



## Windermere Primary School

### Attendance Policy

#### Introduction

At Windermere Primary School, we want the whole school community – governors, staff, parents and pupils to be committed to high standards of attendance and punctuality.

Good attendance helps the children in this school community to maximise their learning. This policy will support us all to achieve high levels of attendance and punctuality.

Windermere Primary School aims to encourage and assist all pupils to achieve excellent levels of attendance and punctuality.

Windermere Primary School aims to encourage excellent levels of attendance and punctuality to enable all pupils to take full advantage of the educational opportunities available to them.

Windermere Primary School aims to reduce Persistent Absence in order that all pupils are assisted in reaching their potential.

Windermere Primary School believes that good school attendance assists children and young people to achieve the following 5 outcomes:

- To be healthy
- To stay safe
- To enjoy and achieve
- To make a positive contribution
- To achieve economic well-being

*Section 7 of Education Act 1996 states*

*Duty of parents to secure education of children of compulsory school age.*

*The parent of every child of compulsory school age shall cause him to receive efficient full-time education suitable—*

*(a) to his age, ability and aptitude, and*

*(b) to any special educational needs he may have, either by regular attendance at school or otherwise*

## **Target Setting/Monitoring**

'Local authorities and schools should note they are no longer required to set targets for persistent absence and overall attendance respectively and the regulations will be amended accordingly. The Department however remains firmly of the view that unnecessary absence is unacceptable and must be prevented and tackled by schools.

The Department therefore expects all schools to continue focusing on reducing overall absence, particularly unauthorised absence and persistent absence. Absence will continue to be monitored closely via the pupil level school census and the Secretary of State's power to require an individual school to set absence targets where a school's absence record is of particular concern is being retained.'

The Department for Education, November 2010

## **Expectations**

The school will:

- provide a safe learning environment
- ensure that records of attendance are maintained according to Government legislation and guidance on a daily basis
- will encourage good attendance and will investigate all unexplained and unjustified absence
- follow up all instances of poor attendance and punctuality
- keep parents informed of their child's attendance/punctuality record
- work closely with parents should attendance or punctuality give cause for concern

Parents are legally responsible for ensuring their child's regular and punctual attendance.

They will:

- ensure that their child attends school regularly, punctually, properly dressed and equipped and in a fit condition to learn
- inform school on the first day of absence, of the reason for their child's absence from school
- avoid arranging family holidays during term time
- maintain regular communication with school staff where necessary
- ensure that school are informed of any changes of contact details

All pupils are expected to attend school and all of their lessons regularly and punctually.

## **Doors open**

- Breakfast Club opens at 8am
- School doors open at 8.45am and close at 8.55am.

## **Registration**

- Registers are called at 8.55am and at 1.00pm for KS1 or 1.15pm for KS2. Registers close at 9.25am and at 1.25pm. Registers are completed electronically using SIMS.

- Any pupil arriving after closure of the register will be marked absent (unauthorised absence) for the whole of the session.
- Registers will be marked in accordance with DfE guidance. See Absence and Attendance Codes January 2009, **Appendix A**

### **Lateness**

Any pupil arriving after 8.55am should report to the office to sign into the late book. Entries in the late book will be transferred to the computerised registration system by the office staff. The headteacher has the authority to authorise arrivals after the close of registration in the event of severe weather or traffic delays.

### **Following up Lateness**

Parents whose children are regularly late for school, will be contacted by the headteacher who will work with the parent(s) to bring about an improvement in punctuality.

### **Absences**

Parents must provide an explanation for all absences from school. The headteacher will decide whether to accept the reason given and to authorise the absence.

Absence from school may be authorised if it is for the following reasons:

- Sickness
- Unavoidable medical/ dental appointments (though these should be made, whenever possible, outside school hours)
- Days of religious observance
- Exceptional family circumstances such as bereavement

The school will not authorise absence for the following reasons:

- Shopping
- Looking after siblings or parents who are unwell
- Birthdays
- Holidays in term time
- Funeral of a distant relative involving more than one day of absence
- Pet going to the vet / death

### **Following up Absences**

All absences from school are followed up.

