



## Missing Education and Child Employment Service - Guidance for all Essex Schools and Academies

The Missing Education and Child Employment Service has produced this document specifically for Essex schools and academies. It is designed to provide advice on school attendance related matters and details how referrals may be made to the service where legal intervention for irregular school attendance is required.

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**This guidance document has been produced by the Missing Education and Child Employment Service (Essex County Council)**

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## **Role of the Missing Education and Child Employment Service and the Essex picture**

The Missing Education and Child Employment Service is committed to the principle that all children have the right to a suitable education and regular school attendance is vital to enable young people to achieve their ambitions through education, training and life-long learning.

Our core function is to protect children's education, through fulfilling the local authority's statutory functions in relation to school absence, children missing education, child employment and entertainment licensing. If school interventions have not improved a child's attendance, we provide, at no charge to schools/academies, a structured response where legal intervention, in the form of penalty notice, prosecution or Education Supervision Order, is considered to be necessary. School Attendance Orders are also issued when children are not on a school roll or are not in receipt of a suitable education.

### **The Essex Context**

Published attendance data for 2015/16 showed our most promising improvement in attendance rates in over a decade. This reflects the hard work of Essex schools and academies working closely with the local authority to improve attendance levels. The key headlines from this data are listed below:

#### **Primary**

Essex placed in the top quartile of the national league table for Primary attendance.

Essex primary overall absence rates are ranked at position 24 out of 151 when compared within all local authorities.

Essex primary persistent absence rates are ranked at position 32 out of 151 when compared within all local authorities.

#### **Secondary**

Essex placed in the top third of the national league table for Secondary attendance.

Essex secondary overall absence rates are ranked at position 42 out of 151 when compared with all other local authorities.

Essex secondary persistent absence rates are ranked at position 43 out of 151 when compared with all other local authorities.

Nationally, schools and academies are required to address absence, notify their local authority of absences and make referrals when school-based interventions fail to improve attendance rates of individual pupils. Local authority school attendance services intervene in cases where the matter is so serious that statutory legal intervention is required to address the irregular school attendance patterns of a pupil. Essex Missing Education and Child Employment Service has streamlined its processes to meet the needs of our schools and continue to fulfil the statutory duties that are held by the local authority.

Regular workshops have been held across the county to provide school-based staff with opportunities to receive updates relating to school attendance. These workshops have proven to be a valuable opportunity for attendance staff and Attendance Leaders to receive and share examples of good practice and enable them to reflect on their own practices to identify whether any changes could be made to improve attendance management within their school.

## Section 1: Purpose of this guidance

This guidance has been produced for Essex schools, academies and alternative education providers to assist them to swiftly address absenteeism and, where school-based interventions do not satisfactorily resolve concerns, advise on how referrals may be made to access statutory legal intervention via the local authority (LA).

## Section 2: Responsibilities of Parents - Overview

Every parent has a legal responsibility to ensure that their child/ren receive(s) a suitable education, either at school or otherwise (i.e. electively home educate). This responsibility remains in place throughout the time that the child is of 'compulsory school age'. The point at which a child will reach compulsory school age may be calculated as follows:

- where a child's 5th birthday falls between 1 April and 31 August, they will be required to attend school at the start of the autumn (September) term following his/her 5th birthday
- where a child's 5th birthday falls between 1 September and 31 December, they will be required to attend school at the start of the spring (January) term following his/her 5th birthday
- where a child's 5th birthday falls between 1 January and 31 March, they will be required to attend school at the start of the summer (April) term following his/her 5th birthday.

Children are eligible to leave school on the last Friday in June of the school year in which they reach 16 years of age.

### Children who are not yet of statutory school age

Where a child who has not yet reached statutory school age is failing to attend school on a full-time basis, the Missing Education and Child Employment Service is not able to intervene as the statutory duties that the local authority fulfils in respect of school attendance do not apply to children who are not of compulsory school age. However, schools are encouraged to work with parents and carers to ensure good attendance patterns are in place.

Where a school has concerns relating to the welfare of a child who is not yet of statutory school age, these concerns should be raised directly with the Family Operations Hub. Please see [below](#) for relevant contact details.

## Section 3: Responsibilities of Schools/Academies - Overview

The Department for Education (DfE) states that:

*Central to raising standards in education and ensuring all pupils can fulfil their potential is an assumption so widely understood that it is insufficiently stated – pupils need to attend school regularly to benefit from their education. Missing out on lessons leaves children vulnerable to falling behind. Children with poor attendance tend to achieve less in both primary and secondary school.*

*The government expects schools and local authorities to:*

- *Promote good attendance and reduce absence, including persistent absence;*
- *Ensure every pupil has access to full-time education to which they are entitled; and,*
- *Act early to address patterns of absence.*<sup>1</sup>

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<sup>1</sup>[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/361008/Advice\\_on\\_school\\_attendance\\_sept\\_2014.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/361008/Advice_on_school_attendance_sept_2014.pdf)

## Persistent Absence Threshold

**With effect from 1<sup>st</sup> September 2015, a pupil is deemed to be a 'persistent absentee' where their attendance falls below 90%.** Prior to this date a pupil was not deemed to be a persistent absentee until their attendance fell below 85%. The change was introduced because, in order to have an attendance level of 85% or below at the end of an academic year, a pupil would have to miss at least 56 sessions (28 days of school). Missing this amount of school would have a significant, detrimental impact on a child's learning and this is why the threshold bar has been set at a much higher level so that schools intervene earlier to protect a child's education.

The following table is intended to give schools an idea of the estimated cumulative absent session thresholds for a pupil to be considered to be a persistent absentee under the new 90% threshold, when compared with the previous 85% threshold:

### PLEASE NOTE:

The DfE has published persistent absence rates at both thresholds for the academic year 2014/2015 and then moved to publishing data at the 90% persistent absence threshold thereafter.

The DfE will **NOT** publish the absence data collected for half term 6 in respect of Year 11 pupils. This data, along with attendance data collected in respect of 4 year olds, will not feature as part of the standard measures of attendance statistics.

## Section 4: Registration Codes – Responsibilities placed upon schools – Overview

All schools are required to record pupil attendance and absence in line with the specific codes set out within The Education (Pupil Registration) (England) Regulations 2006<sup>2</sup> and the most recent DfE guidance relating to this legislation. DfE guidelines<sup>3</sup> state that:

*Schools must take the attendance register at the start of the first session of each school day and once during the second session. On each occasion they must record whether every pupil is either:*

- *Present;*
- *Attending an approved educational activity;*
- *Absent; or,*
- *Unable to attend due to exceptional circumstances.*

*The school should follow up any absences to:*

- *Ascertain the reason;*
- *Ensure the proper safeguarding action is taken;*
- *Identify whether the absence is approved or not; and,*
- *Identify the correct code to use before entering it on to the school's electronic register, or management information system which is used to download data to the School Census.*

**Where a child or young person is displaying 'internal truancy patterns' (i.e. registering and then not attending lessons) this type of behaviour will need to be addressed by the school. The Missing Education and Child Employment Service may only intervene where a pupil is failing to register and the absences for the sessions in question have been coded as unauthorised.**

### Section 4A: Registration Codes – Present in school

When marking a pupil present, schools must use one of the following codes:

Present in morning registration:	/
Present in afternoon registration:	\
Arrival after registration (i.e. Late): (but before registers are closed for the session)	<b>L</b>

Schools are advised to have a policy on how long their registers will remain open and this should be shared with parents and applied consistently. This should be for a reasonable length of time but not for the entirety of the session. Many schools within Essex report that they close their registers after thirty minutes. The time at which the session register closes should be clearly stated within the school's attendance policy. A pupil who arrives after the register has closed should be marked absent using the **U code** or with another absence code if this is more appropriate.

Schools may use their electronic registration system (e.g. SIMS, BROMCOM, etc.) or a 'late book' to record the exact time at which each late pupil arrives, so that reference can be made to this record at a later date if required.

