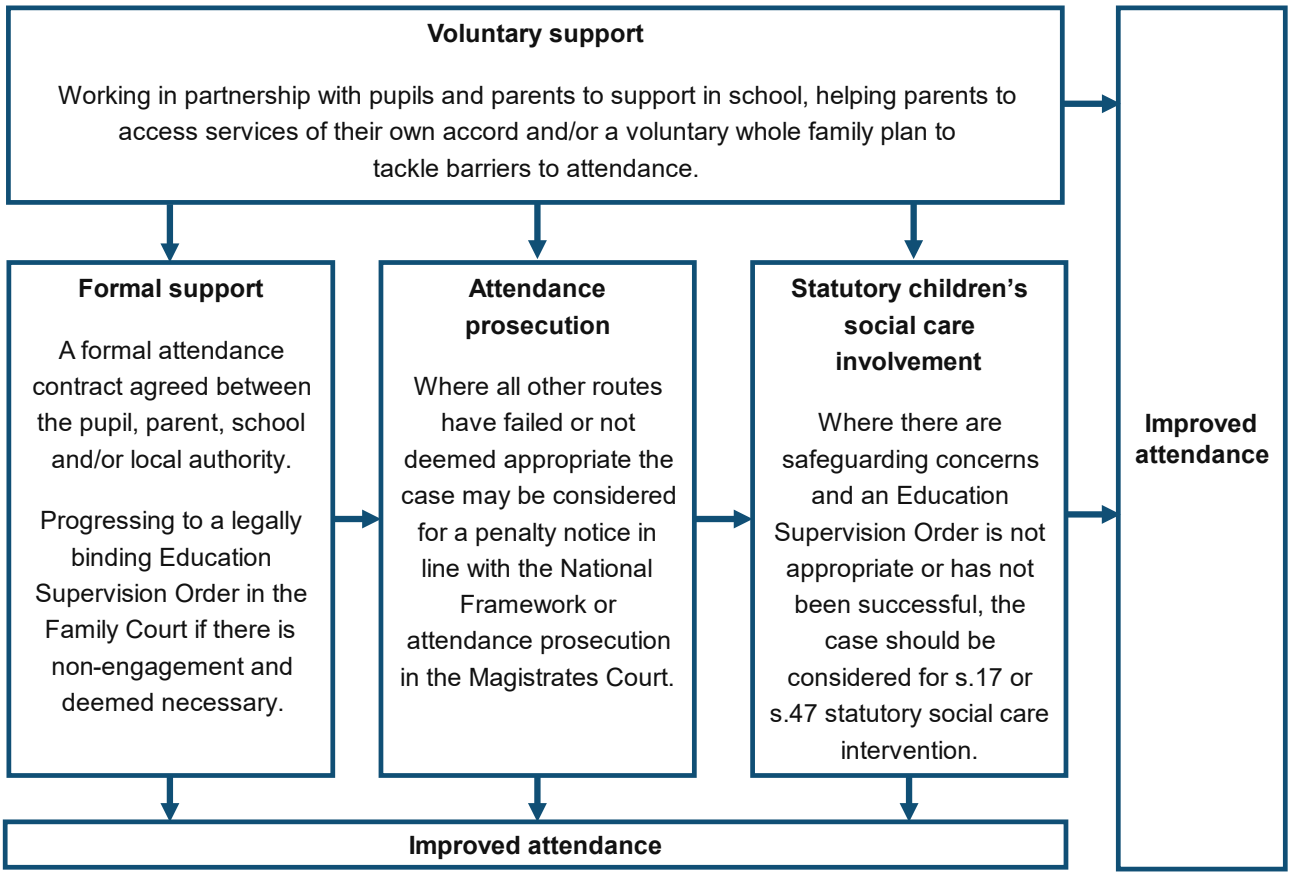
Effective school attendance improvement and management



Chapter 6: Attendance legal intervention

136. As absence is so often a symptom of wider issues a family is facing, schools, trusts and local authorities should always work together with other local partners to understand the barriers to attendance and provide support. Where that is not successful, or is not engaged with, the law protects pupils' right to an education and provides a range of legal interventions to formalise attendance improvement efforts, and where all other avenues have been exhausted, enforce it through prosecuting parents. Attendance legal intervention can only be used for pupils of compulsory school age and decisions should be made on an individual case by case basis.

Providing support first before attendance legal intervention



137. Schools, trusts and local authorities are expected to work together and make use of the full range of legal interventions rather than relying solely on penalty notices or prosecution. It is for individual schools and local authorities to decide whether to use them in an individual case after considering the individual circumstances of a family. These are:

Attendance contracts

Education supervision orders

Attendance prosecution

Parenting orders

Penalty notices

138. Where they are used, it should be clear that it is the most appropriate intervention to change parental behaviour and in making the decision to use an intervention, headteachers and local authority officers should have regard to their safeguarding duties as set out in the statutory guidance on Keeping Children Safe in Education.

139. Schools and local authorities should decide which parent(s) to involve in attendance legal intervention, but this should usually be the parent or parents who have allowed the absence.

Attendance contracts

Purpose of attendance contracts and when they may be appropriate

140. An attendance contract[11] is a formal written agreement between a parent and either the school (with the exception of independent schools and non-maintained special schools) or local authority to address irregular attendance at school or alternative provision. An attendance contract is not legally binding but allows a more formal route to secure engagement with support where a voluntary early help plan has not worked or is not deemed appropriate. An attendance contract is not a punitive tool, it is intended to provide support and offer an alternative to prosecution. Parents cannot be compelled to enter an attendance contract, and they cannot be agreed in a parent's absence.

141. There is no obligation on the school or local authority to offer an attendance contract, and it may not be appropriate in every instance, but an attendance contract should always be explored before moving forward to an education supervision order or prosecution.

142. The aim from the outset should be for the parent(s), and the pupil where they are old enough, the school and the local authority to work in partnership. Where a school and/or local authority decide to use an attendance contract, a meeting should be arranged with the parent(s). It should include the pupil if they are old enough to understand. The meeting should explain the purpose of an attendance contract and why using one would be beneficial in the family's circumstances. The parent(s) should be asked to outline their

[11] In this guidance "attendance contract" means a parenting contract entered into under section 19(2) of the Anti-social Behaviour Act 2003.

views on the pupil's attendance at school, any underlying issues and how they believe these should be addressed. The meeting should also allow them to share their views on the idea of an attendance contract and what type of support they think would be helpful to secure the pupil's regular attendance. Where a parent fails to attend the meeting without good reason or notification, further attempts should be made to contact them and arrange another meeting but all attempts at support should be recorded.

143. One attendance contract may be arranged with all parents, or in circumstances where it is desirable to have different requirements for each parent then separate attendance contracts for each parent should be arranged.

Contents of an attendance contract

144. All attendance contracts should contain:

- Details of the requirements the parent(s) is expected to comply with.
- A statement from the school and/or local authority agreeing to provide support to the parent(s) to meet the requirements and setting out details of the support.
- A statement by the parent that they agree to comply with the requirements for the period of time specified by the contract.

145. The requirements specified, and the support provided, will depend on the individual case, and should be tailored to the needs of the individual parent and family. There is not, therefore, a prescribed list, but requirements may include:

- Measures to ensure the pupil attends school or alternative provision punctually and regularly
- Requiring the parent to attend meetings with the school and/or local authority
- Accessing or partaking in the support or programmes offered
- Working with or accessing other separate support provided to the pupil at school level (e.g. being on report)

146. The support provided to help the parent satisfy those requirements may include:

- Provision of a lead practitioner to support the family
- Signposting or referrals to wider local authority or health services that might support the family (e.g. housing needs, drug and alcohol support)
- Signposting or referrals to voluntary and community sector programmes or support (e.g. foodbanks or community support groups)
- Formal interventions such as family group conferencing, peer mentoring or literacy classes
- Support and advisory services (e.g. benefit support)
- Formal parenting programmes (e.g. a course with a specified number of sessions)

147. Attendance contracts do not have a minimum or maximum duration. Each individual attendance contract should set out the duration it will be in place, and most are for between 3 and 12 months but can be longer if needed.

148. Once the requirements and support elements of the attendance contract have been agreed, the school and/or local authority and the parent should write up the contract together and sign it. The attendance contract should be written in language that the parent can easily understand (including a translation where necessary). All parties, including other partners working with the family, should be given a copy.

Non-compliance with an attendance contract

149. The school and/or local authority should work in partnership with the parent to gain their cooperation and compliance throughout the attendance contract process.

150. Where a parent does not comply with the requirements set out in the attendance contract, the lead practitioner should contact the parent and seek an explanation and decide whether it is reasonable, and if the attendance contract remains useful. If the explanation shows that the attendance contract is proving difficult to comply with through no fault of the parent, then a meeting should be arranged with the parent to review and amend it. Where no explanation is given, or the lead practitioner is not satisfied with the explanation, they should serve the parent with a warning to explain that the attendance contract is not working and may be terminated, and another course of action pursued, if the parent does not engage. This may be in the form of a letter, and record of it should be kept.

151. If there are further instances of non-compliance, they should arrange a meeting with the parent to review the attendance contract and discuss how it can be made to work. Following this meeting, the school and/or local authority should decide whether the non-compliance is undermining the contract to the extent that it is no longer useful in which case an alternative course of action (such as a different legal intervention) would need to be decided upon. The decision and reasons should be recorded.

152. Failure by the parent, school, or local authority to keep to the terms of the attendance contract cannot lead to action for breach of contract or for civil damages. There is no criminal sanction for a parent's failure to comply with, or refusal to sign, an attendance contract. If the pupil's irregular attendance continues or escalates to the point where prosecution is deemed appropriate, however, any failure or refusal may be presented as evidence in the case. It is therefore important that any non-compliance with the contract is recorded so that it can be presented in court if necessary.