- If no reason has been provided for a pupil's absence by 9.30am on the first day of absence, a parent of the pupil will be contacted.
- If no reason has been provided for a pupil's absence after 3 consecutive days, a letter will be sent to the parent of the pupil.
- If a pupil returns to school after an absence without a written explanation from his/her parent and this has still not been received within 14 days, a letter requesting this will be sent to his/her parents.
- Parents whose children have more than 10% absence from school will be contacted by the headteacher who will work with the parent(s) to bring about an improvement in attendance. No further absences will be authorised until attendance has improved.

- Parents of pupils whose attendance is less than 90% will have regular reviews of attendance with the Headteacher and the Attendance Improvement Officer until the pupil has reached their target attendance.

### **Leaving and returning to School during School Day**

Parents must notify the school if their child needs to leave the school site during the school day. They may be required to show an appointment card or letter to explain the absence. Parents must sign their child into or out of school.

### **First Day Response**

First Day Response phone calls will be made after 9.30am by the admin assistant. The parents of all pupils for whom a reason for absence has not been received will be sent a text or telephoned. The Headteacher is responsible for deciding whether to authorise absences notified in this way. Absences for which no reason has been given will be unauthorised. The electronic register will be updated accordingly by the admin assistant. If the reason given is not considered reasonable, the parents may be telephoned by the Headteacher, Deputy or SENCo to establish more details or to advise them that the absence will be unauthorised.

### **Term Time Holidays**

The school will not authorise family holidays during term time. Requests for absence due to exceptional circumstances should be submitted two weeks in advance.

### **Rewards**

The school seeks to reward good attendance weekly by awarded a trophy to the class with the best attendance.

Individual good attendance is praised throughout the year. At the end of each term pupils with 100% attendance for that term are awarded a pin badge (bronze – 1 term, silver – 2 terms, gold – 3 terms) and by the awarding of certificates at the end of the year for attendance greater than 99%.

### **Integrated Working**

The school works with other agencies and professionals to ensure that our pupils receive all the support available to achieve good attendance. We are fully committed to integrated working by:

- Using the Common Assessment Framework (CAF)
- Sharing information
- Working with other agencies and being part of 'teams around the family'

### **Working with the Attendance Improvement Officer (AIO)**

The school works in partnership with the allocated AIO to improve attendance for individual pupils and the whole school. The school provides the AIO with information to enable them to safely carry out an effective consultation visit or home visit. The Headteacher meets the AIO regularly. The school works with individual pupils and their parents to improve poor attendance. When attendance does not improve sufficiently, and after discussion with the AIO the headteacher will make a referral to Children, Schools and Families for the AIO to work with the family on a formal basis

**See Appendix B for further details of working with the AIO**

### **Legal Action and Penalty Notices for Unauthorised Absences**

To ensure that parents and carers meet their statutory duty with regard to school attendance, it may be necessary for the school to take legal action. The school follows the Local Authority's guidance and code of conduct in this matter.

**See Appendix C for details**

### **Publication of Information**

The school shares information on individual pupils' attendance as necessary with parents, pupils and staff. Registration certificates accompany the pupil's end of year report. Parents and pupils are reminded of the importance of good attendance and the impact of high absence rates in weekly assemblies, the school newsletter and on the school website. New Reception parents are advised of the school's ethos on attendance and punctuality at the New Parents' Meeting in July and in the parents' handbook.