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<sup>2</sup><http://www.legislation.gov.uk/ukxi/2006/1751/contents/made>

<sup>3</sup>[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/361008/Advice\\_on\\_school\\_attendance\\_sept\\_2014.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/361008/Advice_on_school_attendance_sept_2014.pdf)

### **CODE B – Approved off-site educational activity**

Where a school arranges for a pupil to attend approved off-site educational activity they should use the B code to record all sessions that the pupil attends the provision. By placing a B code into the register, a school is confirming that the education is supervised and that measures have been put in place to safeguard the pupil in question. Arrangements should be put in place to ensure that the alternative education provider notifies the school of any absences so that the school may record these absences appropriately using one of the absence codes as detailed below. Under no circumstances should a school use a B code where the activity is unsupervised or where a pupil is at home completing work that has been provided by the school.

**Please note that Ofsted are taking a keen interest in the use of the B code and have asked schools to provide the details of alternative education providers so that they may pay the provider a visit as part of their inspection of the school.**

### **CODE D – Dual Registration**

This code is not counted as a possible attendance in the School Census. The law allows a child to be registered at more than one school – this is known as dual registration. Where a pupil is dual registered and is attending their other school, the school may place a D code into their register for the session(s) where the other school takes responsibility for the pupil.

The main examples of dual registration are pupils who are attending a pupil referral unit, a DfE registered hospital school or a special school on a temporary basis. The D code may only be used where both 'schools' have a DfE number through which they submit their school census data. **Each school should only record the pupil's attendance and absence for those sessions that the pupil is scheduled to attend their school.** In effect, both schools hold a collective register for the child and submit the attendances and absences to the DfE via the School Census so that the whole attendance record can be collated on behalf of the pupil. Schools should agree arrangements for how unexplained and unexpected absences are to be followed up in a timely manner.

### **CODE J – Interviews (with prospective employers or another educational establishment)**

Where a pupil is absent due to being in attendance at an interview with a prospective employer or another educational establishment, schools may place a J code into the register to cover the session(s) in question. The school should be satisfied that the interview is related to employment prospects, further education or potential transfer to another educational establishment.

### **CODE P – Supervised sporting activity**

This code should be used to record the sessions when a pupil is taking part in sporting activity that has been approved by the school **AND** is supervised by someone authorised by the school.

### **CODE V – Educational visit or trip**

This code should be used where a pupil is taking part in an organised trip or visit, including residential trips arranged by the school. Code V may also be used where a pupil is attending a supervised trip of a strictly educational nature, where the organisation has been approved by the school.

### **CODE W – Work experience**

**This code may only be used for pupils who are in their final two years of compulsory education.** Arrangements should be put in place to ensure that work experience placement providers notify the school of any absences by individual pupils so that safeguarding measures may be taken, as appropriate. Absences should be recorded using the relevant absence code.

## Section 4B: Authorised Absence Codes

### CODE C – Absence authorised by the school

Where a child's absence is justified and none of the other available authorised absence codes are appropriate, schools may use the C code to record such absences. This code must be used where a pupil accrues absences as a result of being placed on a part-time/reduced timetable (see [section 5A](#) below) or where a school has entered into a flexi-schooling arrangement with a parent/carer (see [section 5B](#) below).

### CODE E – Excluded but no alternative provision in place

This code should be used where a pupil is excluded and where no alternative provision is in place to allow the pupil to continue their education. Alternative provision must be in place from the sixth consecutive day of any fixed term or permanent exclusion. As soon as alternative provision is put in place, the pupil's attendances/absences should be marked using the appropriate code ([see relevant information above](#)).

Please use the following link to access DfE Guidance relating to exclusions from maintained schools, academies and pupil referral units:

[Exclusion from maintained schools, academies and pupil referral units in England – DfE Guidance](#)

### CODE H – Holiday authorised by school due to exceptional circumstances

Head teachers should not grant leave of absence unless there are exceptional circumstances. Schools may consider using an H code where the application for leave is made in advance **AND** the Head teacher/governing body are satisfied that the individual circumstances of the application warrant the leave being granted. The Head teacher should determine the number of days a pupil can be away from school. Any leave of absence is granted entirely at the Head teacher's discretion. Please follow this link to access the National Association of Head teachers' guidance in this matter:

[NAHT Guidance](#)

The Ministry of Defence have issued guidance to Head teachers relating to applications for leave from Service families. This advice may be accessed via the following link:

[MOD Guidance for Head teachers – Service families](#)

### CODE I – Illness (not medical or dental appointments)

Schools should have systems in place to enable parents to notify them on the first (and subsequent) day(s) a child is unable to attend school due to illness. Schools should only authorise absences that are reported as being due to illness, where they are satisfied that the absences are genuine. If the authenticity of the illness is in doubt, schools may request that parents provide medical evidence to cover the absence or enlist the support of a school nurse to access relevant medical information in individual cases.

General Practitioners (GPs) are not contractually obliged to provide a sick note for children who are off sick from school. In normal circumstances when a child has been absent from school, the parent should give the child a note to take into school when s/he returns, explaining the reason for absence. However, some school attendance policies stipulate that parents may be asked to provide additional medical verification to show that medical advice has been sought. This evidence could be in the form of:

- an appointment card / slip confirming that the child/young person had cause to visit their GP
- a text message confirming that an appointment had been made with the GP
- a photocopy of the tear off slip retained by the parent when a prescription is issued
- a photocopy of the label on any medication prescribed for the pupil in question

On the rare occasion that medical evidence is deemed necessary by the school, due to recurrent absences reported as being related to illness, a request may be made in writing by a senior member of school staff, with the parents informed and written consent, and a **fee will be payable by either the parent/school**. The Attendance Leader at school may also contact the GP directly to discuss any attendance concerns, although the GP may not disclose confidential medical information without parental consent.

The following link can support schools to have informed discussions with parents who are reluctant to send their child to school but where medical advice is clear that the illness does not warrant time off school:

- [Guidance on infection control in schools – Public Health England Guidelines](#)

Where a pupil suffers with long-term illness, schools have a duty to support such pupils to access as much of their education as possible. The DfE has produced some statutory guidance to assist schools to support pupils with medical conditions and this guidance may be accessed using the following link:

[Statutory guidance on supporting pupils at school with medical conditions](#)

Where a pupil is unable to access mainstream education due to ongoing health concerns, schools may consider contacting the [Alternative Education Commissioning Service – Medical/Anxious School Refusers/Pregnancy](#).

### **CODE M – Medical or dental appointments**

Where a pupil misses an **entire session(s)** due to a medical or dental appointment, the M code should be entered to cover the absence(s) in question. The wording within the DfE advice publication<sup>4</sup> relating to the use of the M code is as follows:

*Missing registration for a medical or dental appointment is counted as an authorised absence. Schools should, however, encourage parents to make appointments out of school hours. Where this is not possible, the pupil should only be out of school for the minimum amount of time necessary for the appointment.*

DfE guidance is that the word 'registration' is to be interpreted to mean the whole session during which the pupil may register and NOT the short registration period that is built into the school timetable at the beginning of each school session.

Therefore, where a pupil attends a medical/dental appointment and then subsequently arrives late to school during the session in question, they should be marked as having arrived late, not marked using the M code which implies that the entire session was missed as a result of the medical/dental appointment. The M code should only be used where a pupil misses an entire session as a result of a medical/dental appointment and schools are advised to seek written evidence (copies of appointment letters, etc.) that, due to attendance at the appointment, the pupil was absent for a whole session(s).

### **CODE R – Religious observance**

Where absence is due to religious observance, schools must treat this absence as authorised. The day must be exclusively set apart for religious observance by the religious body to which the parents belong. If in doubt, schools may seek advice from the parents' religious body about whether the day in question has been set apart for religious observance or use the following link to access relevant information about ethnic minorities via Essex Schools Infolink:

[Guidance for schools – Ethnic minority and Traveller Achievement](#)

## CODE S – Study Leave

Study leave may only be granted to year 11 pupils. **Use of the S code will increase the level of authorised absence within the school.** The DfE advises that study leave should only be used sparingly and only during public examinations. It is not therefore appropriate for pupils to be granted study leave during mock examination periods. Provision should still be made available for those pupils who want to continue to come into school to revise/access support in the period directly leading up to examinations.

