Fioretti Trust

Aspiration Wisdom Compassion

Pupil Attendance & Punctuality Policy

(April 2026-28)

Approved by the Trust Board: September 2026
Review: April 2028
Cycle: 2 Yearly

This policy supersedes all other Pupil Attendance & Punctuality policies

Contents

1. Key information for parents / carers
2. Introduction
3. Aims
4. Who is responsible for this policy?
5. Definitions
6. Legal duty
7. School commitment
8. Responsibilities
9. Registration
10. Appointments
11. Pupils leaving school during the school day
12. Absences
13. Attendance absence data
14. Persistent absence
15. Severe absence
16. Remote Education
17. Term time leave and holidays
18. Support first – where attendance is a concern (not related to leave of absence)
19. Legal interventions and the National Framework for Penalty Notices
20. Vulnerable pupils
21. Removal from the roll of school
22. Appendix A: Part-Time / Reduced Timetable

1. Key information for parents / carers

School starts at:	8.45am
School ends at:	3.15pm
School registers close 30 minutes after opening. Absence after this point will be unauthorised. Morning registers close at:	9.15am
PM registration opens at :	Reception: 12.30pm KS1: 12.45pm KS2: 1pm
PM registration closes at (L-code window closes):	Reception: 12.45 KS1: 1pm KS2: 1.15pm
The Senior Leader responsible for championing attendance (Attendance Champion) is:	
The Attendance Champion can be contacted by emailing:	[To be completed by school] [To be completed by school – must be a member of staff who sits on SLT]

The school will always prioritise support over legal interventions. However, the school has a duty of care to inform parents that do not respond to advice and support offered that legal interventions will be pursued.

2. Introduction

The School Pupil Attendance and Punctuality Policy operates within the context of the school's mission statement. It is the aim of leaders to support every pupil to attend school each day to fulfil their academic and social potential.

To realise this aim, the school will work in partnership with parents/carers, the local authority, and outside agencies to offer pupils support in maintaining excellent attendance. The barriers to accessing education are wide and complex, both within and beyond the school gates, and are often specific to individual pupils and families. Improving attendance is everyone's business: effective communication and joined-up working are paramount. Excellent attendance is a pre-requisite of academic success. The school will ensure that parents are kept well-informed about the link between attendance and attainment and that when academic progress is jeopardised, this message is clearly reiterated, and support is offered to remove any existing or emerging barriers to attendance.

School leaders will ensure a calm, safe, supportive and stimulating learning environment where pupils want to be present and are eager and ready to learn.

The school will operate on a support first basis, giving each parent opportunities to address any issues before using legal intervention as a last resort.

Leaders should expect high standards, monitor patterns of attendance, listen to parents to understand barriers and facilitate and formalise support where necessary. Enforcement and the use of legal interventions should only be considered where there is evidence of a lack of parental engagement, and it is likely to encourage an improvement in attendance (except for unauthorised leave in term time). This is in line with the 'Support First' document published by Sandwell MBC.

The policy should be implemented alongside the Department for Education guidance document 'Working Together to Improve Attendance' (August 2024) and the school's Behaviour Policy which sets out the protocols for the day-to-day management of behaviour, including attendance and punctuality.

From 2026/27, the DfE has introduced Attendance Baseline Improvement Expectations (ABIEs) for all mainstream schools. Each school receives a bespoke minimum attendance improvement target via an AI-driven model accounting for context, location, pupil needs and deprivation.

The school can access their ABIE via View Your Education Data (VYED). It is the minimum improvement expected; the school will aim to exceed it. Progress will be monitored half-termly and reported to governors and the Head of Attendance will prepare a report for trustes.

3. Aims

- To provide clear guidelines about how the school promotes and attains high levels of pupil attendance and punctuality.
- To ensure that all stakeholders understand the school's expectations of themselves, and each other, and strive to attain them.
- To support the mission, vision and values of the trust and its establishments.

4. Who is responsible for this policy?

- The trust has overall responsibility for the effective operation of this policy and for ensuring compliance with the relevant statutory or trust framework.