Davina Raftery, February 2019

**APPENDIX A**

**NEW ATTENDANCE CODES, DESCRIPTIONS AND MEANINGS**

**January 2009**

<b>CODE</b>	<b>DESCRIPTION</b>	<b>MEANING</b>
/	Present (AM)	Present
\	Present (PM)	Present
<b>B</b>	Educated off site (NOT Dual registration)	Approved Education Activity
<b>C</b>	Other Authorised Circumstances (not covered by another appropriate code/description)	Authorised absence
<b>D</b>	Dual registration (i.e. present at another school or PRU)	Approved Education Activity
<b>E</b>	Excluded (no alternative provision made)	Authorised absence
<b>F</b>	Extended family holiday (agreed)	Authorised absence
<b>G</b>	Family holiday (NOT agreed <u>or</u> days in excess of agreement)	Unauthorised absence
<b>H</b>	Family holiday (agreed)	Authorised absence
<b>I</b>	Illness (NOT medical or dental etc. appointments)	Authorised absence
<b>J</b>	Interview	Approved Education Activity
<b>L</b>	Late (before registers closed)	Present
<b>M</b>	Medical/Dental appointments	Authorised absence
<b>N</b>	No reason yet provided for absence	Unauthorised absence
<b>O</b>	Other unauthorised absence (not covered by other codes or descriptions)	Unauthorised absence
<b>P</b>	Approved sporting activity	Approved Education Activity
<b>R</b>	Day set aside exclusively for religious observance	Authorised absence
<b>S</b>	Study leave	Authorised absence
<b>T</b>	Traveller absence	Authorised absence
<b>U</b>	Late and arrived after the registers closed	Unauthorised absence
<b>V</b>	Educational visit or trip	Approved Education Activity
<b>W</b>	Work experience (not work based training)	Approved Education Activity
<b>X</b>	Untimetabled sessions for non-compulsory school age pupils	Not counted in possible attendances
<b>Y</b>	Partial and forced closure	Not counted in possible attendances
<b>Z</b>	Pupil not yet on roll	Not counted in possible attendances
<b>#</b>	School closed to all pupils	Not counted in possible attendances

Further information on the correct use of these symbols can be found at :

<http://www.education.gov.uk/schools/pupilsupport/behaviour/attendance/schoolattendancedata/a0010008/pupil-registration-regulations-and-guidance>

from which a Word document entitled **Absence Data – Absence and Attendance codes, January 2009** can be downloaded.

## **APPENDIX B**

### **WORKING WITH THE ATTENDANCE IMPROVEMENT OFFICER**

You can expect your Attendance Improvement Officer to work with you in the following way:

a) Consultation Visits (if applicable): These will be arranged with you at a mutually convenient time. During the consultation visit the Attendance Improvement Officer (AIO) will meet with the relevant member(s) of staff. Together, they will identify pupils who are experiencing attendance difficulties, agree on action to be taken and exchange information on work undertaken.

b) Casework: the AIO and a member of staff from school will agree which referrals will be made.

c) Other work: The AIO will offer advice, guidance and strategies to support schools to improve attendance. These may include:

- analysing attendance data to identify and highlight issues, trends and concerns
- working in partnership with heads and pastoral staff to plan, implement and evaluate systems, procedures and policies to address issues identified
- disseminating good practice

You can expect the AIO to:

- inform the school as soon as possible of any dates arranged for visits that cannot be kept.
- provide a basic cover service if the allocated AIO is absent through illness for more than one consultation visit.

To ensure that schools are able to make the most of Attendance Improvement Officer consultation visits and support, and that the Attendance Improvement Officer is able to provide schools with the best service, your co-operation is needed in the following areas.

- designate members of staff to attend consultation visits
- ensuring that your SIMS registers are up to date for consultation visits, and where requested individual registration certificates are printed off immediately prior to the consultation visit
- ensuring that allocated staff members are given adequate time to meet with the AIO.
- giving as much notice as possible if the consultation visit has to be re-arranged as school staff are not available
- ensuring that there is a quiet, private place where the consultation visit can take place without interruption
- ensure work is undertaken by the school prior to referral and that copies of letters and records of meetings accompany the referral forms
- ensuring that any actions agreed in the consultation visit are followed up as soon as practically possible
- ensuring that EWN1 forms are completed accurately and promptly (see guidance overleaf).

Attendance Improvement Officers are keen to support schools whenever the need arises so please contact them between visits if you need their help or advice on an attendance issue.