## CODE T – Gypsy, Roma and Traveller absence

The T code should be used when parents of a Traveller background are known to be travelling for occupational purposes **AND** have agreed this with the school prior to their departure. This code should only be used where it is not known whether a pupil is attending education provision whilst the family are travelling. Where possible, schools should support Traveller families to arrange for dual registration for the period that the family are away travelling. Where a dual registration arrangement is successfully put in place, schools may use the D code for sessions where the pupil is expected to attend their other school ([see section 4A above](#)).

Please use the following link to access useful information relating to ways in which schools may seek to support children from Gypsy, Roma or Traveller backgrounds:

[Guidance for schools - Gypsy Roma Travellers](#)

## Section 4C: Unauthorised absence codes

### CODE G – Leave that is not authorised by the school

This code should be used where:

- a parent applies for leave of absence and the Head teacher does not authorise the leave as it is deemed that there are no exceptional circumstances which warrant time off during term-time; or
- a parent fails to notify a school that they are going away on holiday and simply fails to send their child to school; or
- a parent reports their child as being absent due to illness and it later transpires that this is not the case and that the family were actually taking a holiday during term-time.

Where a pupil has 10 consecutive sessions (5 consecutive days) of unauthorised absence recorded using the G code, the Head teacher may apply to the Missing Education and Child Employment Service for a penalty notice to be issued (please refer to [section 8](#) below to find out how such applications may be made). The decision to request that a penalty notice be issued remains within a Head teacher's discretion.

Where a parent applies for extended leave OR a pupil fails to return to school on the date that they were expected to return from their period of leave, schools should follow the advice provided in [section 10B](#) below.

### CODE N – Reason for absence not yet provided

Schools are required to follow up all unexplained and unexpected absences within a timely manner. Every effort should be made to establish the reason for a pupil's absence. Whilst schools are trying to establish the reasons for absence they may use the N code and once the reason has been established the register should be amended. This code should not be left on a pupil's attendance record indefinitely – where, after a reasonable amount of time, no reason is provided to explain the absence, the N code should be replaced with an O code (absent from school without authorisation) – see below.

Please note that the Missing Education and Child Employment Service will not accept referrals on the basis of N codes being present on a pupil's registration certificate. Before submitting a referral to the service, schools should ensure that all N codes have been amended to either an authorised absence code or an unauthorised absence code, as appropriate.

## CODE O – Absent from school without authorisation

If the Head teacher is not satisfied with the reason given for absence they should record it as unauthorised.

## CODE U – Arrived in school after registration closed

Schools should actively discourage late arrival, be alert to patterns of late arrival and seek an explanation from the parent. Where a pupil arrives after the registers close, with no justifiable reason, the U code should be entered. The time registers close should be published within school literature so that parents and carers are clear about the point at which their child will receive this mark in the register.

## Section 4D: Administrative Codes

### CODE X – Not required to be in school

This code is used to record sessions that non-compulsory school age children are not expected to attend.

### CODE Y – Unable to attend due to exceptional circumstances

This code can be used where a pupil is unable to attend because:

- The school site, or part of it, is closed due to unavoidable cause; or
- The transport provided by the school or a local authority is not available and where the pupil's home is not within walking distance; or
- A local or national emergency has resulted in widespread disruption to travel which has prevented the pupil from attending school.
- The pupil is in custody; detained for a period of less than four months. Please refer to the Essex guidance document relating to young people who are placed in custody. This may be accessed by clicking on this [link](#).

This code is collected in the School Census for statistical purposes.

### CODE Z – Pupil not on admission register

This code is available to enable schools to set up registers in advance of pupils joining the school to ease administration burdens. Schools must put pupils on the admission register from the first day that the school has agreed, or been notified, that the pupil will attend the school, **regardless of whether or not the pupil attends school on the date that they are expected.**

### CODE # - Planned whole or partial school closure

This code should be used for whole or partial school closures that are known or planned in advance such as: between terms; half terms; occasional days (for example, bank holidays); weekends (where it is required by the management information system); up to five non-educational days to be used for curriculum planning/training; and use of schools as polling stations.

## Section 5: Part-time Timetables, Flexi-Schooling and Managed Moves

### Section 5A:Part-time timetables

It is important to note that every pupil is entitled to a full-time education. Where, in exceptional circumstances, a part-time timetable is considered to be in the best interests of the child, such arrangements should only be in place for a maximum of six weeks and there should be regular reviews built in to assess whether or not the arrangement continues to serve the best interests of the pupil in question. Parents, carers, the pupil and the school must all be in agreement before a part-time timetable is introduced.

There are no special attendance/absence codes for part time timetables - these should be used sparingly as a short term strategy, with parental consent and reviewed regularly in accordance with the guidance documents below. **In all instances where a part-time timetable is introduced, the C code (see [section](#)**

**4B above) should be used during the periods where it is agreed that the child is not expected to attend school.**

[Essex - Guidance on the use of part-time timetables](#)

[Provision – Alternative Education Commissioning Service](#)

## **Section 5B: Flexi-Schooling**

Flexi-schooling is a voluntary arrangement which is agreed between an individual Head teacher and the parent(s)/carer(s) of a pupil. In agreeing to a flexi-schooling arrangement, a school is accepting that a pupil will not attend school on a full-time basis and that parents/carers will be providing education to the child/young person in question for part of each week – in essence the child/young person in question will be partly educated in school and partly home educated.

It is vital that schools understand that any absences which occur as a result of an agreed flexi-schooling arrangement must be coded as 'authorised absence' (C code) – see [above](#). This will undoubtedly have a detrimental impact on the overall absence data for the school in question and is an agreement which should only be entered into after full and careful consideration of the best interests of the child/young person in question have been undertaken.

## **Section 5C: Managed Moves**

The revised 2008 DfE guidance recommends a managed move as one of three alternatives to exclusion:

*'A number of different alternatives may be available to Head teachers in response to a serious breach of behaviour (including a) managed move to another school to enable the pupil to have a fresh start in a new school. The Head teacher may ask another Head teacher to admit the pupil. This should only be done with the full knowledge and co-operation of all the parties involved, including the parents and the Local Education Authority, and in circumstances where it is in the best interests of the pupil concerned. In order to fully address the pupil's difficulties it may be helpful for schools within an area to have a protocol in place and to have a full support package in place for the pupil. Parents should never be pressured into removing their child from the school under threat of permanent exclusion, nor should pupils' names be deleted from the school roll on disciplinary grounds unless the formal permanent exclusion procedures set out in statute and in this guidance have been adhered to.'*

In terms of the relevant coding that applies during a managed move, please refer to the advice below:

The school at which the pupil is to trial a managed move ('host' school) will place the pupil on their roll as a 'guest pupil'. This means that any absences/attendances recorded will not be submitted to the DfE via the host school's census.

The host school will be required to record all absences and attendances and report these back to the original school ('main' school) so that the main school is in a position to report on the attendance, via their census, for the pupil in question.

Throughout the managed move the main school should use the 'B' code for all attendances that are recorded at the host school and the relevant absence code for any absences (e.g. 'I' for illness, 'M' for medical appointment, 'O' for unauthorised, etc.)

One reason why the main school is required to record all attendances and absences in this way is so that, should the managed move be unsuccessful, the main school will have attendance/absence records which will allow them to consider possible referral to the Missing Education and Child Employment Service or other services who may be able to offer support.

Throughout the managed move the main school retains responsibility for reporting on the attendance of the pupil in question, via the census.

## Section 6: School-based interventions

### The importance of a Whole School Approach in relation to school attendance and how this may be demonstrated

In order for a school to achieve and maintain high levels of attendance there must be a whole school approach which shows clearly, to all relevant stakeholders, the level of importance which is placed on pupils being present in school on a daily and punctual basis. Head teachers should seek to provide strong and determined leadership to improve attendance and ensure that there is clear distributed leadership of attendance across the school, particularly involving middle leaders and other adults.

