



To: Education and Children's Services Scrutiny Board (2)

Date: 15 January 2025

Subject: School Attendance Duties

1 Purpose of the Note

- 1.1 To provide information on the Local Authority's duties for School Attendance, following the implementation of the new reforms.
- 1.2 The DfE published new guidance in 2024 – [Working together to improve school attendance](#). Setting out statutory responsibilities and expectations for all key stakeholders: schools, multi-academy trusts (MATs), Local Authorities (LA), parents / carers. The initial intention was that the guidance would be statutory from September 2023, and this was presented to Scrutiny Board 2 alongside the changes to the service in Autumn 2023. The guidance became statutory in August 2024 following further updates.
- 1.3 In Coventry we continue to work in partnership with all schools. As a result, attendance continues to be a key strand of our Education Improvement Citywide priorities.
- 1.4 The School Attendance Matters document is available on the City Council website [Attendance – Coventry City Council](#) and included in Appendix A of this note.

2 Recommendations

- 2.1 The Education and Children's Scrutiny Board (2) are recommended to:
 - 1) Consider the content of the information provided.
 - 2) Identify any further questions for Officers and Cabinet Members

3 Information/Background

- 3.1 During the 2023/24 academic year, the LA made changes to the operation of the Attendance Service to implement updated guidance (published May 2022). LAs locally, regionally, and nationally have continued to make representation to the DfE pointing out that the attendance reforms create additional burdens for LAs and schools. There has been no additional resource provided to deliver the reforms for LAs or schools.
- 3.2 The LA have recruited additional staff to ensure delivery of the new reforms. This equates to 2 additional Local Authority Attendance Officers (LAAO), an extension of hours for 2 existing LAAOs and an increase in admin support time. In addition, the time available for traded service has reduced. The majority of this has been funded from the Dedicated Schools Grant, achieved through re-prioritisation of existing funding.

- 3.3 The LA have made further amendments to the service and processes to deliver the updated statutory guidance from September 2024.
- 3.4 The revised guidance sets the same expectations for LAs as previous, to:
- Rigorously track local attendance data;
 - Monitor and improve the attendance of children with a social worker through the Virtual School;
 - Resource a School Attendance team providing core functions free of charge to all schools (e.g. communication & advice; targeting support meetings with every school; support access to multi-disciplinary family support; legal interventions).
- 3.5 Updates to the guidance include, but are not limited to:
- Changes to the law on keeping school attendance and admission registers contained within The School Attendance (Pupil Registration) (England) Regulations 2024,
 - New National Framework for issuing penalty notices,
 - Clarification for schools around medical evidence for those pupils prevented from attending school due to physical or mental ill health,
 - New requirements on schools around data sharing,
 - Flexibility for LAs on they work with independent schools.
- 3.6 The key theme running throughout the guidance is ‘Support First’ and it is very clear that prosecution and legal intervention only take place when all attempts to engage with the family at a voluntary and formal support level have failed, or where support has been deemed inappropriate. Please note the support first approach is applied for irregular attendance and not for a leave of absence.
- 3.7 Prior to the 2023/24 academic year the Coventry Attendance Service was predominantly a traded model. This means that apart from general advice and support for legal intervention the team had largely only worked with schools that purchased the service.
- 3.8 The service was redesigned for the 2023/24 academic year to cover the expectations of the May 2022 guidance, and following feedback from schools, has continued to offer a traded service alongside its statutory duties. The traded service offer provides schools with support for case work, working with the family to understand barriers to school attendance following school attempts to engage with the child and family. The LA will work with the family through to a resolution, with a focus on improving school attendance. In line with current practice the traded service will be reviewed with schools on a periodic basis.
- 3.9 The LA’s updated School Attendance Matters document (that has been shared with all school stakeholders), and describes the expectations, the service, and offer to schools from September 2024 is included at Appendix 1. The School Attendance Team have continued to work closely with Early Help Services throughout, and this will remain a key focus of the updated model.
- 3.10 In line with the national and regional position, Coventry has seen a worsened citywide attendance position following the pandemic. The figures for 2019-2023 can be found in Appendix B. The 2023/24 full year figures are not yet published. If

published in time they will be included in our performance report later in the municipal year. The figures for the Autumn and Spring Term of 2023/24 show an improvement from the previous year's figures with average city-wide attendance rising from 92.3% to 93%. City-wide average persistent absenteeism has also fallen from 23.6% to 20.2% during the same period.