Hertfordshire County Council

**Penalty Notices  
Unauthorised Absence  
( Truancy )**

**Hertfordshire Code of Conduct**

and

**Guidance for Schools and Academies**

**February 2016**





## **Local Code of Conduct – Penalty Notices for Unauthorised Absence ( Truancy )**

### **Introduction**

Section 23 of the Anti-Social Behaviour Act 2003 empowers the police, designated Local Authority Officers and Headteachers and Deputy and Assistant Headteachers authorised by them to issue penalty notices in cases of unauthorised absence (truancy) of pupils of statutory school age.

The government requires Local Authorities to issue a Code of Conduct to which all parties involved must adhere. Penalty notices may be issued only in accordance with the terms of the Code of Conduct.

The purpose of the Code of Conduct is to ensure that:

- the powers are applied consistently and fairly
- duplicate notices are not issued
- issuing a notice does not conflict with proceedings proposed or being taken by the Local Authority under section 444 of the Education Act 1996
- suitable arrangements are in place for the administration of the penalty notice scheme.

### **The Law**

Section 23 of the Anti-Social Behaviour Act 2003 added sections 444A and 444B to section 444 of the Education Act 1996. These sections introduced penalty notices as an alternative to prosecution and enable parents to discharge potential liability for that offence by paying a penalty. The Education (Penalty Notices) (England) Regulations 2007 set out the framework for the operation of the scheme.

All those defined as a parent under section 576 of the Education Act 1996 are considered to be parents for the purpose of these provisions.

As with prosecutions under section 444 of the Education Act 1996 a penalty notice may be issued to each parent liable for the offence in respect of each child.

Penalty notices apply to parents of children of compulsory school age who are registered pupils at maintained schools, academies, Pupil Referral Units (Education Support Centres), City Technology Colleges, Studio Schools, UTCs and any other alternative education provision arranged under section 19 of The Education Act 1996.

Parents cannot be prosecuted for the offence for which the penalty notice was issued until after the final deadline for payment has passed and the penalty remains unpaid. Parents cannot be convicted of that offence if the penalty is paid in accordance with the notice.

The Local Authority will retain any revenue from penalty notices to cover the administration of the scheme and any legal actions arising from it.

## Rationale

Regular and punctual attendance is a legal requirement for pupils registered at schools, academies or other maintained or alternative provision.

A penalty notice may be a suitable intervention in circumstances of unauthorised absence where the school considers a parent is capable of securing their child's regular attendance. It may be particularly effective at an early stage before attendance problems become entrenched.

## Circumstances in which a penalty notice may be issued

- Penalty notices may only be issued in cases of unauthorised absence
- The pupil must have at least **15 sessions** (half days) unauthorised absence in the current and/or previous term
- The school must have sent a formal warning to the parent
- The school/academy/police or Attendance Improvement Officer considers that issuing a penalty notice could avoid further absence
- Issuing a penalty notice does not conflict with any other legal action being taken
- A maximum of **two** separate penalty notices will be issued to a parent within any twelve month period
- Penalty notices will be issued for pupils of compulsory school age, up to the end of the spring term of year 11
- A penalty notice will not be issued in respect of a pupil who is looked after by the Local Authority without the prior agreement of the Central Attendance and Employment Support Team Manager on behalf of the County Lead for Attendance

## Responsibilities of the Local Authority for issuing penalty notices

Primary responsibility for issuing penalty notices rests with the Local Authority and may not be delegated. Schools, academies and the police may issue penalty notices if they wish to do so but any notices issued by them **must** comply with the Local Authority Code of Conduct and a copy of any penalty notice issued must be provided to the Local Authority.

In Hertfordshire all parties agree that the Integrated Service for Learning Attendance Teams administer the scheme and issue penalty notices on behalf of police, schools, academies and other settings to ensure fairness and consistency and in the event that subsequent legal action may need to be taken.

The Local Authority receives applications to issue penalty notices from schools, academies and the police. Penalty notices will be issued provided that:

- the circumstances of the absence meet the requirements of the Code of Conduct
- the information is provided in the specified manner
- the request is received not more than 10 school days after the final absence cited

The Local Authority retains revenue from the scheme to cover the costs of issuing and enforcing notices and prosecuting recipients who do not pay.