Education supervision orders

Purpose of ESOs and when they may be appropriate

153. Where a voluntary early help plan, or formal attendance contract has not been successful, an Education Supervision Order (ESO) can be a useful alternative to provide formal legal intervention without criminal prosecution. In deciding whether to progress to an ESO, the school and local authority should have exhausted voluntary support and be clear that making the order would be beneficial for the pupil and parent. Where safeguarding concerns exist, the lead practitioner should also discuss with the school's designated safeguarding lead and children's social care services and agree an ESO would be a more suitable option than a s.17 (Children in Need) or s.47 (Child Protection) plan. In all cases, local authorities must fully consider using an ESO before moving forward to prosecution.

154. ESOs are made through the Family or High Court, rather than Magistrates Court. They give the local authority a formal role in advising, helping and directing the pupil and parent(s) to ensure the pupil receives an efficient, full-time, suitable education. For the duration of the ESO, the parent's duties to secure the child's education and regular attendance are superseded by a duty to comply with any directions given by the local authority under the ESO.

155. The order initially lasts for one year, but extensions can be secured within the last 3 months for a period of up to 3 years at a time.

Contents of an ESO

156. If it is decided to progress with an ESO, the local authority should notify parents in writing of the intention to consider an ESO and set up a meeting to discuss with the parent (including the pupil if they are old enough to understand). Following the conversation, the local authority should make its decision and inform the parent and pupil of whether the case will be taken forward to court or not. Where the decision is to proceed, this can be combined with the service of an application notice.

157. Once an ESO is secured, an officer of the local authority should be chosen to act as the supervisor of the order on the authority's behalf; this does not need to be an attendance officer, rather it should be whichever lead practitioner is working with the family (including their social worker where appropriate). Schools should, however, work in partnership with the local authority and whilst the designated supervisor (the local authority) retains overall responsibility, schools can and should provide support and supervision where appropriate.

158. The supervisor must determine any directions (requirements the parent must adhere to) to give whilst the order is in force. There is not a prescribed list, but they may include:

- Requiring the parent(s) to attend support meetings
- Requiring the parent(s) to attend a parenting programme or counselling
- Requiring the parent(s) to access support services
- Requiring an assessment by an educational psychologist
- Review meetings involving all parties (including the school) should be held every 3 months throughout the period the ESO is in force. At these meetings any actions and directions should be discussed and added or amended.

Non-compliance with an ESO

159. Where parents persistently fail to comply with the directions given under the ESO, they may be guilty of an offence. Local authorities can prosecute in the Magistrates Court for persistent non-compliance with the Order and parents (upon conviction) will be liable to a fine of up to £1,000.

160. The lead officer should also raise persistent failure to comply with children's social care services and work together to investigate the circumstances of the pupil and decide whether it is appropriate for any further action to be taken (including statutory social care involvement) to secure their welfare.

Attendance prosecution

Purpose of prosecution and when it may be appropriate

161. If a child of compulsory school age fails to attend regularly at a school at which they are registered, or at a place where alternative provision is provided for them, their parents may be guilty of an offence and can be prosecuted by the local authority.

162. Prosecution in the Magistrates Court is the last resort where all other voluntary and formal support or legal intervention has failed or where support has been deemed inappropriate in the circumstances of the individual case. Where it is decided to pursue prosecution, only local authorities can prosecute parents and they must fund all associated costs, including in the preparation of court documentation.

163. Local authorities have the power to prosecute:

- Parents who fail to comply with a school attendance order issued by the local authority to require a parent to get their child registered at a named school (under section 443 of the Education Act 1996). This may result in a fine of up to level 3 (£1,000).
- Parents who fail to secure their child's regular attendance at a school, for which there are 2 separate offences: section 444(1) where a parent fails to secure the child's regular attendance; and section 444(1A) where a parent knows that the child is failing to attend school regularly and fails to ensure the child does so. The section

444(1) offence may result in a fine of up to level 3 (£1,000) and the section 444(1A) offence my result in a fine of up to level 4 (£2,500), and/or a community order or imprisonment of up to 3 months.

- Parents who fail to secure the regular attendance of their child at a place where the local authority or governing body has arranged alternative provision (under sections 444 and 444ZA). This may result in a fine of up to level 3 (£1,000), or if the parent is found to have known the child was not attending regularly and failed to ensure that they did so, a fine of up to level 4 (£2,500), and/or a community order or imprisonment of up to 3 months.
- Parents who persistently fail to comply with directions under an Education Supervision Order (under Schedule 3 to the Children Act 1989) or breach a Parenting Order or directions under the order (under section 375 of the Sentencing Act 2020). These may result in a fine of up to level 3 (£1,000).

164. The decision to prosecute rests solely with the LA as an independent prosecuting authority, but in deciding whether to prosecute the local authority may wish to consider:

- The level of engagement from the parent and whether prosecution is the only avenue left to demonstrate the severity of the issue to the parent and/or cause parental engagement with the support they require.
- Whether all other legal interventions have been considered and are not appropriate or have been tried and have not worked.
- Whether statutory children's social care intervention would be more appropriate in the case (including a Child in Need or Child Protection Plan), especially where absence is severe.
- The parent(s)' response to the Notice to Improve and/or warning(s) and/or evidence given in the interview under caution – including any statutory exemptions to prosecution that might apply (see below).
- The Attorney General's guidelines for public prosecutors, including public interest tests and equalities considerations.

165. The 1996 Act also sets out the circumstances in which a pupil has not failed to attend school regularly and therefore the parent has not committed an offence under section 444(1) or (1A) of the Act (the statutory defences). These are:

- The parent proves the pupil was prevented from attending by their ill health or any unavoidable cause, including exclusion.
- The pupil has been granted leave of absence by the school or, in the case of alternative provision, by a person authorised to do so.
- The absence was on a day set aside for religious observance by the religious body to which the pupil's parent(s) belong.
- The parent proves the local authority were under a duty to provide transport to the school and have failed to do so.

- If the school is an independent school, the parent proves that the school is not in walking distance of the pupil's home and the local authority have not made suitable arrangements for the child to either board at the school or be admitted to a state funded school closer to home.
- If the absence was from certain types of alternative provision, the parent proves the child is receiving education otherwise than by regular attendance.
- If the absence was from alternative provision, the parent had not been notified about the provision in writing before the absence.
- If the child has no fixed abode and the parent can prove that their trade / business requires them to travel, and the child has attended school as regularly as the nature of the trade or business permits, and (if the child is 6 or over) the child has attended school for at least 200 sessions during the preceding 12 months up to and including the date on which the proceedings were instituted.

Investigations and court presentation

166. Any prosecution case must be laid before the Court within 6 months of the alleged offence. Parents should be prosecuted by the local authority for the area where the pupil attends school or that has made the alternative provision and the case should be heard in the Magistrates Court for the same area. In taking forward a prosecution and preparing for Court, local authorities should consider the Attorney General's Guidelines for Crown Prosecutors in all cases. Local authorities must also conduct all investigations in accordance with the Police and Criminal Evidence (PACE) Act 1984. This includes fully considering public interest tests and duties under the Equality Act 2010.

167. Before beginning any legal proceedings, the parent should be given a formal written notification, explaining the process and potential consequences. This should be followed by application to the Magistrates Court for a hearing date and a summons to be issued. The local authority should then serve the summons on the parent, either in person or by first class post. Alongside the summons, the parent should receive a copy of the witness statement taken at the interview under caution.

168. In presenting the case in Court, the local authority should set out clearly and concisely the facts of the case, including the offers of support that have been made and why they failed. This includes why an ESO has not worked or has not been sought prior to prosecution. Effective Court presentations will also demonstrate the impact of the absence on the pupil and the family (including commentary on the harm and culpability) to support the Court in reaching its decision.

169. If the prosecution is being taken forward because the parent has already reached the limit of penalty notices, the local authority cannot raise previous out of court disposals before the parent has been found guilty. They should prosecute solely for the third (or subsequent) offence. If the local authority wishes to set out the history of offending they

should submit any information regarding previous convictions or out of court settlements to assist the Magistrates in sentencing in line with existing procedures.

170. If the parent is found guilty, in reaching their sentence the Magistrates will consider all the relevant information presented to the Court and therefore where the local authority believes a community order or parenting order would be beneficial, they should make a case to the Court. Depending on the circumstances of the individual case, such an order may change parental behaviour more successfully than a fine by requiring the parent to engage in specific activities (such as accessing support services), a parenting programme, or improving family routine through a curfew or exclusion from a place or residence.

171. Local authorities are encouraged to build close relationships with local Courts to ensure there is mutual understanding of powers and procedures. The Single Justice Procedure should be used for the section 444(1) offence to allow face-to-face Court time to be prioritised for the higher section 444(1A) offence.

Parenting orders

Purpose of parenting orders and when they may be appropriate

172. Parenting orders are an ancillary order that can be imposed by the Court following conviction for non-attendance alongside a fine and/or community order. Parents' agreement is not required before an order is made. They may be appropriate where the parent has not engaged in support to improve their child's attendance and where compulsion to do so would help change parental behaviour.

Contents of a parenting order

173. The order requires a parent to comply with the arrangements specified in the order by the Court which can include a requirement for parents to attend counselling or guidance sessions (e.g. parenting education or parenting support classes) where they will receive help and support to enable them to improve their child's attendance for up to 3 months.

174. All parenting orders must specify a 'responsible officer' which will be named on the order. This should be the most appropriate lead practitioner working with the family.

Non-compliance with a parenting order

175. Any breach of the order could lead to a fine of up to level 3 (£1,000).

National Framework for penalty notices

Purpose of penalty notices

176. Penalty notices are issued to parents as an alternative to prosecution where they have failed to ensure that their child of compulsory school age regularly attends the school where they are registered or, in certain cases, at a place where alternative provision is provided. Penalty notices can be used by all schools (with the exception of independent schools) where the pupil's absence has been recorded with one or more of the unauthorised codes and that absence(s) constitutes an offence. A penalty notice can be issued to each parent liable for the offence or offences. They should usually only be issued to the parent or parents who have allowed the absence (regardless of which parent has applied for a leave of absence).