The school 'Attendance Leader' should hold a senior position within the school management/leadership team. Where an Attendance Officer is in post, this officer should be supported by the Attendance Leader to ensure that matters are escalated where absence levels continue to deteriorate in individual cases.

A successful whole school approach is one which is fully integrated and forms a part of daily school life and ongoing discussions relating to progress. Each member of staff within the establishment understands their role and responsibilities within the whole school approach and apply these consistently.

When inspecting schools, Ofsted inspectors are keen to see that a school can evidence progress and the ability to sustain excellent attendance levels that are consistently better than the average levels being recorded nationally. A key part of achieving excellent attendance levels is ensuring that teaching and learning is consistently good and that the curriculum engages and meets the needs of all pupils who are on roll at the school.

The use of newsletters, school websites and assemblies can ensure that vital information relating to school attendance policies, sanctions and rewards are disseminated to the widest audience possible. By collating evidence of each occasion that one of these communication methods is used to highlight the need for excellent attendance and punctuality, schools will be able to show that attendance is high on the schools improvement agenda.

### Data Analysis

Analysing school level data is the key to identifying absence patterns and will enable schools to work with pupils who have attendance levels that are a cause for concern. It is a good idea to decide what attendance level thresholds will attract further investigation and also to decide who, in terms of members of staff, will be responsible for speaking with pupils and parents about absence.

When analysing attendance and absence data, staff should be mindful of the 'raising attainment of disadvantaged pupils agenda'<sup>5</sup>. The government is keen for children from vulnerable groups to come in line with the attainment levels of their peers who do not fall into one or more of the main identified groups. Schools should seek to identify any significant gaps in the attendance/attainment levels of Special Educational Needs and Disabilities pupils, Free School Meals pupils, Children in Care/Looked After Children, English as an Additional Language, Pupil Premium Grant pupils and demonstrate, if there are significant gaps, what strategies have been put in place to reduce and address such gaps. Similarly, data should be analysed and strategies introduced where it is clear that:

- one gender has lower attendance levels, when compared with the other gender; or
- one year group has significantly lower attendance when compared with other year groups; or
- one class within a year group has far poorer attendance levels than the other classes within the same year group;
- etc.

The following link provides access to DfE published statistical reports which show national trends and patterns in pupil absence and attainment levels for the academic year 2015 to 2016:

[Pupil absence in schools in England 2015 to 2016](#)

### **Preparing for Ofsted Inspection – attendance-related evidence**

When preparing to be inspected by Ofsted, schools should be prepared to evidence whether overall absence targets (set by the individual school) are being met, whether they are better/worse than national levels and the reasons behind the patterns that are highlighted within the attendance/absence data.

Published RAISE online data is the benchmark against which your school level data will be judged. It is important that schools regularly review their data against the published data to be in a position to show that they have a good understanding of how their school compares with other primary, secondary or special schools nationally. It is also important for schools to be able to demonstrate a clear understanding of whether their attendance data is improving (and the reasons which may be attributed to this improvement) or deteriorating (and the context which has led to this negative pattern). By comparing attendance data for the past two academic years, alongside the current academic year's data, schools will be able to keep track of their own attendance and absence trends.

Case studies of specific cases can be helpful to demonstrate the level of support that is offered to individual pupils and their families in attempts to positively impact on attendance levels – such case studies should focus on highlighting the school-based interventions that have taken place and the multi-agency approach which is taken to address absence and ensure that a holistic approach is taken to try to resolve the root causes of absence. This is a good opportunity to showcase how the school supports pupils with long-term medical illness and how they recognise their achievements.

Where school data highlights that a particular group is displaying poor attendance levels when compared with their peers, it is advisable that schools show the strategies which have been employed to address these patterns and to narrow any gaps in attendance and attainment levels of pupils with specific characteristics e.g. free school meal pupils, those eligible for Pupil Premium Grant (PPG), pupils with special educational needs or disabilities. See [data analysis](#) section above.

Any school development plans/action plans should seek to show how available data is being used to drive change and concentrate resources in areas which the data has highlighted as a cause for concern. By having a system whereby regular attendance data reports are submitted to SMT/SLT and the Governing Body, schools may evidence that attendance is being regularly reviewed and strategies to address absence are adapted, depending on data trends.

## **[Tracking pupils at risk of becoming a persistent absentee or who are already within this category](#)**

It is important that all pupils know their own attendance, have individual targets and are supported by the school to understand how they can achieve their targets.

It is equally important that schools are able to demonstrate a clear knowledge of the pupils who are at risk of falling into the persistent absence category (see [above](#)), those who are already within the persistent absence category and the steps which have been taken in each case to try to resolve any issues which are preventing regular, full-time attendance.

Where pupils are known to have genuine medical illness/disability which leads to absences being recorded, schools should ensure that appropriate support is offered to such pupils to enable them to access school as often as they are physically able to do so. Standard letters raising concerns about absence levels, and warning of possible legal action if attendance rates do not improve, are not appropriate in such cases. They may serve to damage relations with parents who are keen to work closely with the school to achieve the highest possible attendance levels for their child. Schools may wish to consider the guidance contained within the following DfE document to support pupils with long term, medical conditions:

### **[Statutory guidance on supporting pupils at school with medical conditions](#)**

Where possible, it is advisable that schools have a clear process that is followed to ensure that each case is followed up in a timely manner, with the main aim being to reduce the number of pupils who have an attendance level falling below 90%. Many schools have reported that, during an Ofsted inspection, the availability of a persistent absence tracking spreadsheet has proven to be an invaluable tool to demonstrate that all staff have a clear awareness of all pupils whose attendance requires school-based intervention and the form that such interventions take in each case.

For example, schools may choose to create a record that includes the name of each pupil whose attendance has fallen to an unacceptable level and then to use this same spreadsheet to show all of the school-based interventions that are put in place to address the absence patterns that have been highlighted, making clear the date on which interventions took place and which member of staff was involved at each stage of the escalation process, where applicable.

Where schools have clear processes in place, the record can be used to show the dates on which certain letters were sent out to parents/carers, what dates the parents were invited into a school-based meeting to discuss absence levels, details of any action plan targets which were set, dates of any referrals made to support/regulatory services e.g. School Nurse, Family Solutions, Social Care, Missing Education and Child Employment Service, etc.

Any work undertaken on persistent absence by external support services should build on the work that has already been undertaken by the school. A tool of this nature may also be used to track whether attendance levels improved as a result of these interventions having been made. Each school's Management Information System (MIS) – e.g. Capita SIMS, RM Integris, Bromcom, Serco CMIS - may be designed to fulfil elements of this persistent absence tracking and may be able to provide reports which support this process. Please contact your MIS provider for further information on what individual contracts include as part of their offer to schools.

### **[DfE advice on the considerations which should be made by schools who are in the process of choosing a new Management Information System](#)**

## Talking about attendance/absence – the language used

When staff talk about attendance percentages with parents or pupils, it can be difficult for them to understand why there are concerns. A child with 89% attendance at the end of an academic year will have missed 21 days of school (over four school weeks of learning missed). Whilst 89% is a positive achievement in an examination/test, 89% attendance would warrant a significant level of concern.