- The senior leadership team at each trust school have a specific responsibility to ensure the fair application of this policy and all members of staff are responsible for supporting colleagues and ensuring its success.

5. Definitions

Term	Definition
Session	A term related to the recording of absence data — a school day usually has two 'sessions' (morning and afternoon), divided by a break, for which attendance must be recorded.
Authorised absence	Means that the school has either given approval in advance for a pupil of compulsory school age to be away or has accepted an explanation offered afterwards as justification for absence.
Unauthorised absence	Where the school is not satisfied with the reasons given for an absence.
Attendance Champion	The senior leader responsible for attendance.
Persistent absence (PA)	A pupil whose overall attendance falls to 90% or below (i.e. 10% or more of sessions missed). Under DfE statutory guidance, schools must monitor, report and intervene on persistent absence. (Working Together to Improve School Attendance)
Approaching persistent absence	A pupil whose attendance is between 90% and 95%. These pupils are at risk of becoming persistently absent and must be identified at the earliest opportunity for early support, before the PA threshold is reached.
Severely absent (SA)	A pupil whose attendance falls to 50% or below. These pupils face the most significant barriers to education and require intensive support, including where necessary the involvement of multi-agency partners and legal intervention.
The national threshold	10 sessions (5 days) of unauthorised absence accumulated within any 10 consecutive school weeks. This is the statutory point at which the Local Authority

Term	Definition
	must consider whether issuing a Penalty Notice is appropriate for general unauthorised absence. The 10 school weeks can span different terms or school years. (Working Together to Improve School Attendance, August 2024, Chapter 2, paragraph 15)
Penalty Notice (PN)	A penalty notice issued by the Local Authority (Sandwell MBC Education Legal Intervention Team - ELIT) under the Education Act 1996. The school does not issue Penalty Notices; it makes a referral to the LA who determines whether to issue. PNs are issued per parent per child.
Attendance Baseline Improvement Expectation (ABIE)	A bespoke minimum attendance improvement target set by the DfE for each mainstream school from 2026/27. ABIEs are generated using an AI-driven statistical model that groups similar schools together based on context. Schools access their ABIE through View Your Education Data (VYED).
Young carer	A child or young person under 18 who provides regular or ongoing care and emotional support to a family member who is physically or mentally ill, disabled or misuses substances. The July 2026 guidance explicitly names young carers as a cohort requiring targeted attendance monitoring.
Part-time timetable (reduced timetable)	A temporary measure where a pupil attends for fewer hours or sessions than their peers. Must only be used in exceptional circumstances, must be time-limited with a clear return-to-full-time plan, and must not be used as a disciplinary measure or alternative to exclusion.
Reasonable adjustment	Under the Equality Act 2010, schools must make reasonable adjustments for disabled pupils. The July 2026 guidance confirms these must be actively considered in attendance planning, and time-limited phased returns should be considered before other interventions.

6. Legal duty

Section 7 of the Education Act 1996 places a duty on parents/carers to ensure children of compulsory school age receive efficient full-time education suitable to the child's age, ability and aptitude and to any special needs the child may have. Parents/carers have a legal duty to ensure their child's regular attendance at the school where they are registered.

In exceptional circumstances the headteacher, with the consent of the parent, may consider a temporary reduced timetable. Trust guidance must be followed including the referral being approved by the Deputy CEO.

A parent/carer who fails to ensure that their child attends school regularly, without good reason, is guilty of an offence under Section 444(1) of the Education Act 1996.

A part-time timetable must never be used:

- As an alternative to suspension or permanent exclusion
- As a disciplinary or behaviour management tool
- Because the school cannot meet the pupil's needs without additional resources
- As a long-term or indefinite arrangement

A part-time timetable may be appropriate where:

- A pupil has a serious medical condition, supported by medical evidence
- A pupil is reintegrating after prolonged absence via a phased return
- A pupil has SEND needs requiring a time-limited adjustment as part of a structured plan
- A pupil is reintegrating following permanent exclusion from another school (managed move)

Requirements for all part-time timetables:

- Must have written agreement from both the school and the parent/carer the pupil normally

lives with before it begins

- Must have Deputy CEO approval before the timetable starts
- Must not exceed six weeks without CEO approval
- Must be reviewed at least every two weeks (fortnightly)
- Must include a clear start date, review date and expected end date
- Sandwell MBC must be notified within 5 school days
- Planned sessions where the child is not required to attend will be coded using attendance code C2
- The school must provide appropriate education for the planned sessions the pupil is not required to attend
- Where a pupil has an EHCP, the LA must be consulted before implementing
- Remote education is a last resort - not a first option (see below)

7. School commitment

- Everyone in school is committed to promoting good attendance and punctuality.
- All members of staff are made aware of how their role impacts on attendance and punctuality as well as the expectations of them in ensuring consistent application of the policy and the use of absence codes. Mandatory training will support this commitment. The extent and regularity of the training will be proportionate to the role undertaken but the message will be clear that every member of staff can make a difference.
- The school will listen to and support pupils and parents/carers to achieve good attendance and punctuality, working closely with parents/carers where absence is a cause for concern.
- The school strives for 100% attendance for all pupils. The whole school attendance target is 96.5%.
- The DfE Working Together to Improve School Attendance (July 2026) requires schools to clearly set out how they promote and incentivise good attendance. The school will:
- Recognise and celebrate individual and class attendance achievements regularly, including in assemblies, newsletters and on display boards.
- Use positive reinforcement and encouragement when communicating with families about attendance, reflecting a supportive rather than punitive approach.
- Share whole-school and cohort attendance data with pupils and parents/carers on a regular basis to build ownership of attendance improvement across the school community.
- Actively foster a sense of belonging, ensuring that every pupil feels safe, included, known and valued, so that attendance is intrinsically motivated. The quality of relationships between staff and pupils, and the engagement of families, are central to the school's attendance improvement strategy.
- Communicate clearly and proactively with families about the cumulative impact of absence on attainment, wellbeing and long-term outcomes, including through letters, attendance meetings, school communications and the data tables set out in Section 13 of this policy.

Attendance sits within a dedicated 'Attendance and Behaviour' judgement under the updated Ofsted inspection toolkit. Inspectors will consider:

- Whether leaders prioritise improving attendance for occasionally, persistently and severely absent pupils
- The school's approach to disadvantaged pupils, SEND pupils, and those known to social care
- Whether low attendance indicates safeguarding concerns
- The gap between SEND attendance and whole-school attendance

- Whether young carers are identified and monitored
- Progress against the school's ABIE target

Context is no longer a defence on its own. Inspectors compare against statistically similar schools.

8. Responsibilities

The Fioretti Trust will:

- Devise and review the Trust Attendance and Punctuality Policy.
- Set and review the trust level targets for attendance and punctuality as part of the school's annual operating statement, strategic plan and target setting process.
- Advise schools on matters related to school attendance and support as required.
- Provide training for all colleagues to make an active contribution to improving attendance aligned to their role and responsibilities.

The Governors will:

- Ensure that strategies are in place to promote and implement the Attendance and Punctuality Policy throughout the school and are understood by parents/carers.
- Review the effectiveness of the implementation of the policy in light of the school's termly reports.

The Headteacher will:

- Ensure the school ethos promotes and celebrates good attendance and punctuality.
- Ensure strategies are in place to promote and implement the Attendance and Punctuality Policy throughout the school.
- Monitor the school's offer to ensure the delivery of a curriculum which is engaging and personalised to the needs of the pupils.
- Monitor data on attendance and punctuality via reports from the senior leader responsible for attendance.
- Determine, in collaboration with the senior leader responsible for attendance, whether to authorise any proposed absences requested on the school's official request form.
- Provide the Governors with termly reviews on attendance and punctuality, including data about pupils who are persistently absent (90% or below) or severely absent (50% or below) as well as how many families are being monitored using the Fioretti Trust Excel document.