177. Penalty notices are intended to prevent the need for court action and should only be used where it is deemed likely to change parental behaviour and support to secure regular attendance has been provided and has not worked or been engaged with, or would not have been appropriate in the circumstances of the offence (e.g. an unauthorised holiday in term time).

178. Penalty notices must be issued in line with the Education (Penalty Notices) (England) Regulations 2007, as amended and can only be issued by a headteacher or someone authorised by them (a deputy or assistant head), a local authority officer or the police. They must also be issued in line with Local Codes of Conduct which are drawn up and maintained by each local authority.

179. Where a penalty notice is issued by someone other than a local authority officer, the person issuing the penalty notice is expected to check with the local authority before doing so and must also send them copies of any penalty notices issued.

180. 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 fixed period 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. These penalty notices are charged at £120, reduced to £60 if paid within 21 days.

National threshold when it is appropriate to issue a penalty notice

181. All state funded schools must consider whether a penalty notice for absence is appropriate in each individual case where one of their pupils reaches the national threshold for considering a penalty notice. Schools should not have a blanket position of issuing or not issuing penalty notices and should make judgements on each individual

case to ensure fairness and consistency across the country. The threshold is 10 sessions of unauthorised absence in a rolling period of 10 school weeks. A school week means any week in which there is at least one school session. This can be met with any combination of unauthorised absence (e.g. 4 sessions of holiday taken in term time plus 6 sessions of arriving late after the register closes all within 10 school weeks). These sessions can be consecutive (e.g. 10 sessions of holiday in one week) or not (e.g. 6 sessions of unauthorised absence taken in 1 week and 1 per week for the next 4 weeks). The period of 10 school weeks can also 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).

182. When a school becomes aware that the threshold has been met, they are expected to make the following considerations to decide whether to issue a penalty notice in each individual case:

- Is support appropriate in this case?
  - If yes, schools are expected to continue with the existing support without a penalty notice or issue a notice to Improve if that support is not working or is not being engaged with. A penalty notice can be issued if either has not worked.
  - If no, for example a holiday in term time, a penalty notice should be issued subject to the other conditions below.

- Is a penalty notice the best available tool to improve attendance and change parental behaviour for this particular family or would further support or 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 such as where a pupil has a disability?
- (For local authorities only) Is it in the public interest to issue a penalty notice in this case given the local authority would be responsible for any resulting prosecution for the original offence in cases of non-payment?
  - If the answer to these questions is yes, then a penalty notice should be issued. If not, another tool or legal intervention should be used to improve attendance.

183. Support is defined as any activity intended to improve the pupil's attendance, not including issuing a penalty notice or prosecution. As part of this consideration, schools and local authorities should consider what suitable forms of support are currently available in school and where necessary from other services and agencies in the area. They should then decide whether any of those things are appropriate in the individual cases and for those that are appropriate, whether they have been provided previously or could be provided now instead of taking legal action. The local authority's decision on whether sufficient support has been provided before issuing a penalty notice should be treated as final.

184. Whatever action is taken after the national threshold has been met, schools, and local authorities where appropriate, should monitor the impact of the action, and if it does not lead to attendance improvement review the case and consider alternative actions.

185. The National Framework does not prevent a penalty notice from being used in other cases where an offence has been committed but before doing so authorised officers are expected to make the same considerations as set out above. If in an individual case the local authority (or other authorised officer) believes a penalty notice would be appropriate, they retain the discretion to issue one before the threshold is met. This might apply for example, where parents are deliberately avoiding the national threshold by taking several term time holidays below threshold, or for repeated absence for birthdays or other family events. If local authorities wish to exercise this discretion to issue a penalty notice earlier in such circumstances, they should make this clear in their Local Code of Conduct. Local authorities who conduct, or may wish to, conduct truancy sweeps will also want to make provision for this within their Code.

Notices to improve

186. 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. A Notice to Improve does not need to be issued in cases where support is not appropriate and an authorised officer can choose not to use one in any case, including cases where support is appropriate but they do not expect a Notice to Improve would have any behavioural impact (e.g. because the parent has already received one for a similar offence).

187. Where a Notice to Improve is used, it should be issued in line with processes set out in the Local Code of Conduct for the local authority area in which the pupil attends school.

188. The Notice to Improve is expected to include:

- Details of the pupil's attendance record and details of the offences.
- 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 improvement period of between 3 and 6 weeks.
- Details of what sufficient improvement within that timeframe will look like.
- The grounds on which a penalty notice may be issued before the end of the improvement period.

189. What sufficient improvement looks like can be decided on a case by case basis taking the individual family's circumstances into account. For some families, no further unauthorised absences will be appropriate, for others some absence may be tolerable if considerable improvement is seen. Details of what sufficient improvement looks like for each case should be made clear in the Notice to Improve.

190. Where it is clear that improvement is not being made, it may be appropriate to issue a penalty notice before the improvement period has ended. For example, a Notice to Improve stated there should be no further unauthorised absences in a 6 week period but the pupil is absent for unauthorised reasons in the first week. The parent should be informed before a penalty notice is issued if it is before the end of the improvement period.

Two penalty notice limit and escalation in cases of repeat offences

191. A penalty notice is an out of court settlement which is intended to change behaviour without the need for criminal prosecution. If repeated penalty notices are being issued and they are not working to change behaviour they are unlikely to be most appropriate tool. Therefore, only 2 penalty notices can be issued to the same parent in respect of the same child within a 3 year rolling period and any second notice within that period is charged at a higher rate:

- The first penalty notice issued to a parent in respect of a particular pupil will be charged at £160 if paid within 28 days. This will be reduced to £80 if paid within 21 days.
- A second penalty notice issued to the same parent in respect of the same pupil is charged at a flat rate of £160 if paid within 28 days.
- A third penalty notice cannot be issued to the same parent in respect of the same child within 3 years of the date of issue of the first. In a case where the national threshold is met for a third time (or subsequent times) within those 3 years, alternative action should be taken instead. This will often include considering prosecution, but may include other tools such as one of the other attendance legal interventions.

192. Once 3 years has elapsed since the first penalty notice was issued a further penalty notice can be issued, but in most cases it would not be the most effective tool for changing what may have now become an entrenched pattern of behaviour.

193. For the purpose of the escalation process, previous penalty notices include those not paid (including where prosecution was taken forward and the parent pleaded or was found guilty) but not those which were withdrawn.

194. In cases where a pupil has moved school or local authority area in the previous 3 years, an additional check should be made to try and ascertain whether previous penalty notices have been issued to the parent in respect of the pupil. Where the pupil's previous school was in the same local authority area this check will be simple. If the pupil has

moved between local authorities in the previous 3 years and the previous local authority(ies) is known they should be contacted to check whether a penalty notice has been issued to that parent for that pupil in the previous 3 years. These checks can be made by the school and/or local authority depending on the agreed local process. In cases where the previous local authority is not known or the information cannot be, or is not, provided by the previous local authority, it should be assumed that the parent has not previously received a penalty notice and the escalation process started as a new case.

195. All local authorities are expected to have an email mailbox to make these enquires as easy as possible, where possible this should be in the form of crossborder.penaltynotice@laname.gov.uk.

Local code of conduct for issuing penalty notices

196. Every local authority must draw up, and is expected to publish on their website, a Local Code of Conduct for issuing fixed penalty notices which must be adhered to by all schools, the police and any local authority officer issuing a penalty notice. In producing or amending the Local Code of Conduct the local authority must consult with schools and the police.

197. Local codes of conduct are expected to include:

- Details of the national threshold, 2 penalty notice limit and escalation process.
- Means of avoiding duplicate penalty notices, including processes for schools to issue or refer to the local authority to issue on their behalf.
- A requirement for all authorised officers to check with the local authority before issuing a penalty notice to prevent duplication, check that prosecution is not ongoing or being considered and check agreement on the considerations before issuing (including whether sufficient support has been provided) and the processes for doing so.
- Arrangements for coordination between the local authority and neighbouring local authorities, including the local process for checking with a previous local authority if a pupil has moved home or school during the previous 3 years.
- The local arrangements for determining if the support provided in cases where support is appropriate is sufficient and how a decision will be made.
- Details of the local Notice to Improve process, including the time period (of between 3 and 6 weeks).
- Details of what options the local authority will consider if a 3rd (or subsequent) offence is committed within the 3 year rolling period.
- Details of how outcomes from the penalty notice will be communicated to the school.

Payment of penalties

198. The payment must be paid directly to the local authority regardless of who issued the penalty notice.

199. If the penalty is not paid by the end of the 28 day period, the local authority must decide either to prosecute for the original offence to which the notice applies, or withdraw the notice. Parent(s) can only be prosecuted if 28 days have expired, and full payment has not been made.

200. There is no right of appeal by parents against a penalty notice.

201. The penalty notice system is not a money making scheme and local authorities should not have income targets. Any revenues collected through the system must be ring-fenced for attendance.

202. Monies collected should first be used for administration of the penalty notice system and prosecution. Any surplus left after this should be spent on attendance support. In practice, support means any other activity to improve attendance short of a penalty notice or prosecution in line with this guidance. This revenue should not be considered part of wider local authority funding and relied upon to fund the core attendance expectations of the local authority or be pooled in wider legal services budgets or allocated outside the local authority's attendance functions. Any remaining surplus at the end of the year must be paid to the Secretary of State.

Chapter 7: Contents of the admission register ('the school roll')

203. The school admission register, sometimes known as the 'the school roll', must be kept in accordance with the School Attendance (Pupil Registration) (England) Regulations 2024. Regulation 8 sets out the contents of the admission register.

204. The names of all pupils (both compulsory and non-compulsory school age) must be entered on the admission register.

205. The admission register must be kept electronically.

206. The definition of a pupil is set out in section 3 of the Education Act 1996 – but includes anyone who is receiving an education at the school except a person who is 19 or over for whom further education is being provided, or a person for whom part-time education suitable for people over compulsory school age is being provided.

Expected first day of attendance

207. Schools must enter pupils' names on the admission register on the first day that the school and a person with control of the pupil's attendance have agreed that the pupil will attend the school[12]. If no date has been agreed or notified, the pupil's name must be entered on the first day they attend the school. Names must be added before, or at the beginning of the first session on that day.

