Cluster Attendance Policy

As a Rights Respecting School, we promote the values and principles of the UNCRS. This policy promotes and enables children to access:
Article 18: Parents should always think about what is best for their child
Article 28: Your right to learn and go to school

Introduction

We expect all children on roll to attend every day, when the school is in session, if they are fit and healthy enough to do so. We do all we can to encourage the children to attend and place emphasis on the importance of good attendance through the implementation of a range of appropriate procedures. We believe that the most crucial factor in promoting good attendance is development of positive attitudes towards school. To this end, we strive to make our school a happy and rewarding experience for all children. We will also make the best provision we can for those children who, for whatever reason, are prevented from coming to school.

Under the Education (Pupil Registration) Regulations 1995, the governing body are responsible for ensuring that the school keeps an attendance register that records which pupils are present at the start of both the morning and afternoon sessions of the school day. This register will also indicate whether an absence was authorised or unauthorised.

Registers

Fairwater Primary School uses the SIMS attendance module to record registers electronically.

If a child comes to school after 9.00am (10 minutes after doors open) they will be given an 'L' indicating late. Registers are officially 'closed' at 9:30am. If a child comes into school after this, they will be marked as absent with a 'U' unless another reason has been provided.

The following registration codes are used:

Code	Meaning	Statistical Category
/	Present AM at registration	Present
\	Present PM at registration	Present
L	Late but arrived before the register closed	Present
B	Educated off-site (not dual registration)	Approved educational activity
D	Dual registered (present at another school of PRU)	Approved educational activity
P	Approved sporting activity	Approved educational activity
V	Educational visit or trip	Approved educational activity
J	Interview	Approved educational activity
W	Work experience (not work based learning)	Approved educational activity
C	Other authorised circumstance (not covered by other codes or description)	Authorised absence
F	Agreed extended family holiday	Authorised absence
H	Agreed family holiday	Authorised absence
I	Illness	Authorised absence
M	Medical or dental appointment	Authorised absence
S	Study leave	Authorised absence
E	Excluded but no alternative provision made	Authorised absence
R	Day set aside exclusively for religious observance	Authorised absence
T	Traveller absence	Authorised absence
N	No reason for the absence provided yet	Unauthorised absence
O	Other unauthorised absence (not covered by other codes or descriptions)	Unauthorised absence
G	Family holiday (not agreed or sessions in excess of agreement)	Unauthorised absence
U	Late and arrived after the register closed	Unauthorised absence
X	Un-timetabled sessions for non-compulsory school-age pupils	Not required to attend
Y	Partial and forced closure	Not required to attend
Z	Pupil not on roll yet	Not required to attend
#	School closed to all pupils	Not required to attend

Definitions

Authorised absence

- An absence is classified as authorised when a child has been away from school for a legitimate reason and the school has received notification from a parent or guardian. For example, if a child has been unwell and the parent writes a note, emails or telephones the school to explain the absence.
- Only the school can make an absence authorised. Parents and carers do not have this authority. Consequently, not all absences supported by parents and carers will be classified as authorised. For example, if a parent takes a child out of school to go shopping during school hours, this will not mean it is an authorised absence.

Unauthorised absence

- An absence is classed as unauthorised when a child is away from school without the permission of both the school and the parent.
- Therefore, the absence is unauthorised if a child is away from school without good reason, even with the support of a parent.
- Absence for which no reason is given is classified as an unauthorised absence.

If a child is absent

If a parent/child knows a child will be absent, a note should be sent to the school prior to the day of absences, e.g., if a child has a medical appointment.

In the event of a parent or carer informing the school by telephone of their child's absence, the school admin records the name and class of the child, the reason for absence and the date and time of the call. The correct code is recorded on the SIMS electronic register. A comment is added to the SIMS Register by the school admin noting the reason for absence and who reported it.

When a child is absent unexpectedly, the class teacher will record the absence in the register using the 'N' code. The school operates a 'First Day Response' system under which the school admin will endeavour to contact the parent or guardian of absent pupils each day to ascertain the reason for the absence. All First Day Response calls, texts and messages left are recorded by the school admin. Where parents have been successfully contacted and a reason given, the correct code is entered on the register sheet on SIMs. Unsuccessful attempts and no response to messages are monitored by the school and discussed with the School Attendance Officer (SAO) during weekly meetings.