The Senior Leader (The Attendance Champion) responsible for attendance will:

- Ensure that the Trust Attendance Strategy is implemented with fidelity.
- Lead initiatives to promote the profile of attendance throughout the school including a package of rewards that is valued by pupils. Interrogate and analyse data on attendance and punctuality on a daily, weekly, half-termly, and termly basis and prepare reports and delegate actions, as required.
- Oversee the arrangements for pastoral / attendance review meetings and quality assure any action plans.
- Comply with the Department for Education Statutory Guidance on Children Missing Education (CME).
- Co-ordinate the support plan for pupils returning to school after a prolonged absence.
- Co-ordinate the collation of all the documentary evidence required by the local authority for pursuing a legal intervention.

The Attendance Officer will:

- Monitor attendance on daily, weekly, half-termly, termly and annual basis, contacting parents/carers of pupils who have been identified as at-risk, to challenge absences and encourage an early return to school.
- Ensure data on attendance and punctuality is displayed in prominent places visible to pupils.
- Where appropriate, visit the home and/or make a referral to the local authority's education welfare service or contracted equivalent.
- Work with the senior leader responsible for attendance to maintain an up-to-date attendance risk register and punctuality risk register of high-risk pupils in designated year groups.
- Lead pastoral / attendance review meetings and develop an action plan involving the child, parent/carer and, where appropriate, other agencies for pupils whose attendance and/or punctuality falls below the expected level.

Teachers responsible for registering morning and afternoon sessions will:

- Provide regular advice, encouragement, challenge and support to the class as a whole and individually to pupils about the importance of regular attendance and punctuality using the data provided by the administrative team.
- Ensure that the statutory attendance register using the school's MIS system is taken at the start of the first session of the school day and once during the second session.
- Ensure any communications related to attendance and punctuality are provided to the administration team/attendance officer.
- Be alert and deal with any signs of disaffection which could result in poor attendance and punctuality and impact on learning and ensure this is recorded and communicated to the pastoral team via CPOMs.
- Identify absence trends or concerns and raise with the relevant member of administration team/pastoral team staff.

Administrative staff will:

- Monitor registration daily and ensure any missing marks are quickly resolved to ensure pupils are safe.
- Be the first point of contact for parents/carers and relevant school staff regarding pupil absence and appointments.
- Collate and issue all attendance and punctuality data on a daily, weekly, half-termly, termly and annual basis to the attendance officer/head of year and senior leader responsible for attendance.
- Maintain a record of all applications for leave of absence during term time and requests for issuing a penalty notice.

Parents/Carers will:

- Be aware that it is an offence for their child to be absent from school without a valid reason.
- Be aware that only the school can determine if an absence from school is 'authorised'.
- Ensure their child arrives at school on time, dressed in full uniform, ready and equipped to learn.
- Inform the school if their child is unable to attend, including the reason for absence and the expected date of return.
- Ensure that all appointments, where possible, are arranged after school.
- Avoid arranging holidays during term time.
- Ensure that all requests for leave of absence during term time for exceptional circumstances are made by completing the 'Leave of Absence During Term Time Request Form', where possible at least one month in advance.

9. Registration

The school will ensure that an attendance register is taken at the start of the first session of the school day and once during the second session. On each occasion, they must record whether every pupil is:

- present
- attending an approved educational activity
- absent; or
- unable to attend due to exceptional circumstances

The July 2026 DfE guidance explicitly states that attendance registers must be taken at the same time for all registered pupils, both in the morning and afternoon sessions. Schools must not allow timing to drift for individual pupils, including those on part-time timetables, phased returns or bespoke arrangements.

Where the school has staggered lunch breaks, the PM registration time must be set consistently for all year groups. The key information table in Section 1 must state a single PM registration time.

10. Appointments

All appointments, where possible, must be arranged after school.

Parents/carers should provide advance notice by way of a medical card and/or letter for any time off school required for medical appointments for the session to be authorised.

Time away from school because of an appointment must be kept to a minimum. Pupils should attend appointments before and after school where possible.

Children leaving school due to parents/guardians' medical appointments, will be marked as unauthorised.

11. Pupils leaving school during the school day

Pupils are not permitted to leave school unescorted during school hours for any reason.

This is not limited to when pupils are suspended or are unwell. Pupils should only be collected from school by an appropriate known adult, ideally a parent or carer. Over the telephone parental consent allowing for a child to walk home alone during school hours is not permitted.