208. A person with control of the pupil's attendance is defined in regulation 3(2). This includes the pupil's parent and the pupil if they are over compulsory school age or will be over compulsory school age on their starting day at the school. There may be a small number of cases in which this is also another person with the authority to require the pupil to attend the school, such as a governing body when requiring a pupil to attend another school to improve their behaviour (off site direction).

209. Most school admissions involve the school or admission authority offering a place to the parent of the prospective pupil or, in the case of admission to sixth form, the prospective pupil. An offer of a place is not an agreement. Before a pupil can be registered at a school the parent (or prospective pupil) must have accepted the offer, either by agreeing the starting day in advance or the pupil attending the school on that day. In the normal admissions round, when parents have accepted the school place and starting day

[12] Alternatively, if the school has a legal duty to admit the pupil (for example if it is a maintained school named in a school attendance order, or the local authority has made a direction under section 96 of the School Standards and Framework Act 1998) then the pupil's name must be entered on the day that a person with control of the pupil's attendance has told the school will be the first day they will attend.

offered, the local authority can communicate that agreement to schools on behalf of the parent. This can also be the case where the local authority co-ordinate in-year applications for school places.

210. If a pupil fails to attend school on the agreed starting day, the school is expected to follow this up and try to establish the reason for absence. If they are unable to locate the pupil, schools should notify the local authority.

211. In accordance with regulation 13(1) to (3), a school must make a return to the local authority within 5 days of adding a pupil's name to the admission register (a New Pupil Return) and must provide the local authority with all the information held within the admission register about the pupil. This does not apply to pupils who are added to the admission register at the start of the school's most junior year (for example, pupils who are registered at secondary school at the start of Year 7) unless the local authority has requested such information.

Pupil information

212. Schools must record the personal details of every pupil at the school in the admission register. The register must include the following information for every pupil:

- full name;
- name the pupil uses at school;
- sex;
- address;
- the full name and address of each of the pupil's parents;
- which of the pupil's parents, if any, the pupil normally lives with and at least one telephone number by which each such parent can be contacted in an emergency. The DfE's advice is that where reasonably practicable, schools should hold an emergency contact number for more than one person for each pupil;
- day, month and year of birth;
- day, month and year of the pupil's starting day at the school;
- name and address of the last school the pupil attended, if any.

213. Where the school has boarding pupils, the admission register must state whether each pupil of compulsory school age is a boarder or a day pupil.

Pupils with a new address and/or school

214. Where a parent of a pupil informs the school that the pupil will live at another address, whether in addition to or instead of the address at which the pupil currently lives, the school must ensure that the admission register contains:

- the address;

- the full name of each parent the pupil will normally live with;
- the date when the pupil will start normally living there.

215. Where a person with control of a pupil's attendance has told the school that the pupil is or will be attending another school, the school must ensure that the admission register contains:

- the name of the other school;
- the date when the pupil began or will begin attending that school.

216. This also applies where the school itself is requiring the pupil to attend another school, for example to receive education intended to improve their behaviour (off site direction).

Maintaining the admission register

217. It is vital that the admission register is kept up to date. Schools should encourage parents to inform them of any changes whenever they occur and must ensure the admission register is amended as soon as possible.

Deletion of names from admission register

218. A pupil's name can only be deleted from the admission register for a reason set out in regulation 9 of the School Attendance (Pupil Registration) (England) Regulations 2024. When any of the situations set out in regulation 9 occurs, the pupil's name must be deleted. A pupil's name must not be removed for any other reason and doing so could constitute off-rolling.

219. In accordance with regulation 13(4) to (6), a school must make a return to the local authority when a pupil's name is deleted from the admission register (a Deletion Return). This does not apply where the pupil's name is deleted at or after the end of the last term of the school year when they are in the school's most senior class (for example, pupils who leave primary school at the end of Year 6), unless the local authority has requested such information.

220. Where a school notifies the local authority that a pupil's name is deleted from the admission register, as set out in regulation 13(4), the school must provide the local authority with the following information about the pupil from the admission register:

- full name;
- address;
- the full name and address of any parent the pupil normally lives with;
- at least one telephone number by which any parent the pupil normally lives with can be contacted in an emergency;

- if applicable, the pupil's future address, the full name and address of the parent who the pupil is going to live with, and the date the pupil will start living there;
- if applicable, the name of the pupil's other school and when the pupil began or will begin to attend the school;
- the reason set out in regulation 9(1) or (3) under which the pupil's name has been deleted from the admission register.

221. A school cannot retrospectively delete a pupil's name from the admission register or attendance register. The admission register and attendance register must be an accurate record of who is a registered pupil and their attendance at any given time. A pupil's attendance must be recorded up until the date that the pupil's name is deleted from the admission register.

Deleting the name of a pupil of compulsory school age

222. The only reasons why a pupil's name shall be deleted are:

Ground A - The pupil has been registered at another school

Relevant regulation 9(1)(a)

223. Where a pupil has been registered at another school, unless:

- a school attendance order naming the school is in force in relation to the pupil (see further information below),
- the pupil is a mobile child and the school is their main school (see further information below),
- the school has agreed with a person with control of the pupil's attendance at the other school that the pupil should be registered at more than one school (see further information on dual registration below), or
- the school itself has control of the pupil's attendance at the other school and has decided that the pupil should be registered at more than one school (see further information on dual registration below).

Transfer between schools

224. Where a pupil is transferring to another school, the original school must delete the pupil's name from the admission register as soon as they are entered on the admission register of the new school. The new school must enter the pupil's name on the admission register on the first day that it has agreed or been told the pupil will attend the school as explained under Expected First Day of Attendance.

225. For example, if a pupil leaves School A on 28 March and their expected first day of attendance at School B is 29 March, they would be added to the admission register of School B and deleted from that of School A on 29 March.

School A will:

- record the pupil's attendance and absence up to and including 28 March,
- delete the pupil's name from the admission register on 29 March, and
- transfer the appropriate pupil information via the S2S system.

School B will:

- enter the pupil's name on the admission register on 29 March,
- record the pupil's attendance and absence from 29 March,
- follow up any unexpected absence on or after the 29 March, and
- request the transfer of the pupil information.

226. There are a small number of exceptions, these are:

School attendance order

227. If a school attendance order is in place for the pupil, and the name of the school has been replaced by the relevant local authority with that of another school, their name must be deleted from the admission register under the reason for deletion at ground D (regulation 9(1)(d)).

228. If the school attendance order has not been amended and still names the school, the pupil's name must not be deleted under ground A even if they have been registered at another school as well.

Mobile child

229. Where a child of compulsory school age has no fixed abode and their parent(s) is engaged in a trade or business of such a nature as to require them to travel from place to place, the child can temporarily attend another school without the need for their main school to remove their name.

230. Main school in this context means the school that, during the last 18 months, the child has attended during periods when their parent was not travelling in the course of their trade or business, or, if there is more than one school that fits that description, the school that most recently fulfils those criteria.

Dual registration

231. In circumstances where it has been agreed between the school and a person with control of the pupil's attendance that the pupil will be registered at more than one school, the pupil's name will remain on the admission register. This is also the case where it has been decided by the school if it has control of the pupil's attendance at the other school. The main examples of dual registration are pupils who are attending another school on a temporary basis, such as a pupil referral unit, a hospital school or a special school.

Ground B - The pupil has not continued at the school following completion of nursery education

Relevant regulation 9(1)(b)

232. Where a pupil has been admitted to the school to receive nursery education and on completing nursery does not continue into reception (or more senior class).

Ground C – The pupil is also registered at one or more other schools and the other schools have agreed the deletion

Relevant regulation 9(1)(c)

233. Where a pupil is registered at one or more other schools, and:

- the school does not have reasonable grounds to believe that the pupil will attend the school again,
- each school where the pupil is registered has given consent to the deletion,
- there is no school attendance order naming the school in force in relation to the pupil (see further information below), and
- the pupil is not a mobile child, or if they are, the school is not their main school (see further information below).

School attendance order

234. If a school attendance order is in place for the pupil, and the name of the school has been replaced by the relevant local authority with that of another school, their name must be deleted from the admission register under the reason for deletion at ground D (regulation 9(1)(d)).

235. If the school attendance order has not been amended and still names the school, the pupil's name must not be deleted under ground C even if the other criteria are satisfied.

Mobile child

236. Where a child of compulsory school age has no fixed abode and their parent(s) is engaged in a trade or business of such a nature as to require them to travel from place to place, the child can temporarily attend another school without the need for their main school to remove their name.

237. Main school in this context means the school that, during the last 18 months, the child has attended during periods when their parent was not travelling in the course of their trade or business, or, if there is more than one school that fits that description, the school that most recently fulfils those criteria.

Ground D - The pupil has a school attendance order which has been changed to name another school

Relevant regulation 9(1)(d)

238. Where the pupil is the subject of a school attendance order that previously named the school, but another school has now been named on that order instead.

Ground E - The pupil had a school attendance order which has been revoked

Relevant regulation 9(1)(e)

239. Where the pupil was the subject of a school attendance order naming the school, but the order is revoked because the local authority that made the order is satisfied that arrangements have been made for the child to receive suitable full-time education for their age, ability and aptitude and special educational needs somewhere other than at a school.

Ground F - The parent of a pupil has notified the school in writing that the pupil will be leaving the school to be educated otherwise than at a school

Relevant regulation 9(1)(f)

240. Where the pupil's parent has informed the school in writing that the pupil will no longer attend the school after a certain day and will receive education otherwise than at a school and that day has passed, and there is no school attendance order naming the school in force in relation to the pupil.

School Attendance Order

241. If a school attendance order has been revoked because the local authority that made the order is satisfied that arrangements have been made for the child to receive suitable full-time education for their age, ability and aptitude somewhere other than at a school, the pupil's name must be deleted from the admission register under the reason for deletion at regulation 9(1)(e).