### **Appealing against the issue of penalty notices**

There is no statutory right of appeal once a penalty notice has been issued. The Local Authority may withdraw a notice if it has been issued incorrectly. If the penalty notice has been issued in accordance with Hertfordshire's Code of Conduct there is no facility to overturn the decision to issue the notice.

### **Effect of issuing penalty notices**

If the penalty is not paid in full before the expiry of the period for paying it the Local Authority named in the notice shall either institute proceedings against the recipient for the offence or shall withdraw the notice.

### **Payment of penalty notices**

The amount payable is £60 (per parent) if paid within 21 days or £120 (per parent) if paid after 21 days but within 28 days of receipt of the notice.

Separate notices are issued to each parent in respect of each child.

Penalty notices are sent by first class post and are deemed to have been received on the second day after posting.

Arrangements for payment are detailed on the penalty notice and payment by cheque, postal order and by debit/credit card is accepted.

### **Withdrawal of penalty notices**

The Local Authority may withdraw penalty notices in circumstances where it determines that the notice:

- has not been issued in accordance with the Code of Conduct
- ought not to have been issued
- ought not to have been issued to the person named as the recipient
- has not been paid but it is not appropriate to prosecute the recipient for the offence

### **Prosecution of unpaid penalty notices**

If the notice remains unpaid after the expiry of the payment period and the Local Authority has not withdrawn the notice, the Local Authority will prosecute for the offence under section 444 of the Education Act 1996.

All decisions to prosecute (or not) rest with the Local Authority

## Responsibilities of schools and academies for penalty notices

Before using penalty notices schools and academies must have the agreement of their governing bodies.

Schools and academies should publicise their use of penalty notices, for example through their websites, newsletters and attendance policy (if used) to ensure that parents are aware of the consequences of failing to ensure their child's regular attendance.

Schools and academies must establish who is liable to receive any penalty notice. If it is both parents, then any correspondence should be addressed to both parents. This is important because penalty notices will be issued to each parent separately.

A formal letter advising parents of their child's unauthorised absence and warning that a penalty notice will be issued if the unauthorised absence reaches 15 sessions in the current and or previous term is sent by the school/academy. A suggested letter is included as **appendix A**. If this letter is not used any letter sent must include the information as in the suggested letter.

If the unauthorised absence continues and subsequently reaches 15 sessions within the requisite time period and the school/academy decides to apply to the Local Authority to issue a penalty notice they must do so within 10 school days of the final absence.

Applications for penalty notices must be made using the standard application form **appendix B** and include a copy of the warning letter sent to parents, a copy of the attendance certificate **appendix C** signed and dated by the head teacher and a copy of the registration certificate for the relevant period.

Applications should be sent to the Attendance Team Manager for the area in which the child goes to school.

Penalty notices will be issued if they meet the requirements of the Code of Conduct.

Schools/academies should be aware that if the penalty remains unpaid and the Local Authority prosecute for the offence they will be required to complete a witness statement for the court and if the parent contests the case may be required to attend court as a prosecution witness.

There is no statutory right of appeal against the issuing of a penalty notice. Therefore it is important that all information is accurate and parents have been warned they are at risk of a penalty notice being issued against them. A sample penalty notice is included as **appendix D**

## Appendix A

### Suggested penalty notice warning letter

Dear

The Education (Penalty Notices) (England) Regulations 2007

Name of pupil ----- Registered at ----- (school name)

This is a formal warning that you are at risk of being in breach of the regulations stated above. ----- (child's name) has been absent from school and the absence(s) has/have not been authorised.

Should the number of unauthorised absence sessions reach 15 or more in the current and/or previous term you will be in breach of the regulations and the Local Authority may issue you with a penalty notice.

The notice requires you to pay a penalty of £60 within 21 days, rising to £120 if paid after 21 days but within 28 days. Each parent is liable to pay a separate penalty and penalty notices are issued for each child to whom the absence relates.

Payment of the penalty enables you to discharge your liability for the offence for the period in question of failing to ensure your child's regular attendance at school. ( section 444, The Education Act 1996).