In order to address this issue, the following table has been put together to support schools to talk to parents/carers/pupils about the amount of **'learning hours lost'** as a result of a pupil's absence. Parties need to be advised that, where a child does not attend school, they miss out on significant hours of learning opportunities (broadly calculated as 5 hours for every two sessions missed) which are unlikely to be covered again. This places a child at significant risk of falling behind their peers:

Descriptor	Threshold attendance	Actual attendance	Whole days of absence	Learning Hours Lost
<b>Excellent</b>	100%	190 days	0	<b>0</b>
	99%	188 days	2	<b>10</b>
<b>Good</b>	98%	186 days	4	<b>20</b>
	97%	184 days	6	<b>30</b>
	96%	182.5 days	7.5	<b>37.5</b>
<b>Cause for Concern</b>	95%	180.5 days	9.5	<b>47.5</b>
	94%	179 days	11	<b>55</b>
	93%	177 days	13	<b>65</b>
	92%	175 days	15	<b>75</b>
	91%	173 days	17	<b>85</b>
<b>Unsatisfactory</b>	90%	171 days	19	<b>95</b>
	89%	169 days	21	<b>105</b>
	88%	167 days	23	<b>115</b>
	87%	165 days	25	<b>125</b>
<b>Serious cause for concern</b>	86%	163 days	27	<b>135</b>
<b>Critical</b>	85%	161.5 days	28.5	<b>142.5</b>
	84%	159.5 days	30.5	<b>152.5</b>
	83%	158 days	32	<b>160</b>
	82%	156 days	34	<b>170</b>
	81%	154 days	36	<b>180</b>
	80%	152 days	38	<b>190</b>

## Processes for addressing attendance concerns – escalation and whole school approach

Using the above table, schools may put together a clear process by which cases of non-attendance may be progressed to ensure that persistent absentees are supported without delay. By setting clear thresholds within which support strategies will be put in place, schools can ensure a fair and consistent approach is adopted and can identify who, within the school staffing structure, will take responsibility for intervening once various thresholds are met. For example, identified staff could take responsibility for intervening with pupils once attendance reaches a certain level (e.g. where attendance is between 95% and 90%) and a threshold could be set to determine the point at which parents/carers will be invited into school to discuss concerns about their child's attendance (e.g. 91% or 90%). It is important to note that Head teachers and governors can be included in any escalation process which is put together so that all available staff are supporting pupils to attend school on a regular basis.

A whole school approach to school attendance matters is vital to ensure that pupils and parents/carers are aware of the high expectations that they are required to adhere to and the consequences that they will face if good/excellent attendance is not achieved. This should include an attendance rewards system which recognises those pupils with excellent and most improved attendance levels. Consideration should be given to how pupils with long term diagnosed medical conditions/disabilities will be praised for maintaining relatively high attendance levels, despite the challenges that they face as individuals. Reward policies

should be inclusive and aim to motivate all pupils to strive to achieve the best possible attendance that they are capable of.

### Setting attendance/punctuality targets with pupils

When talking to pupils, schools may wish to set attendance or punctuality targets with the individual so that they have a clear idea of how closely their attendance is being monitored and what actions will be taken if attendance or punctuality patterns do not improve. Having discussions with individual pupils who are displaying poor attendance/deteriorating attendance patterns can often highlight complex/difficult circumstances that the child may be facing, either in school or at home. Having knowledge of such circumstances can often positively inform the support strategies that are offered and can provide an opportunity for staff to ask what the pupil considers to be the main barriers to them attending school and allow for some of these barriers to be removed or addressed.

Key messages to share with pupils (as shared by the DfE):

- 90% attendance is the same as half a day off each week – that is almost four weeks off school in a school year (which is the same as 95 hours of learning lost)
- If a pupil had 90% attendance throughout their secondary education (every year from year 7 to year 11) they would have missed the equivalent of half an academic year of learning opportunities
- 17 missed school days a year can lead to a drop of one whole GCSE grade on results day
- Punctuality matters – missing 5 minutes each day adds up to 3 days lost per year, missing 15 minutes each day adds up to 2 weeks lost per year, being 30 minutes late each day adds up to 19 days in a year (almost four whole weeks of learning lost) – arriving on time is as important as being in school every day
- Employers and FE colleges will consider attendance and punctuality as part of their decision about whether or not to employ/enrol a young person – if attendance and/or punctuality are poor, schools are obliged to share this on any references that are requested for a pupil
- The more you learn the more you earn:

Qualification Level	Average Hourly Rate
Degree	£16.10
Higher education	£12.60
A Levels	£10.00
GCSE grades A* - C	£8.68
Other qualifications	£8.07
No qualifications	£6.93

Source: Office for National Statistics, 24 August 2011 [Earnings by qualification chart: 2011](#)

### Setting attendance/punctuality targets with/for parents and carers

Where parents/carers are invited into meetings to discuss absence, a plan of action should be agreed so that all parties are clear on what is expected following the meeting and who is responsible for ensuring that agreed actions are carried out within school or at home and the timescale for improvement.

Where a parent/carer fails to engage with the school, action plans should be devised by the school and sent out to each person(s) holding parental responsibility/day or day carer responsibility, by first class post, to the family home so that the school can evidence that they have taken steps to notify the parent(s) / carer(s) of concerns and have provided them with advice on what expectations are in place.

It is important to note that each action plan should be specific to the child in question. Examples of action plan targets are:

- CHILD NAME will demonstrate full attendance between DATE to DATE and will be placed on attendance and punctuality report so that this may be evidenced;
- any absences that occur during this time period will be covered by medical evidence and where medical evidence is not provided, (such as appointment card, medication) absences will be recorded as unauthorised;
- SCHOOL STAFF to monitor attendance closely and further unauthorised absences may lead to a referral being made to the Missing Education and Child Employment Service for legal intervention;
- the local authority may be contacted to issue a penalty notice or prosecute parent/carer(s) if they fail to ensure the regular school attendance of their child;
- PARENT NAME to contact school if any concerns arise which may prevent CHILD NAME from attending school on a full time basis.
- PARENT NAME will walk CHILDNAME into school and a named member of school staff will greet the child on arrival

Key messages to share with parents:

- Pupils who do not regularly attend school are more likely to fall short of achieving their full academic potential;
- Statistics show that 90% of persistent absentees, poor attenders or non-attenders fail to achieve five or more good grades at GCSE and approximately one third end up with no GCSEs at all;
- Parents/carers have a legal duty to ensure that their child attends school on a regular, full time basis;
- Schools have a duty to monitor and act early to address patterns of absence;
- Where parents/carers fail to meet their legal responsibilities, the local authority has powers to take legal action in the form of penalty notices or prosecution;
- Poor attendance at school can lead to their child's life chances being detrimentally affected;
- Poor attendance can lead to disaffection amongst peers (lost friendship groups, missed opportunities to take part in school events e.g. drama, sports)
- Irregular attendance can cause difficulties for pupils to catch up with work and pastoral events and can lead to long term absence
- Clear routines within the family home can support a child to attend school every day and on time.

## **Bullying**

Where a pupil reports that the reason for absence is due to bullying, it is important for schools to evidence what actions have been taken to support the victim and to address the behaviour of alleged perpetrator.

For advice and guidance relating to anti-bullying, please visit the following page on Essex Schools Infolink:

[Anti-bullying](#)

## **School transport – behaviour issues**

Where schools are faced with challenging behaviour, which takes place as pupils travel to and from school, it may be useful to take note of the advice and guidance that is available from Essex County Council via the following links:

[Travel to School](#)

[B-Safe-B-Cool Educational Resources](#)

## Rewarding good and improved attendance patterns

Many children and young people respond well to rewards and will aim to achieve high standards where a reward is attached to such an achievement. As part of any good attendance policy there will be sanctions involved where a pupil fails to attend punctually or on a full-time basis and there will also be rewards for those who are able to sustain good attendance levels or improve levels of attendance that were previously a cause for concern.

Schools should be mindful of the Equality Act 2010 and the groups that have been afforded protection as a result of this piece of legislation (and to familiarise themselves with the 'protected characteristics' falling within the remit of this Act). The Act specifically stipulates that persons falling within one or more of the 'protected characteristic' headings should not be subjected to discrimination whilst in education.

When agreeing their rewards policies, schools should seek to include opportunities for pupils who have absences recorded as a result of genuine medical illness to access celebrations of positive attendance patterns.

