

The Vale of Glamorgan Council

Cabinet meeting: 11 July, 2016

Report of the Cabinet Member for Regeneration and Education

Revised School Attendance Policy

Purpose of the Report

1. To seek approval for changes to the School Attendance Policy to take effect from September 2016.

Recommendations

1. That Cabinet agree the proposed changes and endorse the revised policy for adoption by school governing bodies.
2. That the revised policy is referred to the Lifelong Learning and Culture Scrutiny Committee for consideration.

Reasons for the Recommendations

1. To ensure that consideration is given to proposed policy changes that will ensure that schools in the Vale of Glamorgan are fully compliant with the Pupil Registration (Wales) Regulations 2010 and the Education (Penalty Notice) (Wales) Regulations 2013.
2. The former Lifelong Learning Scrutiny Committee has paid very close attention to school attendance policy and performance and will be required to consider the revised policy before its final adoption.

Background

2. In December the Minister for Education and Skills wrote to all the Local Authorities in Wales reminding them of their responsibilities in relation to Pupil Registration (Wales) Regulations 2010 and the Education (Penalty Notice) (Wales) Regulations 2013.
3. The Minister was concerned that some Local Authority guidance indicated that head teachers should not exercise their discretion and should instead refuse all requests for term time absence as a matter of course regardless of the particular circumstances leading to such a request. This is contrary to the Regulations which allows a margin of discretion for the school in such matters.
4. In the Vale of Glamorgan model policy that was recommended to schools, Governing Bodies were advised that they should not authorise any holiday requests during term

time unless there were exceptional and extenuating circumstances. It was suggested that these should normally be limited to family holiday requests from parents employed by the Ministry of Defence and family requests for holidays due to religious beliefs.

5. The current model policy has been adopted by the majority of schools and since this time attendance rates have increased and in 2014/15 secondary attendance was ranked the highest in Wales. However, in light of the ministerial intervention, the advice to schools now needs to be reviewed and updated.

Relevant Issues and Options

6. In the reviewed and updated policy (Vale of Glamorgan Revised School Attendance Policy 2016 - [Appendix A](#) the Vale of Glamorgan Council will now advise all Governing Bodies that parents still need to request permission from the headteacher to take their children on holiday during term time and that this permission may be granted in accordance with the arrangements that have been agreed by the Governing Body.
7. The policy will also advise Governing Bodies not to authorise any holiday requests of more than 10 days in an academic year during term time, except where there are exceptional and extenuating circumstances. It is suggested that the parent must make a strong case for taking a child away for more than two weeks a year and the following factors should be considered when assessing requests :
 - Time of the proposed trip;
 - length and purpose of the holiday;
 - duration of the holiday and its impact on continuity of learning;
 - circumstances of the family and parents' wishes;
 - overall attendance pattern of the child;
8. The updated advice advises that schools should carefully explore with parents why such a leave of absence is necessary.
9. If the headteacher considers there are exceptional circumstances, this could result in the school agreeing with the request and authorising the absence accordingly.
10. This means that holiday requests of more than 10 days during term time will not be authorised by the school unless there is agreement between the school and the parent/carer.

Resource Implications (Financial and Employment)

11. Implementing the policy will be undertaken within existing budgets and resources.

Sustainability and Climate Change Implications

12. Good levels of attendance impact on school performance and pupil achievement which in turn impacts on future life choices and opportunities and the prospects of obtaining sustainable careers.

Legal Implications (to Include Human Rights Implications)

13. Under Section 7 of the Education Act 1996 the parents/carer is responsible for ensuring that their child of compulsory school age (broadly this means children aged 5-16 years) receives efficient full-time education that is suitable to their child's age,

ability and attitude and to any special educational needs the child may have. This can be by regular attendance at school, alternative provision or by elective home education (the parents/carer can choose the provider of education for their child). Regular and punctual attendance of pupils at school is a legal requirement. An offence occurs if a parent/carer fails to secure their child's attendance at school on a regular basis and that absence is not authorised by the school. Local Authorities are responsible for delivery of education welfare and supporting schools in managing behaviour and attendance. Schools and Local Authorities should work with parents/carers and pupils as far as possible to encourage attendance and provide any necessary additional support, before taking forward any prosecution/action.

14. If it appears to the Local Authority that a child of compulsory school age is not receiving a suitable education, either by regular attendance at school or otherwise they must begin procedures for issuing a School Attendance Order (Section 437 Education Act 1996).
15. Section 444a and 444b of the Education Act 1996 introduced Penalty Notices for regular non-attendance at school as an alternative to prosecution. Parents/carers may discharge potential liability for conviction for offence by paying a penalty.
16. Parents/carers do not have an automatic right to withdraw their children from school for a holiday during term time. However, there may be circumstances that warrant pupils taking time off in term time. The Education (Pupil Registration)(Wales) Regulations 2010 state that Head Teachers have a discretionary power to authorise leave for a family holiday during term time where parents/carers seek permission. Except in exceptional circumstances, no more than 10 days leave should be granted for this purpose.
17. Head Teachers should consider individual circumstances on a case by case basis. If the Head Teacher grants the request the absence is an authorised absence. If the Head Teacher decides not to grant a parent/carer's request for a holiday in term time, but the parent/carer takes the child on holiday regardless, this is classed as an unauthorised absence.

Crime and Disorder Implications

18. Children and young people who attend school regularly are less likely to become engaged in any unlawful activity.

Equal Opportunities Implications (to include Welsh Language issues)

19. Every child has a right to attend school regularly. The body of this report is fully compliant with the United Nations Rights of the Child.

Corporate/Service Objectives

20. The need to secure high levels of school attendance underpins many of the Council's school performance and improvement objectives.

Policy Framework and Budget

21. The recommendations of this report are within existing policy framework and budget, and are a matter for Executive consideration by Cabinet.

Consultation (including Ward Member Consultation)

22. Headteachers are aware of the Minister's correspondence and the need to review current policies.

Relevant Scrutiny Committee

23. Learning and Culture

Background Papers

None.

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