Ground G - The pupil no longer normally lives a reasonable distance from the school

Relevant regulation 9(1)(g)

242. Where a pupil no longer normally lives a reasonable distance from the school, the school does not have reasonable grounds to believe the pupil will attend the school again, and the pupil is not a boarder at the school.

243. In circumstances where parents are moving away and withdrawing their child but are unable to say how their child will continue with their education, for example, the family are relocating but have not been able to secure a place at a new school in advance, once

the pupil has completed their final day at school and moved out of the area, the school must delete the pupil's name from the admission register and the pupil's information should then be transferred to the Lost Pupil Database via the S2S system.

Reasonable distance

244. DfE does not define reasonable distance because each case depends on the family situation and the geography of the area for example, the parent's ability to get the child to the school, a safe walking route or the accessibility of local transportation.

Temporary or occasional absence

Relevant regulation 9(5)(a)

245. Whether a pupil normally lives a reasonable distance from the school is not affected by a temporary or occasional absence. A judgement should be made in an individual case as to whether an absence is temporary or occasional, but a prolonged absence is not generally considered as temporary.

Ground H - The pupil has not returned following a leave of absence

Relevant regulation 9(1)(h)

246. Where a pupil has been granted a leave of absence and:

- the pupil has not attended school within the ten school days immediately after the end of the period that the leave was granted for,
- the school does not have reasonable grounds to believe that the pupil is unable to attend because of sickness or an unavoidable cause, and
- the school and the local authority have jointly made reasonable efforts to find out the pupil's location and circumstances, but:
    - they have not succeeded, or
    - they have succeeded but they agree that there are no reasonable grounds to believe that the pupil will attend the school again, taking into account any reasonable steps that could be taken (either jointly or separately) to secure the pupil's attendance.

247. DfE's guidance on Children Missing Education sets out the expectations for schools and local authorities in respect of making reasonable efforts to find out a pupil's location and circumstances.

Pupils who have been located but have not returned to school

248. Where a pupil has been located and their circumstances discovered but they have not returned to school, a joint decision is required between the school and the local authority before this ground is used. Both must agree that there are no reasonable

grounds to believe the child will return to the school, even with reasonable support and/or enforcement to try to cause their return to school. This means the final criterion will be met very rarely, usually when a pupil has been out of the country for a prolonged period and there are no signs of the pupil returning.

249. This ground cannot be used in any case where the pupil could reasonably be supported to return to school regardless of whether that support has been provided. It cannot be used where a pupil is absent because of a health reason. It also cannot be used in cases where attendance legal action to cause the pupil to return to school could reasonably be taken instead. In such cases, the appropriate support or enforcement should be taken rather than the pupil's name being deleted from roll.

250. Examples of appropriate use include:

- The pupil is still away from home and the parent has refused to give a date for their return but there is no reason to think there is anything preventing them from returning.
- No date or evidence of the pupil returning has been provided by the deadline set out in the school's contact with the parent and there is no reason to think there is anything preventing them from returning.
- The parent has given a date, or several dates, for returning and the pupil has failed to return by or on the last given date.

251. Examples of where ground G may be appropriate instead:

- The date for return the parent has provided is too vague or too far in the future to reasonably believe the pupil still normally lives a reasonable distance from the school.
- The school does not believe, taking account of any information from the parent, that the pupil still resides within the area and the pupil's absence does not appear to be temporary.

Ground I - The pupil has been continually absent from school for 20 school days

Relevant regulation 9(1)(i)

252. Where a pupil has been continuously absent from the school for a period of 20 school days or more and:

- at no point during that period did any of the circumstances in regulation 10(3) Table 2 or 10(4) Table 3 other than the ones for codes G, N, or O apply.
- the school does not have reasonable grounds to believe that the pupil is unable to attend because of sickness or an unavoidable cause, and
- the school and the local authority have jointly made reasonable efforts to find out the pupil's location and circumstances, but:

- they have not succeeded, or
- they have succeeded but they agree that there are no reasonable grounds to believe that the pupil will attend the school again, taking into account any reasonable steps they could take (either jointly or separately) to secure the pupil's attendance.

253. DfE's guidance on Children Missing Education sets out the expectations for schools and local authorities in respect of making reasonable efforts to find out a pupil's location and circumstances.

Pupils who have been located but have not returned to school

254. Where a pupil has been located and their circumstances discovered but they have not returned to school, a joint decision is required between the school and the local authority before this ground is used. Both must agree that there are no reasonable grounds to believe the child will return to the school, even with reasonable support and/or enforcement to try to cause their return to school. This means the final criterion will be met very rarely, usually when a pupil has been out of the country for a prolonged period and there are no signs of the pupil returning.

255. This ground cannot be used in any case where the pupil could reasonably be supported to return to school regardless of whether that support has been provided. It cannot be used where a pupil is absent because of a health reason. It also cannot be used in cases where attendance legal action to cause the pupil to return to school could reasonably be taken instead. In these cases, the appropriate support or enforcement should be taken rather than the pupil's name being deleted from roll.

256. Examples of appropriate use include:

- The pupil is away from home and the parent has refused to give a date for their return but there is no reason to think there is anything preventing them from returning.
- No date or evidence of the pupil returning has been provided by the deadline set out in the school's contact with the parent and there is no reason to think there is anything preventing them from returning.
- The parent has given a date, or several dates, for returning and the pupil has failed to return by or on the last given date.

257. Examples of where regulation 9(1)(g) may be appropriate instead:

- The date for return the parent has provided is too vague or too far in the future to reasonably believe the pupil normally lives a reasonable distance from the school.
- The school does not believe, taking account of any information from the parent, that the pupil still resides within the area and the pupil's absence does not appear to be temporary.

Ground J - The pupil is detained under a sentence of detention

Relevant regulation 9(1)(j)

258. Where a pupil is found guilty of a crime and detained under a sentence of detention (as defined in regulation 3) before the pupil's name can be deleted from the admission register the school must have reasonable grounds to believe the pupil will not return to the school once they are released.

259. This must be decided on a case by case basis after considering whether the pupil will return at the end, or part way through their sentence (e.g. where part is served on licence in the community). In determining whether there are reasonable grounds to believe the pupil will return to the school following their detention, it is expected that schools will discuss this with the pupil's youth offending team worker.

260. Pupils who are remanded to custody awaiting trial or sentencing cannot be removed under this ground.

Ground K - The pupil has died

Relevant regulation 9(1)(k)

261. Where a pupil has died.

262. A pupil's name should only be deleted from the admission register when the school is informed of the death. This would normally come from the pupil's parent but it is possible that notification comes from another source, such as relatives or the police.

263. Once the school receives the information, it is particularly important to delete the pupil's name as quickly as possible to prevent inadvertent and unnecessary contact with the family about the child.

Ground L - The pupil will be over compulsory school age and will not continue into the sixth form

Relevant regulation 9(1)(l)

264. Where a pupil will be over compulsory school age by the time the school next meets, and:

- the school does not have reasonable grounds to believe the pupil will attend the school again, or
- the pupil does not meet the academic entry requirements to be transferred to the school's sixth form.

Compulsory school age

265. A pupil ceases to be of compulsory school age on the last Friday in June of the school year in which they reach the age of 16.

Ground M - The pupil is a boarder at a school maintained by a local authority or academy and their boarding fees have not been paid

Relevant regulation 9(1)(m)

266. Where a pupil is a boarder at the school and:

- the school is maintained by a local authority or is an academy,
- charges for the pupil's board and lodgings are payable by the pupil's parent, and
- those charges remain unpaid by the pupil's parent at the end of the school term to which they relate.

Ground N - The pupil has ceased to be a pupil at an independent school or non-maintained special school

Relevant regulation 9(1)(n)

267. Where a pupil has ceased to be a pupil at the school and the school is not maintained by a local authority or an academy (including a city technology college or a city college for the technology of the arts).

Ground O - The pupil has been permanently excluded from the school

Relevant regulation 9(1)(o)

268. Where a pupil has been permanently excluded from the school.

269. A pupil's name cannot be deleted from the admission register until the outcome of any consideration of reinstatement and independent review (in the case of a disciplinary exclusion from a maintained school, pupil referral unit, or academy) or appeal (in the case of a city technology college or city college for the technology of the arts) is known.

Deleting the name of a pupil of compulsory school age from the register of a special school

Relevant regulation 9(2)

270. Where a pupil of compulsory school age is registered at a special school under arrangements made by a local authority, the pupil's name cannot be deleted without the consent of the local authority, or if the local authority refuses to give consent, without a direction from the Secretary of State, unless:

- The pupil is registered at the school as result of a school attendance order, but the school is not now named on that order or the order has been revoked because arrangements have been made for the child to receive suitable full-time education for their age, ability and aptitude somewhere other than at a school, and the pupil's name is deleted under regulation 9(1)(d) or (e); or
- The pupil has died, and the pupil's name is deleted under regulation 9(1)(k); or
- The pupil has been permanently excluded from the school, and the pupil's name is deleted under regulation 9(1)(o).

271. It is expected that the local authority will not withhold consent unnecessarily, nor delay for an unreasonable period.

Deleting the name of a pupil not of compulsory school age

272. The only reasons where the name of a pupil not of compulsory school age shall be deleted are:

Ground A - The pupil is not a boarder and will not attend the school again

Relevant regulation 9(3)(a)

273. Where a pupil is not a boarder, and the school does not have reasonable grounds to believe the pupil will attend the school again.

Ground B - The pupil is a boarder and has ceased to be a pupil at the school

Relevant regulation 9(3)(b)

274. Where a pupil is a boarder and has ceased to be a pupil at the school.

Ground C - The pupil has been continually absent from school for 20 school days

Relevant regulation 9(3)(c)

275. Where a pupil has been continuously absent from the school for a period of 20 school days or more and:

- the pupil was not absent with leave during the period,
- the school does not have reasonable grounds to believe that the pupil is unable to attend because of sickness or an unavoidable cause, and
- the school has made reasonable efforts to find out the pupil's location and circumstances but:
  - has not succeeded, or
  - has succeeded and has no reasonable grounds to believe the pupil will attend the school again.