Schools use a variety of approaches to reward positive attendance patterns. Please find below a few examples that have been shared with our service of the types of models used within Essex schools:

- Staff shows – pupils attend by invite only – decide on criteria – can be linked to behaviour, attainment and attendance – staff put on shows like X Factor (have a judging panel), Strictly Come Dancing – be mindful that if this reward takes off you may need to have two showings of your show! Performing Arts departments may be able to help with organising events of this nature.
- Afternoon tea with the Principal/Head teacher – parents and carers are invited along with pupils to celebrate positive attendance for the whole academic year.
- Mascots (designed by pupils) – move around each week to the classroom where the form group with the 'best attendance' registers
- 'Skip the lunch queue' – form group with the best attendance/most improved attendance within each year group is rewarded by being first in line when lunch is being served.

## Pupil Voice

A key tool which is available within all schools is the pupil voice. An example of where the pupil voice may be well utilised is when deciding on the types of attendance reward that are likely to bring about high levels of engagement with the attendance rewards system. By consulting your school council and enlisting their support to promote any incentives that are being introduced to address issues in relation to punctuality and attendance, there is a good chance that the message will be pitched at the right level to reach as many pupils as possible.

## **Section 7: Making a Referral to the Missing Education and Child Employment Service**

There are various reasons for school absence and it is important to acknowledge that statutory intervention will not be appropriate in every case. The Missing Education and Child Employment Service is now a formal investigative and enforcement service and schools should not be making referrals if another agency is more suited to support the family to address the cause of poor attendance. Where a child is looked after by the local authority, legal action for non-attendance at school is not an available course of action. However school absence for this cohort is taken very seriously and schools are urged to work closely with [Essex Virtual School](#).

Prior to making a referral to the Missing Education and Child Employment Service, it is important that schools have worked with, or at least attempted to work with, parent/carer(s) to improve attendance and there is recent evidence of this.

### **Referral options and pre-referral work**

Schools may refer cases to the Missing Education and Child Employment Service where pupil absence continues to be of concern following school based interventions to address absence patterns. Referral information for schools, who are considering making a referral due to the truancy of one of their pupils, is available on Essex Schools Infolink via this [link](#).

Where schools wish to make a referral to the Missing Education and Child Employment Service, they may do so via the following link:

#### **[Online MECES Referral Form](#)**

The online referral form must be completed in full. The service regrets it is unable to accept referrals where the referral criteria is not met. If a referral is not accepted, the school will be contacted and the referral returned.

### **Essex Code of Conduct – Penalty Notices**

All local authorities must have a Code of Conduct detailing how penalty notices will be issued. The current code of conduct can be found using the following link:

#### **[Essex Code of Conduct](#)**

## Section 8: Applying for a Penalty Notice for Unauthorised Leave of Absence

The Education (Pupil Registration) (England) (Amendment) Regulations 2013<sup>6</sup> make clear that Head teachers should not grant any leave of absence during term time unless there are exceptional circumstances. It is important that each case is considered individually and justification for decisions recorded and available for Ofsted, if required.

During October 2014 the National Association of Head teachers (NAHT) issued guidance which schools may find useful.

### [NAHT guidance](#)

It is vital that schools ensure parent/carers are aware of the possibility of a penalty notice being issued, which could lead to prosecution for irregular attendance if they fail to discharge the offence by paying the fine. To ensure parents/carers are fully aware of the restrictions around term-time leave and the possible legal implications, schools should:

- Develop procedures that are easy to understand and are communicated to parent/carers
- Information on the national policy on term-time holidays must be included in school literature, such as the school prospectus, home-school agreements, leave of absence request forms, newsletters and websites.
- Ensure all communication with parent/carers clearly defines the possibility of a penalty notice being issued
- Communicate their decision in writing to each parent/carer
- Keep a written record of every decision and justification
- Foster carers should not make requests for children in care to have leave of absence during term-time. For children in care within Essex, approval from the Director of Local Delivery is required. For children in the care of other Local authorities, contact should be made with the child's social worker.

It is good practice for schools to work with other local schools to develop a consistent approach of what they deem to be exceptional circumstances. This will help to enable schools to give similar responses to leave requests, where two or more children from the same family attend different schools.

The following links will take you to the relevant page(s) on Essex Schools Infolink for schools seeking example letters and guidance relating to unauthorised leave of absence (term time holiday absence):

### [Unauthorised-leave-of-absence](#)

### [Information for schools relating to unauthorised leave of absence](#)

If you are seeking to request a penalty notice for an unauthorised leave of absence period for one of your pupils, please access our online referral form using the following link:

### [Online referral form – Penalty Notices for Unauthorised Leave of Absence](#)

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<sup>6</sup> [http://www.legislation.gov.uk/ukxi/2013/756/pdfs/ukxi\\_20130756\\_en.pdf](http://www.legislation.gov.uk/ukxi/2013/756/pdfs/ukxi_20130756_en.pdf)

## Section 9: Children Missing from Education (CME)

All children, regardless of their circumstances are entitled to a full time education which is suitable to their age, ability aptitude and any special educational needs they may have. CME are at significant risk of underachieving, being victims of abuse and becoming NEET (not in education, employment or training) later in life.

The [Children Missing Education Policy and Procedures](#) document outlines the procedures that are to be followed within Essex to identify, locate and engage children who are Missing from Education, and to ensure that Essex County Council is effectively meeting its obligations under the Education Act (1996)<sup>7</sup>.

The Education (Pupil Registration) (England) (Amendment) Regulations 2016, Regulation 4, requires schools and Local Authorities to jointly make reasonable enquiries to locate a child who is missing from school. This form provides a checklist for initial enquiries by the school before referring to Essex Local Authority (LA) to undertake enquiries.

It is advised that the Designated Safeguarding Lead ensures that staff with responsibilities for school attendance are aware that they should use this template to log their actions during the initial 10 day investigation period. If the pupil has not been located, the safeguarding lead will then review the information provided and ensure transfer onto the online [Missing Pupil Checklist](#) to enable the LA to conduct joint investigations.

A Missing Pupil Checklist must be completed within 10 days of the child going missing, when one of the following criteria applies:

- A pupil has gone missing and no contact can be made with parent/carer to establish reason for absence
- A pupil ceased to attend the school and forwarding address of the family is not known
- A pupil has not returned from holiday within 10 schools days of the expected date of return
- A pupil fails to take up their place at the start of the academic year and the whereabouts of the young person is unknown

On receipt of the checklist the allocated Investigation Officer will carry out enquiries on behalf of the LA. It is expected that the school continues to carry out joint reasonable enquiries following referral of the matter to the LA. Joint enquiries should continue until at least 20 days have expired since the pupil was last seen/parents were last contacted.

If the pupil is found within 20 days and a ground for deletion from roll has been met, the school should notify the LA of the deletion from roll using the form found via this [link](#).

If following these enquiries the whereabouts of the pupil cannot be established, the LA will advise the school to remove from roll not before 20 days of unauthorised absence. The school will then be required to upload the pupil's CTF (Common Transfer File) to the School to School Lost Pupil Database.

### **Pupils who fail to transfer from their primary school to their allocated secondary school**

The Missing Education and Child Employment Service is responsible for following up in cases where a child is reported to be missing from education. This is the case for any year 7 pupils who fail to take up their

place at the start of the academic year and the whereabouts of the young person are unknown. Where schools are expecting a young person to start with them and the young person in question fails to arrive, please use the [Missing Pupil Checklist](#) to report the matter to the Missing Education and Child Employment Service.

If you require any further advice or information on CME related issues please contact the Missing Education and Child Employment Service at County Hall on:

**Telephone: 03330 322 962 or Email: [cme@essex.gov.uk](mailto:cme@essex.gov.uk)**

### **School Attendance Orders**

Schools may be contacted by the Missing Education & Child Employment Service to discuss the need for a child to be placed on roll, using the statutory School Attendance Order (SAO) process.

Section 436A of the Education Act 1996 (inserted by section 4 of the Education and Inspections Act 2006) requires all LAs to make arrangements to enable them to establish (so far as it is possible to do so) the identities of children residing in their area who are not receiving a suitable education. This duty came into force in February 2007.