If there is any doubt about the whereabouts of a child, the school will be in contact straight away with the parent/ carer, to check on the safety of the child. In cases of missing children, the SAO, or Education Welfare Service (EWS) will be contacted immediately, and a welfare check requested. Relevant Children's Services staff will also be informed where missing pupils are on the Child Protection Register or Child in Need.

Requests for Leave of Absence

We believe that children need to be in school for all sessions, so that they can make the most progress possible. However, we do understand that there are circumstances under which a parent may legitimately request leave of absence for a child to attend, e.g., a special event. We expect parents and carers to contact the school at least a week in advance, and normally these requests will be granted.

Cardiff Education Authority do not automatically authorise holiday absence. However, where a child's attendance is above 95%, the Headteacher may authorise up to 10 days absence. Should parents/carers intend to take pupils out of school for a holiday, they must inform the school in writing using the school's holiday form that can be obtained from the school office, stating the dates of absence and return. A letter of acknowledgement is sent by the school confirming the dates and if the holiday request will be authorised or unauthorised. In cases of extended absence, a return date is agreed between the school and parent. The parent is made aware that if the child fails to return to

school by the agreed date, they may be taken off roll and the parent will be required to apply to Pupil Admissions for a new school placement on their return.

Repeated Unauthorised Absences

Attendance is monitored daily by the school admin who ensures a record of late arrivals on the school sign in system and contacts parents/carers of pupils who are absent without reason given.

School attendance is monitored weekly for all pupils with attendance of less than 90%. A graduated response of letters is operated. If child has a repeated number of unauthorised absences, parents are sent a letter and given a copy of their child's registration certificate summarising their attendance to date. If attendance continues to fall, a second letter is sent informing parents that medical evidence will be required to authorise any further absences. More specific letters may also be sent when appropriate e.g., punctuality, pattern of absences and simultaneous absence with siblings. All letters invite parents to contact the school for support if the wish and give contact details for the School Attendance Officer (SAO).

The SAO visits school each week to discuss any concerns. Advice is given on action to be taken by the school or the SAO/Education Welfare Service (EWS) for individual pupils. Referral records and records of advice and action taken are kept by the school. The SAO liaises with parents through letters and home visits to support parents and carers with improving attendance. Where attendance is not improved, the SAO refers on to the EWS who may implement the prosecution process.

Names of pupils who require medical evidence to authorise absences or who have been referred to the SAO or EWS service are recorded and kept in the school office. Class teachers are responsible for reporting unexplained or concerning patterns of absence to Senior Leaders and/or the school admin.

The Governors, supported by the EWS, reserve the right to consider taking legal action against any parents or guardians who repeatedly fail to accept their responsibility for sending their children to school.

Fixed Penalty Notices (FPNs) (Appendix 1)

In September 2014, The Education (Penalty Notices) (Wales) Regulations 2013 Act came into force, giving local authorities powers to issue Fixed Penalty Notices (FPNs) to parents/carers who fail to secure their child's regular attendance at school.

Parents/Carers are legally responsible for ensuring their children have good school attendance and punctuality. If a school finds this is persistently unsatisfactory, it is possible a FPN will be issued by the Education Welfare Service (EWS). Schools are not able to issue a Fixed Penalty Notice.

A fixed penalty notice is an invitation to discharge your liability and carries a financial penalty of up to £120 which may be issued to a parent/carer because of their child's regular non-attendance at school/education provision.
The legislation governing the implementation of FPNs is outlined in the following:

- Sections 444A and 444B of the Education Act 1996;
- The Education and Inspections Act 2006;
- The Education (Penalty Notices) (Wales) Regulations 2013;
- Rights of Children and Young Persons (Wales) Measure 2011;
- United Nations Convention on the Rights of a Child (the Right to an Education).

Circumstances for Issuing a Fixed Penalty Notice

It will be the responsibility of schools/PRUs/EOTAS and/or police to **request** that the EWS issue an FPN, and those requests will only be considered where there is proven evidence of unauthorised absence due to the following circumstances: -

- Where there is a minimum of 10 unauthorised sessions (5 school days) in an academic year (these do not need to be consecutive).