- 3.11 The LA has been part of a pilot project 'LocalEd 2025', which has tested locality models for the school system supporting vulnerable pupils. The project has been closely linked with school attendance as a lens for vulnerability and has been working with schools and community partners in the Woodend, Moathouse and Henley Green (WEMH) area to focus on understanding the reasons for attendance difficulties, barriers to learning, and challenges for vulnerable learners. Through this work several pilot approaches were tested, including navigation for practitioners supporting families - Right Help, Right Time, enhanced year 6/7 transition package for children with a social worker, Early Help School link worker model, and raising aspirations. This pilot has now ended but we will continue to disseminate learning and good practice to schools across the city.
- 3.12 Within the statutory guidance the DfE have included a National framework for penalty notices. This has been introduced to provide consistency across the country with the issuing of penalty notices. To remain consistent with the 'Support First' approach Coventry have introduced a clear process for schools to ensure all efforts have been made to overcome the barriers to attendance before schools request legal intervention.
- 3.13 The Legal Services Team have also introduced more stringent guidance to schools to ensure parents have been afforded every opportunity to provide evidence before moving forward with a prosecution for non-payment of a penalty notice for a leave of absence.
- 3.14 The impact of the guidance and subsequent implementation in Coventry means consistent oversight of attendance in every school and provides the opportunity to ensure consistent advice and support to schools. This also facilitates a greater focus on all vulnerable groups including those known to the Virtual School and those with a social worker. The Team will continue to build on this to ensure a coordinated and collegiate approach across Local Authority services alongside the clear recognition of school attendance as a protective factor for children and young people.

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Appendix A: School Attendance Matters Document

In Coventry it is our belief that good school attendance provides our pupils with the best chance of a bright and successful future. We do however realise that for some pupils there are barriers to attending school.

Why school attendance matters

Regular school attendance is an important part of giving children the best possible start in life. The aim should be to attend 100% of the time.

Research shows that pupils who attend school regularly achieve at higher levels than those who do not attend regularly, and they also have wider life chances. Attending school on a regular basis also helps to develop:

- Friendships
- Social skills
- Life skills
- Career pathways

Missed days in school can have a significant impact on all the above.

Yearly attendance	Yearly days missed	Yearly learning hours missed	Learning hours missed during school life (YR-Y11)
100%	0	0	0
97%	6	30	360
95%	10	50	600
90%	20	100	1200
80%	40	200	2400
50%	100	500	6000

Overall absence

Please note the latest full year data published is for the 2022/23 academic year.

In Coventry the overall absence rate for the academic year 2022/23 was 7.7%. This was 0.3% lower than the national average but remained the same as the previous year in Coventry.

Persistent absence

Please note the latest full year data published is for the 2022/23 academic year.

Persistent absence (those pupils who miss 10% or more of school) was 23.6% in Coventry for the academic year 2022/23. This is 2.5% higher than the national average but 0.3% lower than the previous academic year in Coventry.

What are we doing in Coventry?

The barriers to accessing education are far reaching and complex and do not solely begin and end with the school. Often these barriers extend further than school and are specific to individual pupils and their families.

With our One Coventry approach we will work alongside and in partnership with schools and services across Coventry to ensure all pupils are supported to be able to attend school and will work to remove the barriers to school attendance.

Good attendance is not something to be viewed in isolation and it is the role of all involved to work with and support pupils and their families as a collective.

Our key stakeholders in Coventry are.

- Pupils and their families
- Attendance and Children Missing Education Team
- Schools
- SEND
- Early Help
- Virtual School
- Social Care
- Health
- Others (as appropriate)

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

Expect

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

Monitor

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

Listen and understand

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

Facilitate support

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

Formalise support

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

Enforce

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

How are we delivering attendance support in Coventry?

Coventry's Staged Intervention model works to support schools, pupils and families to secure the right help at the right time.

Schools will provide a named Senior Attendance Champion who will act as the main point of contact for the named Local Authority Attendance Officer (LAAO). Schools will also be provided with a named Early Help Assessment Coordinator (EHAC).

Schools should seek support from Social Care if the child is known to be under a Child Protection plan or Child in Need plan. School attendance should inform part of the plan and social workers would be expected to be involved in any concerns raised around school attendance where they are already involved.

Stage 1: Prevention

Criteria: Attendance is between 91% and 100%

Lead practitioner: School

Pupils who have attendance between 91% and 100% will receive support from school and other universal services they may be accessing i.e., GP.

Schools should follow their school attendance policy when a pupil is recorded as absent i.e.

- First day absence contact.
- Letter sent if absence falls below schools' attendance target.
- If attendance does not improve request a meeting with parent/carer

Schools can contact their LAAO via phone or email for advice and guidance around attendance issues.