If it appears to the LA that a child of compulsory school age is not receiving a suitable education, either by regular attendance at school or via a suitable home education, then under section 437 of the Education Act 1996 they must begin procedures for issuing a School Attendance Order (SAO).

A SAO is considered appropriate if the parent has failed to satisfy the LA that their child is receiving a suitable education within the specified period and it is expedient that the child should attend school. Prior to naming a school/academy within an SAO, the Missing Education and Child Employment Service will consult with the Essex school admissions team to establish which schools within the relevant locality are believed to have available spaces within the year group in question. Contact will then be made with the Chair(s) of Governors and Head teacher(s) of the relevant school(s) to offer them a consultation which will provide an opportunity for any concerns, relating to the admittance of the child or young person in question, to be shared with the service.

## **Section 10: Admissions and Deletion from the School Register**

Amendments to the Education (Pupil Registration) (England) Regulations 2006 were made on 22nd July 2016 and came into effect on 1<sup>st</sup> September 2016. The amendments can be viewed via this [link](#).

Under Regulation 12 schools are now legally required to notify their Local Authority of every new entry to the admission register **within five days of the pupil being enrolled**. In addition to this, every deletion from the school register must also be notified to the Local Authority, **as soon as the ground for deletion under regulation 8 is met in relation to that pupil, and in any event no later than the time at which the pupil's name is deleted from the register**.

To enable schools to fulfil these statutory duties, an online form (Statutory Notification of Admission/Deletion to/from Essex School Roll) may be accessed via the following link:

[Statutory Notification of Admission/Deletion to/from Essex School Roll](#)

### **IMPORTANT NOTE:**

For pupils who have been absent from school for 10 continuous days and contact cannot be made with the parent/carer to establish the reason for the absence, please see [Children Missing from Education](#).

## Section 10A - Elective Home Education

A decision to home educate can only be made by those with parental responsibility. Schools must not seek to persuade parents to educate their children at home. Where a parent decides that they wish to remove their child from a school roll in favour of elective home education, they must write to the school to notify them of this decision and, upon receipt of this written notification, the school may take the pupil off roll. It is good practice for the school to meet with the parent/carer to discuss the reasons for this decision, as sometimes the family may have a concern with the school, which the school is able to remedy.

If a pupil is to be deleted from a school roll following a parent's decision to home educate, the school has a statutory responsibility to inform the LA of this deletion from roll. Such notification should only be made where:

- A person with parental responsibility has clearly stated, **in writing**, that they wish for their child to be removed from the school register and that the child is to be home educated – schools may only accept an email or letter of this nature from a person with parental responsibility.
- If the letter / email does not expressly state the parent's intention to electively home educate, the pupil must remain on the school roll.

**In Essex, schools are required to notify the LA via the Notification of Parental Decision to Electively Home Educate which may be accessed via the following link:**

### [Notification of Parental Decision to Electively Home Educate](#)

Schools are required to share any concerns that they hold in relation to the child being home educated and where concerns are raised, the Missing Education and Child Employment Service will carry out investigations to determine whether or not the child is in receipt of a suitable education. Where schools hold concerns about parental commitment to educate their child at home, it is important that such concerns are logged on the [online form](#) to enable us to investigate whether parents/carers have taken the necessary steps to provide a suitable education for their child.

Where school staff hold concerns relating to the child's welfare, these should be referred to the relevant agency – please use this [link](#) for contact details of other relevant agencies.

The following link will provide access to relevant information for both schools and parents about the legalities surrounding elective home education, useful contacts and frequently asked questions in this respect:

### [Essex County Council's Home Education Information website](#)

## Section 10B – Off-rolling – Extended Family Holidays

Where a parent applies for extended leave during term time, it is at the head teacher's discretion whether the leave is granted. If a parent takes their child out of school for extended leave, it is imperative that a return date is agreed prior to the family's departure. Schools are advised to write to the family to state whether the period of leave is authorised or unauthorised and to stipulate the date on which the pupil is expected to return to school. The letter should make clear that, if the pupil does not return to school, as at the agreed date, the pupil will risk losing their place and parents would need to reapply for a school place. **Schools must wait for ten school days following the agreed return date before seeking to remove the pupil from roll.** Where a school is able to evidence that clear advice has been provided to parents regarding a removal from roll if the pupil fails to return, the school should ensure that they notify the LA of any resultant removal from roll via the form in [Section 10 above](#).

Where a pupil fails to arrive at school and parents/carers advise that the pupil is not currently in the country, schools must ensure that they provide the parent(s)/carer(s) with every opportunity to return the pupil to school before taking a decision to delete from roll.

In such circumstances it is advised that, as a matter of urgency, contact be made in writing with a parent (either by letter/email) and that the letter clearly states that:

- The child/young person is required to return to the school or may risk losing their school place;
- A date by which the pupil is expected to return and clear advice that, should this deadline not be adhered to, the pupil will be removed from roll as of that date.
- Any advice that the parent may need to be aware of in respect of waiting lists and likelihood of a school place being available (e.g. Is there an active waiting list for the year group in question?)
- Any application process that the parent will be required to follow.

It is essential that the parent is given an opportunity to arrange for the child/young person to return to the country and to begin to attend school, before the place is lost and allocated to another applicant. In any case, every school is expected to retain the pupil on roll for a minimum of ten school days to enable investigations to take place/contact to be made with the family with a view to the pupil returning to the school.

### **Section 10C – Off-rolling – Pupil Moving Abroad**

Where a parent notifies a school that their child is to be deregistered due to a family decision to move abroad, it is essential that the school takes effective safeguarding steps to ensure that the information that has been received is a true record of what the family intend to do.

Upon receipt of such notification, schools should aim to meet with the parents and to identify how the decision to move abroad has been reached. They should seek to establish the date on which the family plan to leave the country and make a request to the parents that confirmation of flight bookings be provided as evidence of the move abroad, to enable a legitimate removal from roll to take place once the pupil has left the country. Schools should also request the address to which the family plan to move and any school which they have liaised with to secure education once the move has taken place.

It is not sufficient to accept flight quotations as evidence that the family are moving abroad. An actual booking confirmation, with details of who will be travelling, the date/time on which the travel is to take place and the departure and destination airports is the best evidence that a school can seek to obtain from a parent in these circumstances.

[Keeping Children Safe In Education](#), provided updated guidance for all schools and academies, dated September 2016. The above advice in relation to pupils believed to be moving abroad aims to help schools to fulfil their safeguarding duties in line with this document. If you hold any safeguarding concerns regarding a risk to the child e.g. forced marriage, radicalisation or female genital mutilation, such concerns should be referred to the [Family Operations Hub](#) without delay.

## Section 11: Children in Employment and Entertainment

### Part-time employment

The law relating to child employment allows for young people aged 13 and above to take on part time employment. Any young person who assists in a trade or occupation for profit is considered as employed, even if they receive no payment. For example, children who help their parents in a shop without receiving payment are still considered to be employed.

Application has to be made for such employment to Essex County Council and a permit granted. Applications contain a declaration by the Head teacher which needs to be signed before the application is submitted to the Missing Education and Child Employment Service.

Employers must apply for a work permit for a child within one week of employing them. The [application form](#) will need to have all sections completed, including:

- employer's name and address
- name, address and date of birth of the child
- details of the school the child attends
- the hours and days for both term time and non-term time employment
- the occupation in which the child is to be employed and details of the tasks involved
- signed declaration by the employer to confirm they have carried out an appropriate health and safety risk assessment and that their employers liability insurance covers the employment of young people
- signed declaration by the parent/carer giving their consent

Once the permit has been issued the employer must only employ the child in accordance with the permit.

The local authority may revoke a child's employment permit if the authority thinks that the child is undertaking illegal tasks or the child's health, welfare or education is likely to suffer.

Once the permit has been issued an officer from the Missing Education and Child Employment Service may visit the child's place of work to ensure that the terms of the work permit are being upheld.