- Pupils persistently arriving after the close of the registration period i.e., more than 10 sessions in an academic year (these do not need to be consecutive); (Recommended that registers be kept open for thirty minutes).
- A period of absence from school due to a holiday that was not authorised by school (a minimum 10 sessions).
- A pupil has regularly come to the attention of the police during school hours and is absent from school without an acceptable reason and there have been 10 unauthorised absences.

A maximum of three FPNs can be issued to a parent in a 12-month period but only one of these can be issued for 10 unauthorised absences following a warning. FPNs may be issued in respect of more than one child in cases where there is more than one poorly attending pupil in a family.

Whilst there are no restrictions on the number of times a parent may receive a formal warning of an FPN it would not be acceptable to issue "warnings" repeatedly without making further investigations of the wider circumstances

Procedure for issuing a fixed penalty notice

The EWS will respond to all requests to issue penalty notices within ten school days of receipt. Requests can be generated by headteachers, the teacher in charge of the PRU, EOTAS Co-ordinator, the police, and neighbouring local authorities. EWS will:

- Send a formal written warning to the parent/carer notifying them that they may receive a fixed penalty notice and why.
- Set a period of 15 school days to allow the parent/carer to respond. During the fifteen day period the pupil must not have any unauthorised absences from school. This monitoring period can be taken across 2 terms.
- If at the end of the 15 days there are unauthorised absences in this monitoring period, a penalty notice will be issued via first class post and will be deemed to have been received by the relevant parent/carer 2 working days after posting the notice.

Where a school requests that a Fixed Penalty Notice be issued as a response to a period of unauthorised holiday absence the formal warning letter and 15 day improvement period will not apply.

Non-payment of penalty notice

If the FPN is not paid in full by the end of the 42 days, the local authority must either:

- Prosecute parents/carers in the usual way using section 444(1) and (1A) of the Education Act 1996) or
- Withdraw the FPN (in limited circumstances as set out in this Code of Conduct).

Punctuality

We place a high emphasis on the importance of punctuality. Doors are open for pupils from 8.50am, with the official start time of school being 8.55am, and remain open for 10 minutes. Any pupils arriving after 9.00am will need to enter the school via the main entrance and sign in, noting the time of arrival and reason for lateness. Parents/ carers are advised that arrival after 9:30am constitutes an unauthorised absence.

Attendance Targets

The school sets attendance targets each year. These are agreed by the senior staff and governors at the annual target setting meeting. The attendance targets are then agreed with the LA Improvement Partner. The targets are challenging yet realistic and based on attendance figures achieved in previous years. The school carefully considers the attendance figures for other similar schools when setting its own targets.

Monitoring and Review

It is the responsibility of the governors to monitor overall attendance, and they will request an annual report from the Head Teacher. The governing body also has responsibility for this policy, and for seeing that it is carried out. The governors will therefore examine closely the information provided to them and seek to ensure that our attendance figures are as high as they should be.

The school will keep accurate attendance records on file for a minimum period of three years.

The rates of attendance will be reported in the school's prospectus, and the annual governor's report.

The attendance of 'Looked After' pupils is monitored half-termly and figures are reported to the School Liaison Team.

This policy will be reviewed by the governing body every two years, or earlier if considered necessary.

Signed: Ceri Gibbon **Date: 25/09/25**

Head teacher

Signed: S Osborne **Date**: 25/09/2025

Chair of Governors

Cardiff Council

Fixed Penalty Notices for Non-Attendance at School

Code of Conduct

This document is available in Welsh / Mae'r ddogfen hon ar gael yn Cymraeg.

www.cardiff.gov.uk

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1. Legal basis and rationale

Regular and punctual attendance of pupils at school and alternative provisions is both a legal requirement and essential for pupils to maximise the educational opportunities available to them and to achieve their full potential. Children and young people have the right to an appropriate education which meets their needs and when they are in school are also at less risk of harm.

Most learners attend school regularly, arrive punctually and are fully engaged with the curriculum, but for some, attending school regularly is a challenge and this can be for a variety of reasons. A range of assessment and intervention strategies are available from schools and officers from the Local Authority to help families overcome barriers to regular attendance.