Stage 2: Early Intervention

Criteria: Attendance is between 51% and 90%

Lead practitioner: 1st school – 2nd LA Supporting Families team if 3 of the criteria for Supporting Families input is met

Pupils who have attendance between 51% and 90% may require support from other services outside of school through a multi-agency response and universal services at stage 1.

LAAO will attend targeting support meetings with the school to discuss severely absent and persistently absent pupils. *(See Appendix 1 for details of the Targeting Support Meetings)*. If the pupil is looked after the Virtual School and Social Worker should be invited to attend the Targeting Support Meeting if the pupil is due to be discussed.

Schools should consider.

- Letters home
- Meeting with parent/carer in school
- Home visits
- Pastoral support
- Mentoring/counselling
- Part time timetable
- SEMH&L
- SEND
- Extended School Non-Attendance Advisory Panel (ESNAAP)
- Social Care/Supporting Families teams (Children's Service)

Please note this list is not exhaustive.

Schools should also complete an Early Help Assessment to better understand the needs of the child and their family so that an early help plan can be developed to meet the needs with a clear focus on the outcomes and changes needed to address attendance concerns.

As part of the plan the school should consider the following in conjunction with the list above:

- Identifying appropriate agencies to form the Team Around the Family (TAF) who can offer specialist support.
- Registering the family with their local Family Hub and promoting the services on offer including the digital offer.

Schools must initiate an Early Help Assessment, and they can access support from an EHAC, who will be able to support to undertake the Early Help assessment and deliver the Early Help plan. The EHAC support may include helping staff to record on EHM, joint home visits, attendance at Team Around the Family (TAF) meetings, making

necessary referrals, signposting and navigating to available services and advice and guidance relating to Right Help Right Time (RHRT) thresholds.

If during the completion of the Early Help Assessment, it is identified that the child and their family meet the Right Help Right Time level 3 i.e. multiple issues requiring a multiagency plan, the family may benefit from an intensive family support offer. The school can get advice from their EHAC regarding this and if a decision is made that the school is best placed to act as Lead Practitioner, the professional from school should request their EHAC to support them to complete a Request for Help for the family and for them to be allocated a Supporting Families Worker who will deliver the family support. School will be required to participate in the Early Help Assessment and Early Help plan as a key member of the TAF.

In most situations, the Children's Service Supporting Families team will be best placed to take the role of the Lead Professional and deliver a whole family plan, when the family's needs are complex and require a multiagency plan (i.e 3 or more SF criteria). However, there will be some occasions where schools are the best placed agency to be the lead professional. The decision for this will be made following the Early Help Assessment.

If a family does not meet 3 of the Supporting Families criteria, an early help request can be made and a more suitable agency to lead may be identified. The school should also support the family to register with their local Family Hub where they will be able to access a range of services and activities such as groups and activities and these can be included in the TAF as part of an Early Help plan that is led by a school.

At this point schools may also request a Notice to Improve be sent out via the LA. Should the pupil's attendance not improve then a Penalty Notice can be issued following the monitoring period. *(See Appendix 2 for details on National Framework for Penalty Notices)*

A Penalty Notice can only be issued by a head teacher, or someone authorised by them (a deputy or assistant head), a local authority officer or the police.

Stage 3: Targeted Support

Criteria: Attendance is below 50%

Lead practitioner: LAAO

Pupils who have attendance below 80% may require multi-agency support in addition to that provided at stage 2.

When all attempts to engage with the pupil and family at stages 1 and 2 have failed school can discuss legal intervention with their LAAO. Schools will be asked to complete either the Stage 2 PN Attendance Intervention Request Form and/or the Stage 3 Prosecution Attendance Contract Referral Form with attached evidence that everything has been done to support the pupil in improving their attendance at school.

If the LAAO is satisfied that the criteria have been met for legal intervention, they will support the school to complete one of the following.

- Attendance Contract
- Attendance Prosecution
 - School Attendance Order (only used where a pupil is not on a school roll)
 - Section 444(1) or 444(1A)

(See Appendix 3 for details on Legal Framework and Court Preparation)

School Attendance Matters (APPENDIX 1) – Targeting Support Meetings

Pre-meeting

Information to be provided to LAAO 1 week before meeting via the proforma which schools will be provided with.

- Overall current attendance
- Severely absent figures (less than 50%)
- Persistent absence figures (less than 90%)
- Pupils who have had zero percent attendance September
- Pupils who have not attended at all in the last 3 weeks for unauthorised reasons other than CME (unless detailed in the zero percent)
- Pupils the school would like to discuss during the meeting

LAAO will analyse the information provided and seek clarification from school prior to meeting if required.