276. When determining if there are no reasonable grounds to believe that the pupil will attend the school again, the school may wish to consider the following factors:

- Has the parent or pupil (if at sixth form) given a date for the pupil's return?
- Has a date or evidence of the pupil returning been provided by the deadline set out in the school's contact with the parent or pupil (if at sixth form)?
- Has the parent or pupil (if at sixth form) given a date, or several dates, for returning but the pupil has failed to return by or on the last given date?

Ground D - The pupil has died

Relevant regulation 9(3)(d)

277. Where a pupil has died.

278. A pupil's name should only be deleted from the admission register when the school is informed of the death. This would normally come from the pupil's parent but it is possible that notification comes from another source, such as relatives or the police.

279. Once the school receives the information, it is particularly important to delete the pupil's name as quickly as possible to prevent inadvertent and unnecessary contact with the family about the child or young person.

Ground E - The pupil has been permanently excluded from the school

Relevant regulation 9(3)(e)

280. Where a pupil has been permanently excluded from the school.

281. A pupil's name cannot be deleted from the admission register until the outcome of any consideration of reinstatement and independent review (in the case of a disciplinary exclusion from a maintained school, pupil referral unit, or academy) or appeal (in the case of a city technology college or city college for the technology of the arts) is known.

Chapter 8: Contents of the attendance register

282. All schools, except those where all the pupils are boarders, must keep an attendance register in accordance with the School Attendance (Pupil Registration) (England) Regulations 2024. Regulation 10 sets out the contents of the attendance register. The attendance register must be kept electronically to aid accuracy and reduce the burden of information sharing.

283. Schools cannot delete a pupil's name from the attendance register unless they have a reason (as set out in regulation 9) to delete the pupil's name from the admission register; the pupil's name must be deleted from both registers at the same time.

284. Schools must take the attendance register at the beginning of each morning session and once during each afternoon session. Usually, a substantial break such as a lunchbreak separates one session from the next. Lessons that take place after the lunchtime break will therefore be a different session from the ones before the break and another register needs to be taken. When there is more than one afternoon session and therefore the attendance register is taken more than once in the same afternoon, the DfE will use the codes for the last afternoon session as the basis for its statistical attendance data.

Attendance and absence codes

285. On each occasion the register is taken the appropriate national attendance and absence code must be entered for every pupil (of both compulsory and non-compulsory school age) whose name is listed in the admission register at the time (with the exception of a pupil who is a boarder).

286. The codes enable schools to record and monitor attendance and absence in a consistent way and are used to collect statistics. The data helps schools, local authorities, and the government gain a greater understanding of the delivery of education and the level of, and reason for, absence.

287. As set out in the DfE's guidance on 'Providing remote education', pupils who are absent from school and receiving remote education still need to be recorded as absent using the most appropriate absence code. Schools should keep a record of, and monitor pupil's engagement with remote education, but this is not formally tracked in the attendance register.

288. The codes are set out in regulation 10(2) Table 1, 10(3) Table 2 and 10(4) Table 3, 10(8) and 10(10) of the regulations and summarised below.

Attending the school

Relevant regulation 10(2) Table 1

Code / \: Present at the school / = morning session \ = afternoon session

289. Pupils must not be recorded as present if they are not in school during registration. If a pupil were to leave the school premises after registration, they will still be counted as attending for statistical purposes.

290. This code is classified for statistical purposes as attending.

Code L: Late arrival before the register is closed

291. The pupil was absent when the register started being taken but arrives before the register is closed. Schools should actively discourage late arrival and be alert to patterns of late arrival. All schools are expected to set out in their attendance policy the length of time the register will be open, after which a pupil will be recorded as absent. This should be the same for every session and not longer than 30 minutes. If a pupil is recorded with code N but arrives later in the session after the register has closed, the attendance register must be amended to record them as absent using code U or another absence code that is more appropriate.

292. This code is classified for statistical purposes as attending.

Attending a place other than the school

Relevant regulation 10(3) Table 2

Code K: Attending education provision arranged by the local authority

293. The pupil is attending a place, other than the school or any other school at which they are a registered pupil, for educational provision arranged by a local authority under section 19(1) of the Education Act 1996 (exceptional provision of education), section 42(2), or 61(1) of the Children and Families Act 2014 (special educational provision off site). A pupil attending provision arranged by the school rather than the local authority must be recorded using Codes P or B instead.

294. Schools must also record the nature of the provision (regulation 10(5)), examples are:

- attending courses at college;
- attending unregistered alternative provision.

295. Schools should ensure that arrangements are in place whereby the education provider notifies the school of any absence by the pupil. The school must record the pupil's absence using the relevant absence code.

296. This code is classified for statistical purposes as attending an approved educational activity.

Code V: Attending an educational visit or trip

297. 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 arranged by or on behalf of the school and supervised by a member of school staff. The visit or trip must take place during the session for which it is recorded.

298. If the pupil does not attend the visit or trip the school must record the pupil's absence using the relevant absence code.

299. This code is classified for statistical purposes as attending an approved educational activity.

Code P: Participating in a sporting activity

300. The pupil is attending a place for an approved educational activity that is a sporting activity. The sporting activity must take place during the session for which it is recorded.

301. A pupil can only be recorded as attending a place for an approved educational activity if:

- the place is somewhere other than the school, another school where the pupil is registered, or a place where educational provision has been arranged for the pupil by a local authority under section 19(1) of the Education Act 1996 or sections 42(2) or 61(1) of the Children and Families Act 2014;
- the activity is of an educational nature;
- the school has approved the pupil's attendance at the place for the activity; and
- the activity is supervised by a person considered by the school to have the appropriate skills, training, experience and knowledge to ensure that the activity takes place safely and fulfils the educational purpose for which the pupil's attendance has been approved. Supervision means the pupil is physically supervised by someone who meets this definition.

302. If schools have concerns about the appropriateness of an activity, they can seek advice from the sports' national governing body. The final decision on approving the activity, however, rests with the school and they should take the effect on the pupil's general education into account.

303. Schools have responsibilities for the safeguarding and welfare of pupils attending an approved educational activity. The school will need to be satisfied that appropriate measures have been taken to safeguard the pupil. Schools should ensure that they have in place arrangements whereby the provider of the sporting activity notifies the school of

any absence by the pupil. The school must record the pupil's absence using the relevant absence code.

304. This code is classified for statistical purposes as attending an approved educational activity.

Code W: Attending work experience

305. The pupil is attending a place for an approved educational activity that is work experience provided under arrangements made by a local authority or the school as part of the pupil's education. The work experience must take place during the session for which it is recorded.

306. A pupil can only be recorded as attending a place for an approved educational activity if:

- the place is somewhere other than the school, another school where the pupil is registered, or a place where educational provision has been arranged for the pupil by a local authority under section 19(1) of the Education Act 1996 or sections 42(2) or 61(1) of the Children and Families Act 2014;
- the activity is of an educational nature;
- the school has approved the pupil's attendance at the place for the activity; and
- the activity is supervised by a person considered by the school to have the appropriate skills, training, experience and knowledge to ensure that the activity takes place safely and fulfils the educational purpose for which the pupil's attendance has been approved. Supervision means the pupil is physically supervised by someone who meets this definition.

307. Schools have responsibilities for the safeguarding and welfare of pupils attending an approved educational activity. The school will need to be satisfied that appropriate measures have been taken to safeguard the pupil. Schools should ensure that they have in place arrangements whereby the provider of the work experience notifies the school of any absence by the pupil. The school must record the pupil's absence using the relevant absence code.

308. This code is classified for statistical purposes as attending an approved educational activity.

Code B: Attending any other approved educational activity

309. The pupil is attending a place for an approved educational activity that is not a sporting activity or work experience. The educational activity must take place during the session for which it is recorded.

310. A pupil can only be recorded as attending a place for an approved educational activity if:

- the place is somewhere other than the school, another school where the pupil is registered, or a place where educational provision has been arranged for the pupil by a local authority under section 19(1) of the Education Act 1996 or sections 42(2) or 61(1) of the Children and Families Act 2014;
- the activity is of an educational nature;
- the school has approved the pupil's attendance at the place for the activity; and
- the activity is supervised by a person considered by the school to have the appropriate skills, training, experience and knowledge to ensure that the activity takes place safely and fulfils the educational purpose for which the pupil's attendance has been approved. Supervision means the pupil is physically supervised by someone who meets this definition.

311. Schools must also record the nature of the approved educational activity (regulation 10(5)), examples are:

- attending transition days at other schools;
- attending courses at college;
- attending unregistered alternative provision arranged by the school.

312. Schools have responsibilities for the safeguarding and welfare of pupils attending an approved educational activity. The school will need to be satisfied that appropriate measures have been taken to safeguard the pupil. Schools should ensure that they have in place arrangements whereby the provider of the educational activity notifies the school of any absences by the pupil. The school must record the pupil's absence using the relevant absence code.

313. This code is classified for statistical purposes as attending an approved educational activity.

Absent - leave of absence

Relevant regulation 10(4) Table 3

314. All schools must use the following codes to record the reason for a pupil being absent with leave:

Code C1: Leave of absence for the purpose of participating in a regulated performance or undertaking regulated employment abroad.

315. All schools can grant leaves of absence for pupils to undertake employment (paid or unpaid) during school hours. Schools maintained by a local authority and special schools not maintained by a local authority can only do so in the following circumstances (under regulation 11(2)):

- Where the local authority have granted a licence for the pupil to take part in a performance regulated by section 37(2) of the Children and Young Persons Act 1963.
- Where a pupil does not need a licence for such a performance because an exception applies under section 37(3) of the Children and Young Persons Act 1963, including where a Body of Persons Approval (BOPA) covering the pupil has been issued by the local authority in whose area the performance will take place or the Secretary of State.
- Where a Justice of the Peace has given the pupil a licence to go abroad for a performance or other regulated purpose under section 25(2) of the Children and Young Persons Act 1933.