In Wales, legislation (The Education (Penalty Notices) (Wales) Regulations 2013) has given local authorities new powers to issue Fixed Penalty Notices (FPNs) to the parents of children and young people who are absent from school, EOTAS arrangements and/or pupil referral units (PRUs) without authority.

An FPN is a fine of £60 which may be issued to a parent/carer as a result of their child's unauthorised absence from school. The definition of 'parent' includes all natural parents, whether they are married or not and includes any person who, although not a natural parent, has the parental responsibility and/or care for a child or young person.

The Welsh Government introduced FPN's as an additional means of addressing unauthorised absence from school particularly in circumstances where there is a reasonable expectation that its use will secure an improvement in the future. Parents/carers have a legal responsibility to ensure that once registered at a school their child attends regularly. An offence occurs when a parent/carer fails in that duty and cannot offer any justifiable reason for absences.

A fixed penalty notice is an invitation to discharge your liability and carries a financial penalty of up to £120 which may be issued to a parent/carer as a result of their child's regular non-attendance at school/education provision.

The legislation governing the implementation of FPNs is outlined in the following:

- Sections 444A and 444B of the Education Act 1996;
- The Education and Inspections Act 2006;
- The Education (Penalty Notices) (Wales) Regulations 2013;
- Rights of Children and Young Persons (Wales) Measure 2011;
- United Nations Convention on the Rights of a Child (the Right to an Education).

Head teachers are obliged to make judgements on the authorising of absence and subsequent coding (All Wales Attendance Codes 2010) to categorise the reason for absence. All schools have Attendance Policies which must clearly outline the day-to-day procedures in place to follow up pupil absence and how they will determine whether an absence is justified or not. Registration Regulations state that the statutory (lawfully acceptable) defences for school absence are that: -

- The absence is authorised;
- The pupil was prevented from attending due to illness or other unavoidable cause;
- The absence occurred on a day set aside for religious observance;
- The local authority has failed to make suitable travel arrangements to facilitate attendance (Learner Travel (Wales) Measure 2008);
- The child is excluded.

Following the introduction of FPNs all local authorities in Wales are required to have in place a Code of Conduct within which all partners will operate as part of the statutory duties for ensuring school attendance.

2. Who can issue a Fixed Penalty Notice?

The legislation allows headteachers (their nominated deputies), teacher in charge of the PRU, EOTAS Co-ordinator and the police as well as designated local authority officers (EWS) the powers to request/issue FPNs. However, to ensure consistent practice and avoid the potential for issuing

duplicate FPNs, the management and administration of FPNs in Cardiff will be the sole responsibility of the EWS.

The service will work in consultation and partnership with schools, PRUs, EOTAS and local police officers to encourage consistent use of FPNs. The service will also ensure that FPNs are not issued when proceedings under section 444 (1) or (1A) are being contemplated or have commenced;

3. Current Cardiff Practice in Response to Pupil Absence

Cardiff's 5 Step Framework for Managing Attendance clearly sets out roles, responsibilities and actions for Schools, School Attendance Officers and the EWS in addressing attendance issues and following up absence.

FPN's are an additional option that can be used as part of a wide range of intervention and support strategies to improve attendance at school. It is not intended that the new legislation for FPNs be used as a response to entrenched non-attendance or change the traditional EWS casework with families. FPNs are intended more as a means of swift intervention and they are thought to be most effective in early intervention work or when issued for specific circumstances, over periods such as Key Stage 4 lead up to examinations or even with certain age groups of pupils.

4. Circumstances for Issuing a Fixed Penalty Notice

It will be the responsibility of schools/PRUs/EOTAS and/or police to **request** that the EWS issue an FPN, and those requests will only be considered where there is proven evidence of unauthorised absence due to the following circumstances: -

- Where there is a minimum of 10 unauthorised sessions (5 school days) in an academic year (these do not need to be consecutive);
- Pupils persistently arriving after the close of the registration period i.e., more than 10 sessions in an academic year (these do not need to be consecutive); (Recommended that registers be kept open for thirty minutes);
- A period of absence from school due to a holiday that was not authorised by school (a minimum 10 sessions);
- A pupil has regularly come to the attention of the police during school hours and is absent from school without an acceptable reason and there have been 10 unauthorised absences.