Failure to pay the penalty means you are liable to prosecution for the offence, by summons to appear before the local Magistrates Court. On conviction you may be liable for a fine of up to £1,000 per parent. This is a criminal offence which carries a criminal record. The Local Authority will ask for costs of £125 to be awarded against you.

If you fail to ensure your child attends regularly and 15 sessions of unauthorised absence is reached a penalty notice will be issued. **You will not receive a further warning before the penalty is imposed.**

If you believe there are legitimate reasons for your child's absence please contact me within 5 working days to discuss the matter.

Yours sincerely

----- ( Name )

----- ( Designation )

**Appendix B**

**Hertfordshire County Council**  
**Children’s Services**  
**Integrated Services for Learning**  
**Attendance Team**

**Application for a Penalty Notice to be issued**

Name of person requesting issue of Penalty Notice:	
Position: (Head, Deputy or Assistant Head Teacher only)	
Contact details:	
Pupil’s Name:	
Date of Birth:	
School/Academy:	
Parent(s) <b>full</b> name(s):	
Address:	
Telephone:	
Date of warning letter:	
<p><b>Please attach copies of:</b></p> <ol style="list-style-type: none"> <li>1. Warning letter</li> <li>2. Certificate of attendance signed by the head teacher</li> <li>3. Up to date SIMS (or equivalent) printout</li> </ol> <p><b><i>Please note that applications will not be processed if the necessary information is not attached</i></b></p>	

**The following sections must be completed**

1. Information on supportive measures offered to family. Please include dates of any meetings held with parents to address poor attendance.


2. Information on the parent(s) failure to co-operate:


3. Has the pupil been referred to or discussed with the Attendance Improvement Officer?  
Yes/No – if yes, please give details


Any further information:


Please send this application **within 10 school days of the last absence** to the Attendance Team Manager for the area where the school is based.

**Watford, Three Rivers, Bushey and Radlett Attendance Team**

Attendance Team Manager, Post Point AP 1102, Apsley 2, Brindley Way,  
Hemel Hempstead HP3 9 BF

**St Albans and Dacorum Attendance Team**

Attendance Team Manager, Post Point AP 2115 Apsley 2, Brindley Way,  
Hemel Hempstead HP3 9 BF

**Welwyn Hatfield and Hertsmere Attendance Team**

Attendance Team Manager, Post Point MU204, 2<sup>nd</sup> floor, Mundells,  
Welwyn Garden City AL7 1 FT

**North Herts and Stevenage Attendance Team**

Attendance Team Manager, SFAR114, 1st Floor, Farnham House,  
Six Hills Way, Stevenage SG1 2 FQ

**East Herts and Broxbourne Attendance Team**

Attendance Team Manager, Room 50-61, Lower Ground Floor, County Hall,  
Pegs Lane, Hertford SG13 8 DF



**Appendix C**

**Certificate of Attendance**

<b>Name of Child: Date of Birth:</b>				
<b>School/Academy Attended: Form:</b>				
<b>Parent/Guardian: Address:</b>				
Present		Absent		School closed
AM	PM	Authorised	Unauthorised	

Presented under the provisions of Section 566 of the Education Act 1996

Week Commencing	Mon	Tues	Wed	Thurs	Fri	Possible attendance	Authorised absences	Unauthorised absences
<b>Total</b>								

I hereby certify that the above named child is a registered pupil at (name of school/academy) and that the above is an accurate record of his/her attendance.

Signed:            Head teacher            Date:

**Appendix D**

**PENALTY NOTICE**  
**S.444A EDUCATION ACT 1996**

**Please read these notes carefully**

**PART 1**

If a child of compulsory school age who is a registered pupil at a school fails to attend regularly at the school, his/her parent is guilty of an offence under s.444 Education Act 1996.

To: Parent name  
Of: Parent address

You are the parent of <<pupil name>> (called in this notice “the pupil”) who is a registered pupil at << school name>>  
Between (date) and (date) the pupil failed to attend regularly at <<name of school>>.