316. Schools should be sympathetic to requests for leave of absence that are supported by a licence issued by a local authority or a BOPA; as long as the school remains satisfied that this will not have a negative effect on a pupil's education. Where a local authority licence specifies the dates that a pupil is to be away from school to perform, the school should record the absence for those days as if a leave of absence had been applied for and granted. Where the terms of the local authority licence do not specify dates, however, or where a BOPA or other exemption or licence from a Justice of the Peace applies, it is at the discretion of the school to grant leave of absence.

317. Schools that are not required to follow regulation 11, must still use this code to record a pupil who is absent with leave for the purpose of participating in a regulated performance or work abroad under a licence or exemption as described above.

318. This code is classified for statistical purposes as authorised absence.

Code M: Leave of absence for the purpose of attending a medical or dental appointment

319. Schools should encourage parents to make appointments out of school hours. Where this is not possible, they should get the school's agreement in advance and the pupil should only be out of school for the minimum amount of time necessary for the appointment.

320. Schools maintained by a local authority and special schools not maintained by a local authority can only grant leave of absence for this under regulation 11(11), where an application is made in advance by a parent the pupil normally lives with (or the pupil if they will be over compulsory school age by the time of the absence), and the school is satisfied that, based on the individual facts of the case, there are exceptional circumstances which justify the leave.

321. Schools that are not required to follow regulation 11, must still use this code to record a leave of absence has been granted for the purpose of attending a medical or dental appointment.

322. If a pupil is present at registration but then leaves the school to attend a medical or dental appointment during the session in question, no absence needs be recorded for that session.

323. This code is classified for statistical purposes as authorised absence.

Code J1: Leave of absence for the purpose of attending an interview for employment or for admission to another educational institution

324. Schools maintained by a local authority and special schools not maintained by a local authority can grant leave of absence, under regulation 11(4), where an application has been made in advance by the parent who the pupil normally lives with (or the pupil if they will be over compulsory school age by the time of the absence) and the leave is to enable the pupil to attend an interview for employment or admission to another educational institution.

325. Schools that are not required to follow regulation 11, must still use this code to record a leave of absence has been granted for the purpose of attending an interview for employment or for admission to another educational establishment.

326. This interview must take place during the session for which it is recorded.

327. This code is classified for statistical purposes as authorised absence.

Code S: Leave of absence for the purpose of studying for a public examination

328. Schools maintained by a local authority and special schools not maintained by a local authority can grant leave of absence, under regulation 11(5), for a pupil to study for a public examination where the leave has been agreed in advance with a parent who the pupil normally lives with (or the pupil if they will be over compulsory school age by the time of the absence).

329. Study leave should not be granted by default once tuition of the exam syllabus is complete and should be used sparingly. If schools do decide to grant study leave, provision must still be made available for those pupils who want to continue to come into school to revise.

330. Schools that are not required to follow regulation 11, must still use this code to record when a pupil is absent with leave that has been granted for the purpose of studying for a public examination.

331. This code is classified for statistical purposes as authorised absence.

Code X: Non-compulsory school age pupil not required to attend school

332. Schools maintained by a local authority and special schools not maintained by a local authority can grant a leave of absence, under regulation 11(7) or (8) for a pupil not of compulsory school age to attend school part-time.

333. Schools that are not required to follow regulation 11, must still use this code to record when a pupil is absent with leave because their timetable does not require them to attend.

334. Where the pupil is absent when timetabled to attend the school, the absence must be recorded using the appropriate absence code not code X.

335. This code is classified for statistical purposes as not a possible attendance.

Under compulsory school age

336. In cases where a parent wishes their child to begin school on a part-time basis in line with the school admissions code, schools maintained by a local authority and special schools not maintained by a local authority may give leave of absence for sessions the pupil is not expected to attend. This must be agreed between the school and the parent they normally live with and must end at the point at which the pupil reaches compulsory school age. The times and dates when the pupil is expected to attend the school must be agreed by the school and the parent with whom the pupil normally lives with.

Over compulsory school age

337. Where a sixth form pupil's timetable does not require them to be on site for every session of the week, a school maintained by a local authority or a special school not maintained by a local authority may give leave of absence. The times and dates when the pupil is expected to attend the school must be agreed with the parent with whom the pupil normally lives with or the pupil.

Code C2: Leave of absence for a compulsory school age pupil subject to a part-time timetable

338. All pupils of compulsory school age are entitled to a full-time education. In very exceptional circumstances, where it is in a pupil's best interests, there may be a need for a temporary part-time timetable to meet their individual needs in line with paragraphs 65 – 70.

339. Schools maintained by a local authority and special schools not maintained by a local authority can grant a leave of absence, under regulation 11(6) to temporarily reduce the timetable of a pupil of compulsory school age to part-time, if the school and a parent who the pupil normally lives with have agreed that, exceptionally, the pupil should temporarily be educated only part-time and have agreed the times and dates when the

pupil will, during the period of temporary part-time education, be expected to attend the school.

340. Schools that are not required to follow regulation 11, must still use this code to record when a pupil is absent with leave because they are subject to a part-time timetable in line with an agreement between the school and a parent the pupil normally lives with that the pupil should temporarily be educated part-time.

341. Where a pupil is receiving a full-time education, but only part-time at the school in question (e.g. dual registration, part-time unregistered alternative provision or flexi-schooling) this code must not be used and the appropriate code for why the pupil is not in school for that session should be used.

342. This code is classified for statistical purposes as authorised absence.

Code D: Dual registered at another school

343. The law allows a pupil to be registered at more than one school. This code is used to indicate that the pupil is absent with leave to attend the other school at which they are registered. The main examples of dual registration are pupils who are attending a pupil referral unit, a hospital school or a special school on a temporary basis.

344. The school at which the pupil is scheduled to attend must record the pupil's attendance and absence with the relevant code. Code D may only be used by either school for a session where the pupil is scheduled to attend the other school at which they are registered. Schools should ensure that they have in place arrangements whereby all unexpected and unexplained absences are promptly followed up.

345. This code is classified for statistical purposes as not a possible attendance to avoid double counting.

Code C: Leave of absence for exceptional circumstance

346. All schools are able to grant a leave of absence at their discretion. A leave of absence should not, and from a school maintained by a local authority or a special school not maintained by a local authority, must not be granted unless there are exceptional circumstances.

347. Schools must judge each application individually considering the specific facts and circumstances and relevant background context behind each request. Where a leave of absence is granted, the school will determine the number of days a pupil can be absent from school. A leave of absence is granted entirely at the school's discretion.

348. Schools maintained by a local authority and special schools not maintained by a local authority can only grant such a leave of absence under regulation 11(11), where an application is made in advance by a parent the pupil normally lives with (or the pupil if they will be over compulsory school age by the time of the absence).

349. Generally, a need or desire for a holiday or other absence for the purpose of leisure and recreation would not constitute an exceptional circumstance.

350. Schools that are not required to follow regulation 11, must still use this code to record where a pupil is absent with leave for a reason that is not covered by another leave of absence code.

351. This code is classified for statistical purposes as authorised absence.

Pregnant pupils

352. Leave for maternity is treated like any other leave of absence in exceptional circumstances. Schools are expected to act reasonably and grant a sufficient period of leave from school, taking into consideration the specific facts and circumstances of each case. Ultimately, it is at the school's discretion how much leave to grant.

Absent - other authorised reasons

Relevant regulation 10(4) Table 3

Code T: Parent travelling for occupational purposes

353. 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. A mobile child is a child of compulsory school age who has no fixed abode and whose parent(s) is engaged in a trade or business of such a nature as to require them to travel from place to place.

354. Schools should not unnecessarily ask for proof that the parent is travelling for occupational purposes, this should only happen when there is genuine and reasonable doubt about the authenticity of the reason for absence given. If there is doubt over the reason given, the school may ask for proof that the family are required to travel for occupational purposes during the period of absence.

355. To help ensure continuity of education for pupils, when their parent(s) is travelling for occupational purposes in England, it is expected that the pupil should attend a school where their parent(s) is travelling and be dual registered at that school and their main school.

356. This code is classified for statistical purposes as authorised absence.

357. Whilst for statistical purposes this is counted as authorised absence, if a pupil's attendance was to fall below an acceptable level consideration may be given to attendance enforcement.

Defence in the law

358. Parents can in some circumstances, present a defence against prosecution, under section 444(6) of the Education Act 1996. This defence applies where the child has no fixed abode, and the parent can prove that they are engaged in a trade or business that requires them to travel from place to place and that the child has been attending school as regularly as the trade or business permits. If the child is aged 6 or older, the parent must also prove that the child has attended school for at least 200 sessions in the preceding 12 months. This is in addition to the requirement to prove that the child has attended as regularly as the trade or business permits, which means that if the trade or business permits the child to attend for more than 200 sessions, they should do so.

Code R: Religious observance

359. 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).

360. As a general rule, 'a day exclusively set apart for religious observance' is a day when the pupil's parents would be expected by the religious body to which they belong to stay away from their employment in order to record the occasion. If in doubt, schools should seek advice from the parent's religious body about whether it has set the day apart for religious observance.

361. If a religious body sets apart a single day for a religious observance and the parent applies for more than one day, the school may only record one day using this code; the rest of the time would need a leave of absence, and this is granted at the school's discretion as set out under Code C.

362. Schools and local authorities may seek to minimise the adverse effects of religious observance on a pupil's attendance and attainment by considering approaches such as:

- Setting term dates around days for religious observance;
- Working with local faith groups to develop guidance on absence for religious observance;
- Taking INSET days that coincide with religious observance days; and
- Providing individual support for pupils who miss sessions on days exclusively set apart for religious observance.

363. This code is classified for statistical purposes as authorised absence.

Code I: Illness (not medical or dental appointment)

364. The pupil is unable to attend due to illness (both physical and mental health related). Schools should advise parents to notify them on the first day the child is unable to attend due to illness.