LAAO will check Attendance Intervention forms to ensure all avenues have been exhausted prior to advising on legal intervention.

Meeting

The length of meetings may vary for different schools depending on the levels of need and number of pupils or pupil cohorts to be discussed.

Attendees

- School Attendance Champion
 - School Attendance Lead (if not the Attendance Champion)
 - LAAO
 - Head of house/year head – where required
 - Pastoral lead – where required
 - Social Worker – where required
 - Virtual School – where required
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- LAAO to chair meeting
 - Each professional in attendance will be responsible for recording their own actions from the meeting.
 - LAAO will record any advice given on specific students within their own database.

Joint approaches for SA	Joint approaches for PA	Agreeing legal actions	Horizon scanning
<ul style="list-style-type: none"> Who are the severely absent children? What's working/not working for them? Do they have a multiagency plan in place? How do we intensify support? 	<ul style="list-style-type: none"> How is the school reducing PA? What's working well? Which PA children need more? 	<ul style="list-style-type: none"> FPNs Attendance contracts Notices to improve Etc 	<ul style="list-style-type: none"> What's the current position? What can we see ahead? What are the emerging themes to be aware of?

Follow up – legal intervention.

If legal interventions have been discussed and agreed the LA/O agrees a time frame of support with schools around these interventions.

School Attendance Matters (APPENDIX 2) – National Framework for Penalty Notices

To underpin the principle of support first and to improve the consistency of approach for pupils and parents across the country, Coventry City Council will prioritise the 'support first' approach expecting that support will have been offered to families in cases where it is appropriate. However, Penalty Notices can be issued without a Notice to Improve in cases where support is not appropriate (such as leave of absence in term time) or when support has not been engaged with.

Leave of Absence (LOA)

Unauthorised absence for holiday goes direct to **Stage 3** under Attendance Prosecution 444(1A).

Evidence required is detailed below and would not require the interventions as detailed above.

- Schools' complete on-line application form for 10 sessions (5 or more days). This can be consecutive or non-consecutive in line with the National Framework on pages 56-60 of [Working together to improve school attendance](#).
- Schools **MUST** provide
 - full name and address of parents to be issued an PN. **It is a school decision as to whom should be issued with a PN** (consideration of circumstances around the LOA should be taken into account).

- copy of Parent Leave of Absence Application Form (if requested in advance)
- copy of school letter informing parent that LOA has been declined*.
- School letter informing parent that the LOA will evoke a PN.
 - *School letter should make it clear that a Penalty Notice will be requested for unauthorised absence to the LA and that exceptional circumstances has been considered.*
- Registration Certificate (on child returning to school) displaying the G code (unauthorised absence).
- If the criteria are not met, the LA will **not issue** a PN.
 - Please note that contact with the school will not be made for further information if not provided at the initial referral stage.
- Enquiries regarding PN's are to be made through Attendance@coventry.gov.uk.

*Schools need to ensure their letters are updated stating Attendance and Children Missing Education Team not Children and Family First Service, Education Entitlement Service, Targeted and Specialist Services or any other descriptor for the LA department.

Irregular Attendance (IA)

Penalty Notices can be requested by schools when there have been 10 sessions (5 or more days) of unauthorised absence in a 10-week period.

Stage 2 – Attendance 51% - 90%

- School may apply for a monitoring period as an indicator that school attendance is becoming a cause for concern.
- Parent(s) will receive a Notice to Improve of the possibility of an PN being issued and a maximum of 20 school days to affect an improvement.
- An attendance target will be issued with the formal warning.

Stage 3 – Attendance 50% and below

- Schools must evidence that attendance has not improved following the monitoring period and has now dropped below 50%.
- Schools must complete an 'Attendance Intervention' form evidencing that an Early Help Assessment has been offered/taken and other interventions have taken place before any legal action or a 1A prosecution can begin.

School Attendance Matters (APPENDIX 3) – Legal framework and court preparation

Leave of Absence.

After the unauthorised absence of a pupil, schools can request the Council to issue a penalty notice (PN) to each parent. If this is paid, nothing further happens.

W the PN has not been paid, schools will receive an email from the LAAO advising the PN has not been paid.

If schools wish to move to prosecution, they will need to take the following steps.