A maximum of three FPN's can be issued to a parent in a 12-month period but only one of these can be issued for 10 unauthorised absences following a warning. FPNs may be issued in respect of more than one child in cases where there is more than one poorly attending pupil in a family.

Whilst there are no restrictions on the number of times a parent may receive a formal warning of an FPN it would not be acceptable to issue "warnings" repeatedly without making further investigations of the wider circumstances

5. Procedure for issuing a fixed penalty notice

The EWS will respond to all requests to issue penalty notices within ten school days of receipt. Requests can be generated by headteachers, the teacher in charge of the PRU, EOTAS Co-ordinator, the police, and neighbouring local authorities. EWS will:

- Send a formal written warning to the parent/carer notifying them that they may receive a fixed penalty notice and why;
- Set a period of 15 school days to allow the parent/carer to respond. During the fifteen-day period the pupil must not have any unauthorised absences from school. This monitoring period can be taken across 2 terms.
- If at the end of the 15 days there are unauthorised absences in this monitoring period, a penalty notice will be issued via first class post and will be deemed to have been received by the relevant parent 2 working days after posting the notice.

Where a school requests that a Fixed Penalty Notice be issued as a response to a period of unauthorised holiday absence the formal warning letter and 15-day improvement period will not apply.

6. Payment of penalty notice

An FPN is £60 if paid within 28 days of receipt of the notice, rising to £120 if paid after 28 days (but within 42 days of receipt).

Arrangements for payment will be detailed on the penalty notice.

Payment of the notice discharges the parent/carer's liability for the period in question is discharged and they cannot be subsequently prosecuted under other enforcement for the same period covered by the FPN.

Subject to compliance with Section 21 of the Regulations Cardiff Council will retain the revenue from penalty notices to cover the enforcement costs associated with the issue, collection or in the event of non-payment cases progressing to prosecution. Any surplus will be surrendered to the Welsh Consolidated fund.

The time limit of the payment and the amount payable are stated in law and cannot be amended on a case-by-case basis. This means instalment plans are not possible.

7. Non-payment of penalty notice

If the FPN is not paid in full by the end of the 42 days, the local authority must either:

- Prosecute parents/carers in the usual way using section 444(1) and (1A) of the Education Act 1996) or
- Withdraw the FPN (in limited circumstances as set out in this Code of Conduct).

8. Withdrawal of a penalty notice

Once issued a penalty notice may only be withdrawn where it is proven that:

- The notice has been issued to the wrong person/to the incorrect address;
- The notice did not conform to this Code of Conduct and ought not to be issued.
- Circumstances and evidence demonstrate that the notice should not have been issued e.g., provision of medical evidence (parents/carers have the 15-day monitoring period to submit this evidence);

Notification of the withdrawal will be given to the parent/carer and any amount paid will be repaid to the person who paid it. No proceedings will continue or be instigated against the parent/carer for the offence in connection with which the withdrawn notice was issued or for an offence under section 444(1 and 1A) of the Education Act 1996 arising out of the same circumstances.

There is no statutory right of appeal against the issuing of a penalty notice. Should a parent/carer wish to contest a notice then they may submit complaints to the EWS and/or face proceedings in the Magistrates Court under section 444(1) of the Education Act 1996 where issues relating to their Fixed Penalty Notice can be fully debated.

9. Policy and publicity

To ensure parents and carers are fully aware of the FPN legislation, it is required that all schools/PRUs with the support of their governing body clearly include information on the FPN legislation in their Attendance Policy.

10. Code of Conduct review and reporting

Cardiff's EWS will monitor the use of penalty notices as part of the quality assurance process with quantitative data being available to the Welsh Government on request.

This Code of Conduct will be reviewed on a regular basis and, if necessary, be amended.

11. How to get further information

Further information is available from:

Education Welfare Service
Cardiff Council
County Hall
Atlantic Wharf
Cardiff
CF10 4UW

Telephone: **02920 873619**
ewsreferrals@cardiff.gov.uk