365. Schools are not expected to routinely request that parents provide medical evidence to support illness absences. Schools should only request reasonable medical evidence in cases where they need clarification to accurately record absence in the attendance register – i.e. making a decision that code I is the absence code that accurately describes the reason the pupil is not in school for the session in question. In the majority of cases a parent's notification that their child is too ill to attend school will be that evidence and can be accepted without question or concern. Only where the school has genuine and reasonable doubt about the authenticity of the illness should medical evidence be requested to support the absence.

366. Where medical evidence is deemed necessary, schools should not be rigid about the form of evidence requested and should speak to the family about what evidence is available. Schools should be mindful that requesting additional medical evidence unnecessarily places pressure on health professionals, their staff and their appointment system, particularly if the illness is one that does not require treatment by a health professional. Where a parent cannot provide evidence in the form requested but can provide other evidence, schools should take this into account. Where a parent cannot provide any written evidence the school should have a conversation with the parent and pupil, if appropriate, which may in itself serve as the necessary evidence to record the absence.

367. This code is classified for statistical purposes as authorised absence.

Code E: Suspended or permanently excluded

368. The pupil is suspended from school or permanently excluded from school on disciplinary grounds, but their name is still entered in the admission register, and no alternative provision has been made for the pupil to continue their education.

369. When a pupil of compulsory school age is suspended or permanently excluded on disciplinary grounds from a maintained school, pupil referral unit, academy, city technology college, or city college for the technology of the arts, alternative provision must be arranged from the sixth consecutive school day of any suspension or permanent exclusion. Where the pupil is attending alternative provision, for the session in question, schools should record this using the appropriate attendance code in regulation 10(3) Table 2 or if the pupil is attending another school at which they are a registered pupil, schools should record this using code D (dual registered at another school).

370. This code is classified for statistical purposes as authorised absence.

Absent - unable to attend school because of unavoidable cause

Relevant regulation 10(4) Table 3

Code Q: Unable to attend the school because of a lack of access arrangements

Relevant regulation 10(4), (12) and (13).

371. Code Q is only used where a pupil is absent because the local authority has a legal duty to arrange home-to-school travel for the pupil and they have not done so, or because the pupil has no choice but to attend a school that does not qualify for such travel arrangements and is more than walking distance from where they live. These circumstances are set out in law but in summary are where:

- the local authority has a duty to arrange the pupil's home to school travel and has not; or
- the pupil is registered at a private school that is beyond walking distance from the pupil's home and the local authority has not arranged boarding for them or enabled them to go to a state school nearer to their home; or
- the pupil lives in Wales and a Welsh local authority has a duty to provide home to school travel and has not.[13]

372. This code is classified for statistical purposes as not a possible attendance.

Code Y1: Unable to attend due to transport normally provided not being available

373. 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.

374. Walking distance in relation to a child under the age of 8, means 2 miles, and for a child of 8 or above, means 3 miles. In each case measured by the nearest available route.

375. This code is classified for statistical purposes as not a possible attendance.

Code Y2: Unable to attend due to widespread disruption to travel

376. The pupil is unable to attend the school because of widespread disruption to travel caused by a local, national, or international emergency.

377. This code is classified for statistical purposes as not a possible attendance.

[13] Learner Travel (Wales) Measure 2008 (legislation.gov.uk)

Code Y3: Unable to attend due to part of the school premises being closed

378. 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.

379. This code is classified for statistical purposes as not a possible attendance.

Code Y4: Unable to attend due to the whole school site being unexpectedly closed

Relevant regulation 10(10)

380. Where a school was planned to be open for a session, but the school is closed unexpectedly (e.g. due to adverse weather), the attendance register is not taken as usual because there is no school session. Instead, every pupil listed in the admission register at the time must be recorded with code Y4 to record the fact that the school is closed.

381. This code may not be used for any planned closure such as weekends or holidays.

382. This code is classified for statistical purposes as not a possible attendance.

Code Y5: Unable to attend as pupil is in criminal justice detention

Relevant regulation 10(14)

383. The pupil is unable to attend the school because they are:

- in police detention,
- remanded to youth detention, awaiting trial or sentencing, or
- detained under a sentence of detention.

384. If a pupil is remanded to local authority accommodation, they should attend school as normal where possible and where it is not possible any absence should be recorded using the appropriate code.

385. A pupil's absence should be recorded under code Y7 (Unable to attend because of any other unavoidable cause) if they are unable to attend because they are serving a community based (i.e. non-detained) part of a sentence of detention, referral order, or youth rehabilitation order that requires them to be absent during the school day.

386. Schools are expected to communicate with the pupil's Youth Offending Team worker while the pupil is in custody and remains on the school roll to discuss the pupil's educational needs, progress and return to the school upon their release where appropriate. Education is a key part of effective resettlement, therefore it is important that schools maintain contact with the Youth Offending Team throughout the sentence to support the child's resettlement where appropriate.

387. This code is classified for statistical purposes as not a possible attendance.

Code Y6: Unable to attend in accordance with public health guidance or law

388. The pupil is well enough to attend (otherwise Code I would have been recorded) but there are Government rules or guidance to limit the spread of infection or disease which say they should not attend.

389. Meaning, the pupil's travel to or attendance at the school would be:

- contrary to any guidance relating to the incidence or transmission of infection or disease published by the Secretary of State for Health and Social Care (or the equivalent in Scotland, Wales or Northern Ireland), or
- prohibited by any legislation relating to the incidence or transmission of infection or disease.

Code Y7: Unable to attend because of any other unavoidable cause

390. An unavoidable cause, that is not covered by one of the other 'unable to attend' codes detailed above, is preventing the pupil from attending the school.

391. This code should be used only where something in the nature of an emergency has prevented the pupil from attending the session in question. The unavoidable cause must be something that affects the pupil, not the parent. The fact that a parent has done all they can to secure the attendance of the pupil at school does not, in itself, mean the pupil has been prevented by unavoidable cause.

392. Schools must also record the nature of the unavoidable cause (regulation 10(6)), examples are:

- Bail conditions (that prevent the pupil from attending the school or being present in the area where the school is situated)
- Court attendance (where the pupil is legally required to attend Court)

393. This code is classified for statistical purposes as not a possible attendance.

Absent - unauthorised absence

Code G: Holiday not granted by the school

394. The school has not granted a leave of absence and the pupil is absent for the purpose of a holiday.

395. A school cannot grant a leave of absence retrospectively. If the parent did not apply in advance, leave of absence should not be granted.

396. This code is classified for statistical purposes as unauthorised absence.

Code N: Reason for absence not yet established

397. Schools must follow up all unexplained and unexpected absence in a timely manner. Every effort should be made to establish the reason for a pupil's absence. When the reason for absence has not yet been established before the register closes, the absence must be recorded with code N.

398. Where absence is recorded as code N (reason not yet established) in the attendance register, the correct absence code should be entered as soon as the reason is ascertained, but no more than 5 school days after the session (regulation 10(7) to (9)). Code N must not therefore be left on the pupil's attendance record indefinitely; if a reason for absence cannot be established within 5 school days, schools must amend the pupil's record to Code O.

399. This code is classified for statistical purposes as unauthorised absence.

Code O: Absent in other or unknown circumstances

400. 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.

401. This code is classified for statistical purposes as unauthorised absence.

Code U: Arrived in school after registration closed

Relevant regulation 10(7) and (8)

402. Where a pupil has arrived late after the register has closed but before the end of session.

403. Schools should actively discourage late arrival, be alert to patterns of late arrival and seek an explanation from the parent. All schools are expected to set out in their attendance policy the length of time the register will be open, after which a pupil will be recorded as absent. This should be the same for every session and not longer than 30 minutes.

404. This code is classified for statistical purposes as unauthorised absence.

Administrative codes

Code Z: Prospective pupil not on admission register

405. To enable schools to set up registers in advance of pupils joining the school to ease administration burdens.

406. Most school admissions involve the school or admission authority offering a place to the parent of the prospective pupil (or, in the case of admission to sixth form, the

prospective pupil). An offer of a place is not an agreement. Before a pupil can be registered at a school the parent (or prospective pupil) must have accepted the offer, either by agreeing the starting day in advance or by the fact of the pupil attending the school on that day. In the normal admissions round, when parents have accepted the school place and starting day offered, the local authority can communicate that agreement to schools on behalf of the parent. This can also be the case where the local authority co-ordinate in-year applications for school places.

407. Schools must enter pupils' names on the admission register on the first day that the school and a person with control of the pupil's attendance have agreed that the pupil will attend the school. If no date has been agreed or notified, the pupil's name must be entered on the first day they attend the school. Names must be added before or at the beginning of the first session on that day.

408. If a pupil fails to attend on the agreed starting day, the school must follow this up and try to establish the reason for absence.

409. This code is not collected for statistical purposes.

Code #: Planned whole school closure

410. Whole school closures that are known and planned in advance such as:

- days between terms;
- half terms;
- occasional days (for example, bank holidays);
- weekends (where it is required by the management information system);
- up to 5 non-educational days; and
- use of the whole school as a polling station.

411. This code is not collected for statistical purpose.

Other relevant legislation and guidance

Relevant legislation

The Education Acts 1996 and 2002

The Children Act 1989

The Crime and Disorder Act 1998

The Anti-Social Behaviour Act 2003

The Education and Inspections Act 2006

The Sentencing Act 2020

The School Attendance (Pupil Registration) (England) Regulations 2024

The Education (Parenting Contracts and Parenting Orders) (England) Regulations 2007

The Education (Penalty Notices) (England) Regulations 2007, as amended

The Education (Information about Individual Pupils) (England) Regulations 2013

The Children and Young Persons Acts 1933 and 1963

The Equality Act 2010

Relevant government guidance

Children missing education

Keeping children safe in education and Working together to safeguard children

Special educational needs and disability code of practice: 0 to 25 years

Elective home education

Alternative provision: statutory guidance for local authorities

Exclusion from maintained schools, academies and pupil referral units in England

Supporting pupils at school with medical conditions

Arranging education for children who cannot attend school because of health needs

Promoting and supporting mental health and wellbeing in schools and colleges

Preventing and tackling bullying

Providing remote education

Department for Education

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