This notice gives you the opportunity to pay a penalty fine instead of being prosecuted for the offence given above. The amount of the penalty is £60 / £120 in accordance with the table overleaf. If you pay this penalty within the time limits set out below, no further action will be taken against you in connection with the offence set out in this notice.

Payment should be made within 21 days. If paid after 21 days but within 28 days the penalty is doubled to £120. For payment details please see over.

**No reminders will be sent. If payment is not received by ( ) you will be liable for prosecution for the offence and could be subject to a fine of up to £1,000.**

This notice is issued by:

Date of issue.....

Signed.....

PART 2

Pupil's Name:

Please complete the following and return this notice with your payment to County Lead for Attendance, Room 134, Hertfordshire County Council, County Hall, Hertford SG13 8 DF

Name:

.....

Address:

..... I attach

payment in the sum of £ .....

Signed: .....

Date: .....

Payment of **£60** should be received by ( ). **No reminders will be sent.** After this date the penalty rises to **£120**. This should be received by ( ) after this date you will be liable for prosecution for the offence and could be subject to a fine of up to **£1,000**.

A cheque or postal order (made out to Hertfordshire County Council) should be sent to Room 134, Hertfordshire County Council, County Hall, Hertford SG13 8 DF.

If you wish to pay by Debit/Credit Card please contact 01992 555407/8 quoting 742300/26084, your child's name, school and the reference number <<IES reference number>> Without this information your payment may not be processed correctly and you risk prosecution in relation to the non-payment of this fine.

**Note**

**1. Local Code of Conduct**

This notice is issued in accordance with a local Code of Conduct drawn up by Hertfordshire County Council. Any correspondence about the code should be addressed to: the County Lead for Attendance, Room 134, County Hall, Hertford, SG13 8DF telephone 0300 123 4043

**2. Withdrawal**

This notice may be withdrawn by Hertfordshire County Council if it is shown that it should not have been issued to you or has not been issued to you in accordance with the local Code of Conduct. If you believe that the notice was wrongly issued you should contact the County Council to ask for it to be withdrawn as soon as possible, stating why you believe the notice to have been incorrectly issued. The County Council will consider your request and contact you to

let you know whether the notice is withdrawn. If the notice is not withdrawn and you do not pay, you will be liable for prosecution for the offence that your child has failed to attend school regularly.

### **3. Payment**

You should complete the notice above and send or deliver it to Hertfordshire County Council at the address given. If you wish to pay in person you must make an appointment or it will not be possible to receive your payment. If you wish to pay by Debit/Credit Card please contact 01992 555407/8 quoting 742300/26084, your child's name, school and reference number. Without this information your payment may not be processed correctly and you risk prosecution in relation to the non-payment of this fine.

### **4. Prosecution**

If you do not pay the penalty, and the notice is not withdrawn, you will be liable for prosecution for the offence of failing to ensure your child's regular attendance at school. You will receive a separate summons for this which will give you notice of the time and date of the court hearing. You will be able to defend yourself and you will be advised to seek legal representation; in some cases you may be entitled to legal aid. Information on obtaining legal advice and legal aid can be obtained from Community Legal Advice 0845 345 4345 Mon- Fri 9.00 am – 8pm Sat 9.0

## **APPENDIX D**

### **INDEX TO LEGISLATION**

These are key pieces of legislation, governing pupil registration at schools.  
The paragraphs which are particularly relevant to attendance are as follows:

#### **Statutory Instruments 2006, No 1751**

##### **The Education (Pupil Registration) (England) Regulations 2006**

Contents of attendance register – (6) paragraph a. (iii), (iv).  
Dual registration of children with no fixed abode – (7) paragraph 3.(b).  
Deletion from admissions register (8)  
Inspection of registers (10).  
Returns (12) Paragraph 1. (a) (b).  
Method of making entries (13).  
Preservation of registers (14).  
Use of computers (15).

##### **Statutory Instrument 2010, No 172**

##### **The Education (Pupil Registration) (England) (Amendment) Regulations 2010**

Adds to Regulation 6, Paragraph 5 of 2006 Regulations:  
(c) a local or national emergency has resulted in widespread disruption to travel which has prevented the pupil from attending school.”