If a pupil cannot be collected from school by an appropriate known adult or parent/carer, the school must make arrangements for the pupil to remain in school until the end of the school day. The care of the child must be handed over to an appropriate known adult, ideally a parent/carer.

The DfE Suspension and Permanent Exclusion Guidance (July 2026) introduces explicit provision for temporarily forbidding a pupil from attending for safeguarding reasons (e.g. where an allegation of harm requires physical separation). This is explicitly not an exclusion and must not be treated as one. The LA must arrange education if the school or parent does not. The pupil must not be removed from roll.

12. Absences

On each day of absence, parents/carers must contact school before the morning registration period begins, before 8:30am.

Where no information has been received, the school will contact the parent/carer of the absent pupil to enquire about the absence.

Parents/carers should contact school every day until the pupil returns to school or alternatively indicate the length of the absence and the reasons why it is known the pupil will be unable to attend e.g. recovering from an operation. In these circumstances a 'check in' date must be agreed when the absence will be reviewed.

Failure to provide a reasonable explanation within 5 days of the start of the absence will result in the absence being marked as unauthorised and a safe and well check may be carried out.

It is the responsibility of the headteacher, not the parent/carer, to decide whether the absence is authorised or unauthorised. Such decisions will be made in accordance with DfE regulations and guidance.

The July 2026 guidance clarifies that medical evidence should only be sought where the pupil's needs are complex, long-term or frequently recurring, and where evidence will help identify suitable support. Medical evidence must not be routinely demanded for every short-term illness absence. Where requested, this should be explained sensitively in the context of supporting the pupil's return.

13. Attendance absence data

The tables below equate percentage attendance to time missed from school.

Table 1: Attendance over one whole school year for each pupil

Attendance	Missed Days
100%	0
98%	Less than 4 days / 8 sessions
97%	Less than 6 days / 11 sessions (school target)
95%	9½ days / 19 sessions
90%	19 days / 38 sessions
85%	28½ days / 59 sessions
80%	38 days / 76 sessions

Table 2: Attendance over 5 years for each pupil

Attendance	Missed Weeks
85–90%	19 weeks = ½ year absence from school
80%	38 weeks = 1 full year absence from school

14. Persistent absence

According to the Department for Education guidelines, a pupil will be considered as a persistent absentee if their attendance is 90% or lower (i.e. 10% or more sessions are missed).

Early identification and proactive support

The school takes a proactive approach to identifying and supporting pupils before the persistent absence threshold (90%) is reached, in line with DfE statutory guidance Working Together to Improve School Attendance (July 2026) and Sandwell MBC's Attendance and Inclusive Pathways Service guidance.

1. Pupils whose attendance falls between 90% and 95% (approaching persistent absence) are identified through weekly data monitoring. Weekly data analysis will flag any pupil in this band for early action.
2. The Attendance Champion will initiate early, personalised contact with families as soon as attendance patterns of concern emerge - typically two or more unexplained absences in a half term, or any pattern absence (e.g. persistent absence on specific days).
3. Any pupil who is at the persistent absence threshold or at risk of moving towards that threshold is placed on the Attendance Risk Register and given priority for intervention.
4. Attendance Support Plans (ASPs) will be used from the point that attendance becomes a concern, as a supportive and solution-focused tool to identify barriers and agree actions. ASPs are not a punitive mechanism.
5. Early Help referrals, pastoral support and signposting to external agencies will be considered at the earliest appropriate stage for any pupil where barriers to attendance extend beyond the school gates.
6. The school will use Sandwell MBC's attendance banding framework to categorise pupils and monitor movement between bands half-termly, targeting support to those at greatest risk.
7. Any pupil with attendance of 80% or lower will be invited to be referred to the school nurse if the absences are medically related.

Monitoring and reporting

- Persistent absence data is reported to governors as part of the termly attendance report.
- The school monitors progress against its Attendance Baseline Improvement Expectation (ABIE) half-termly and uses this to evaluate whether early intervention strategies are effective.
- Where a pupil's attendance does not improve despite support at school level, the escalation pathway set out in Section 17 (Support First) will be followed.
- Where a pupil's attendance reaches the severe absence threshold (50% or below), the provisions set out in Section 15 will apply.