### Full-time work

No child or young person of compulsory school age is eligible for full time work. Where a young person wishes to engage in full time work, they must first reach [minimum school leaving age](#).

## Section 11A – Restrictions upon when and where children and young people are eligible to work

There are several restrictions on when and where children are allowed to work.

Children are **not allowed** to work:

- without an employment permit issued by the education department (this role is fulfilled by the Missing Education and Child Employment Service for children and young people within Essex)
- in places like a factory or industrial site
- during school hours
- before 7am or after 7pm

- for more than one hour before school
- for more than 4 hours without taking a break of at least 1 hour
- in most jobs in pubs and betting shops in any work that may be harmful to their health, well-being or education
- without having a 2-week break from any work during the school holidays in each calendar year

There are also special rules which only apply during term times and school holiday times. See [section 11B](#) below.

**Examples of permitted employment:**

Light agricultural/horticultural  
 Delivering newspapers  
 Hairdressing - general duties  
 Office  
 Café/restaurant - waiting tables/general duties  
 Riding stables  
 Domestic hotel duties  
 Shop work - general duties

**Examples of prohibited employment:**

Cinema, night club, disco  
 Street trading  
 Commercial kitchen preparing or cooking food  
 Fairground/amusement arcade or skittle alley  
 Collecting money or selling/canvassing door to door  
 Slaughter house  
 Industrial, construction or manufacturing industries  
 Selling or delivering alcohol  
 Collecting/sorting rubbish  
 Delivering milk or fuel  
 Using dangerous machinery  
 Telephone sales  
 Personal care of residents in care/nursing homes  
 Exposure to biological or chemical agents  
 Anything that is three metres or more above ground level  
 Anything that involves exposure to adult material  
 Anything that involves heavy lifting

**Section 11B - Term time/school holiday rules relating to child employment**

During **term time** children can only work a maximum of 12 hours a week. This includes:

- a maximum of 2 hours on school days and Sundays
- a maximum of 5 hours on Saturdays for 13 to 14-year-olds, or 8 hours for 15 to 16-year-olds

During **school holidays 13 to 14-year-olds** are only allowed to work a maximum of 25 hours a week. This includes:

- a maximum of 5 hours on weekdays and Saturdays
- a maximum of 2 hours on Sunday

During **school holidays 15 to 16-year-olds** can only work a maximum of 35 hours a week. This includes:

- a maximum of 8 hours on weekdays and Saturdays
- a maximum of 2 hours on Sunday

### Section 11C – Table of times and hours permitted for child employment

<b>Term-time</b>					
All 7am – 7pm	Age	Monday to Friday	Saturday	Sunday	Maximum Hours Per Week
	13 & 14	2 Hours	5 Hours	2 Hours	12 Hours
	15 & 16	2 Hours	8 Hours	2 Hours	12 Hours
<b>School Holidays</b>					
All 7am – 7pm	13 & 14	5 Hours	5 Hours	2 Hours	25 Hours
	15 & 16	8 Hours	8 Hours	2 Hours	35 Hours

### Section 11D – Performance licenses and supervision for children by licensed chaperones

Children of any age may apply for a performance licence to enable them to partake in television, theatre and modelling opportunities and the Missing Education and Child Employment Service is responsible for considering all such applications for children and young people who are resident within Essex and ensuring that licenses are only issued, in line with legislation, where appropriate safeguarding measures are in place.

A child may need a license if they are under [school leaving age](#) and taking part in:

- films, plays, concerts or other public performances that the audience pays to see, or that take place on [licensed premises](#)
- any sporting events or modelling assignments where the child is paid

The person in charge of running the event must apply to the child's local council for a [child performance licence](#).

Where a license has been issued by Essex County Council which requires the young person to take time off from school to take part in their licensed entertainment opportunity, schools are required to mark any absences as an authorised absence (C code) – see [section 4B](#) above. Schools are provided with an opportunity to share any objections which they may have regarding the issuing of a child performance license and, where it is evidenced that such a license will have a detrimental impact upon a pupil's education, the Missing Education and Child Employment Service may not issue the license in question.

If the child will not be supervised by their parent, school teacher or home tutor, they must be supervised by a chaperone who has been approved by the council. Any person wishing to act as a chaperone must first apply, via the dance school/production company, to the local authority for a chaperone license. The Missing Education and Child Employment Service processes all such applications on behalf of Essex County Council.

## **Section 12: Contact details for Missing Education and Child Employment Service area teams**

A duty telephone line/email inbox is available from 9am – 5pm every day. Missing Education and Child Employment service staff can provide clear advice on attendance-related matters. Please contact your local office as per the contact details listed below:

Mid – 0333 013 9944 or [ME&CE.mid@essex.gov.uk](mailto:ME&CE.mid@essex.gov.uk)

North East - 0333 013 9983 or [ME&CE.NE@essex.gov.uk](mailto:ME&CE.NE@essex.gov.uk)

South - 0333 013 9845 or [ME&CE.south@essex.gov.uk](mailto:ME&CE.south@essex.gov.uk)

West - 0333 013 9910 or [ME&CE.West@essex.gov.uk](mailto:ME&CE.West@essex.gov.uk)

If your query relates to a penalty notice request which you have submitted following unauthorised leave of absence, please contact our Legal Support Team on:

0333 013 9844 or [ME&CE.legal@essex.gov.uk](mailto:ME&CE.legal@essex.gov.uk)

If your query relates to a child or young person who is involved in employment or entertainment, please contact our Child Employment Team on:

0333 013 8967 or [child.employment@essex.gov.uk](mailto:child.employment@essex.gov.uk)

Compliments and complaints should initially be directed to the line managers within each team.

Julie Weddell, County Manager, welcomes feedback on the Missing Education and Child Employment Service from all service users. Please use the following contact details if you wish to share some feedback:

[julie.weddell@essex.gov.uk](mailto:julie.weddell@essex.gov.uk)

Telephone: 033301 31089

## Section 13: Other Useful Contacts/Links

### Family Operations Hub

The Family Operations Hub provides:

- Advice and Guidance to the public and professionals looking for support at levels 2 and 3 (Additional and Intensive on the [Effective Support Windscreen](#));
- is the referral pathway to request for support from Family Solutions (Level 3 Intensive Support);
- is the referral pathway for any safeguarding concerns at level 4 (Specialist on the [Effective Support Windscreen](#)).

When you telephone **0345 603 7627** - please specifically ask for the Family Operations Hub and state if it is for the:

- Consultation Line (Social Worker will give advice but not record the call)
- The Family Operations Hub Line
- The Priority Line (because an immediate response is necessary)

By telephoning **0345 603 7627** and asking specifically for the Family Operations Hub, you will speak to a Family Adviser who will discuss with you and help identify the right services that will help to meet the family's needs. You can also email your query to [FOH@essex.gcsx.gov.uk](mailto:FOH@essex.gcsx.gov.uk)

## Directory of Services

The Family Operations Hub use a Directory of Services to signpost to services when the level of need in a request for support does not meet Children Social Care or Family Solutions.

The Directory has a range of services broken down into quadrant and then categories to help identify services that are available. This list is constantly being updated so please check the version you are using with the most recent version on this page.

[Click Here](#) to download the **Mid Essex** Directory of Services (i.e. Braintree, Witham, Chelmsford, Maldon)

[Click Here](#) to download the **North Essex** Directory of Services (i.e. Colchester, Tendring)

[Click Here](#) to download the **South Essex** Directory of Services (i.e. Basildon, Castle Point, Rochford)

[Click Here](#) to download the **West Essex** Directory of Services (i.e. Brentwood, Epping, Harlow, Uttlesford)

## Essex Local Offer

Under the Children and Families Act 2014 each Local Authority was required to publish a Local Offer detailing what provision and services were available in their area for children and young people with Special Educational Needs and Disability by the 1<sup>st</sup> September 2014. The Local Offer is a living and organic resource that will be developed over time with the assistance of our partners, parents and young people. Please use the following link to access this resource: [Essex Local Offer](#)