1. Use the template wording attached to the email to contact the parent by email, text or letter to find out any additional information and tell them they could now be taken to court by the Council. This will substantiate the school's decision that there are no "exceptional circumstances" in this case.
2. After the 7 days given in the communication to the parent, schools will then need to decide whether they want to proceed with a prosecution and if so:
 - a. Complete and sign the section 9 statement so that the Council can issue court proceedings.
 - b. Sign the attached attendance certificate.
 - c. Send the LA all of the exhibits referred to in the statement including a copy of the school's latest email, text or letter to the parent and any response. The LA will attach these to the statement.

The school's statement will be sent to court as evidence. The LA will send school a copy of the complete statement with the exhibits and a copy to Legal Services. If the parent pleads not guilty, the school will be called to give evidence at trial.

If the LA do not hear from school within **14 days** of receiving the non-payment notification email, the LA will assume the school does not wish the Council to go ahead with a prosecution against the parent.

Irregular Attendance Stage 3

(Section 4441(A) Prosecution – Aggravated Offence)

Use of the Attendance Contract.

When evidence indicates that all avenues of support have been offered to effect a change to school attendance, the LAAO will formalise the Contract using evidence that school have provided to them, via the Stage 3 Attendance Contract Referral Form.

- The Attendance Contract will be formulated by the LAAO, detailing the offers of support school have made and the interventions implemented, to effect a change to the school attendance pattern.
- The LAAO will send a Formal Warning Notice (standard template) inviting the parent/s into school for the Attendance Contract Meeting.
- The LAAO will chair the meeting and ensure that all relevant agencies working with the family are present (either in person or by Microsoft teams).
- The Attendance Contract is a voluntary agreement between school and parent/s with the LAAO acting at the Supervising Officer in the case.
- The LAAO will outline to the parent/s the offers of support made to date and give a further opportunity for parent/s to engage in the offers of support. This may require a further action plan if barriers (not known previously), are identified at this meeting.
- The LAAO will outline the Offence (Section 4441A) and the possibility of prosecution in the Magistrates Court, if school attendance fails to improve during

the set 6-week period. The LAAO will set a date for an Attendance Contract Review (end of the Contract period).

- If parent/s fail to attend the meeting and no contact has been received asking for a re-scheduled meeting, the Attendance Contract meeting will proceed.
- The Attendance Contract will then be hand delivered by school, to the family home(s), in a final attempt to engage the parent/s in the process. A covering letter will be supplied by the LAAO (ahead of this planned meeting), for use if the home visit is unsuccessful. This letter will inform the parent/s of the Attendance Contract that has been implemented.
- The Attendance Contract will run for the 6-week period identified at the meeting. School and parent/s are expected to continue to work together during this period to address school attendance issues and carry out actions as identified at the meeting.
- When the Attendance Contract has run for the 6-week period, the LAAO will review the case with the school and the parent/s.
- If improvement or signs of improvement have taken place, there will be no further legal action at this stage.
- If there has been no improvement and unauthorised absences are still prevalent, the LAAO will inform the parent/s of the next steps of Prosecution.
- An Advisory Letter will be prepared by the Senior Officer from the School Attendance Team, inviting the parents to attend an Interview Under Caution (PACE). This will be hand delivered to the parent/s by the school.
- The PACE Interview will be held at the Council House in a formal setting.
- A Section 9 Witness Statement will be completed by the school.
- The LAAO will act as the Supervising Officer and advise on amendments/adjustments to be made to the S9 Statement. The LAAO will prepare the Certificate of Attendance using the evidence period, for Headteacher to verify and sign.
- The LAAO will complete all other required components of the court file before submitting to the Legal Team for Prosecution.

Appendix B: School Attendance Data

Attendance 2019 – 2023

Overall Attendance <i>(N.B the academic year 2019/20 was not collected during Covid, and 2020/21 would have been affected by Covid)</i>	2018/19	2020/21	2021/22	2022/23	Aut/Spr 2023/24
Coventry	95.2%	93.7%	92.3%	92.3%	93.0%
National	95.3%	94.1%	92.4%	92.6%	93.1%
Diff. Nat +/-	-0.1%	-0.4%	-0.1%	-0.3%	-0.1%

Persistent Absence <i>(N.B the academic year 2019/20 was not collected during Covid and 2020/21 would have been affected by Covid)</i>	2018/19	2020/21	2021/22	2022/23	Aut/Spr 2023/24
Coventry	11.5%	18.8%	23.9%	23.6%	20.2%
National	10.9%	16.9%	22.8%	21.1%	19.2%
Diff. Nat +/-	0.6%	1.9%	1.1%	2.5%	1.0%

Data Source: DFE