15. Severe absence

According to the Department for Education guidelines, a pupil will be considered as a severe absentee if their attendance is 50% or lower (i.e., 50% or more sessions are missed).

Any pupil who is at the severe absence threshold is at serious risk of harm. There should be an intensive level of support, and where appropriate challenge, including the use of legal interventions to secure improvement.

16. Remote Education

The July 2026 DfE guidance expressly states that remote education is a last resort, to be used only after reasonable adjustments and in-school support have been explored. Remote education must:

- Form part of a structured, time-limited return-to-school plan
- Not be offered as an alternative to in-school attendance where the pupil is well enough to attend with support
- Be agreed with the parent/carer and health professionals where applicable
- Be reviewed regularly as part of the fortnightly review cycle

Pupils receiving remote education are still coded as absent. Remote education does not constitute attendance.

17. Term time leave and holidays

The Education (Pupil Registration) Regulations 2013 prohibits the headteacher of a school from granting leave of absence to a pupil, except where an advance application has been made by the parent/carer and the headteacher considers that there are exceptional circumstances relating to the application.

The request for leave of absence, where possible, must be made at least one month in advance by completing the 'Leave of Absence During Term Time Request Form'.

The school will not consider the following to be exceptional circumstances:

- the availability of cheap holidays
- the availability of the desired accommodation
- an overlap at the beginning or end of the school term
- the working pattern or availability of parental holiday entitlement
- Where a leave of absence is granted, the headteacher will decide the number of school days a child can be away from school, and the agreed date of return to school.
- Where a leave of absence is not granted or where the child fails to return to school by the agreed date following approval of leave of absence, then the headteacher will start the 'Leave in Term Time' process.
- This means if there are 10 sessions of unauthorised absences (5 days) then a referral will be made to the Local Authority, which may result in a Penalty Notice being issued.

Penalty Notices for Unauthorised Term-Time Leave (added March 2026)

- Under the National Framework for Penalty Notices for School Absence (September 2024, applicable from 19 August 2024), the following applies to unauthorised term-time leave.
- Where a pupil takes term-time leave that has not been authorised by the headteacher, the school will refer the matter to Sandwell MBC's Education Legal Intervention Team (ELIT) for consideration of a Penalty Notice.
- For unauthorised term-time leave, a Penalty Notice can be considered without the pupil necessarily reaching the national threshold of 10 sessions in 10 rolling school weeks; the unauthorised leave itself is the triggering event.
- In line with Sandwell MBC's practice, a Penalty Notice will typically be issued to the parent/carer identified as responsible for the absence.
- First Penalty Notice: £80 per parent per child if paid within 21 days; rising to £160 if paid between day 22 and day 28. Failure to pay within 28 days will result in prosecution.
- Second Penalty Notice within a 3-year rolling period: £160 per parent per child (no reduced rate); payable within 28 days.
- **Third offence within a 3-year rolling period: No further Penalty Notice is issued. The Local Authority MUST instead consider prosecution under Section 444 of the Education Act 1996.**

18. Support first - where attendance is a concern, but not related to leave of absence

If a child's attendance becomes a concern through routine monitoring, the attendance champion will look into it more closely. A 'concern' is classed as:

- 3 -½ days absence in a half term or 5 days in a term
- Attendance below 93% (after Autumn 1)
- 10+ rolling unauthorised absences in 10 rolling school weeks

Stage 1a: The Informal Meeting

If any of the above are reached, the attendance team will invite parents/carers to an informal meeting to discuss concerns. These meeting are carried out by our family support worker to offer support to families.

They will:

- Discuss barriers to attendance
- Look at attendance data
- Offer Early Help
- Signpost to agencies
- Create an agreement to say there will not be any more authorised absences in a set period

Stage 1b: The Attendance Meeting

If one more authorised absence occurs after the informal meeting, then it will proceed to Stage 2.

Instill Excellence will carry out a meeting with families to discuss concerns, discuss consequences and legal action that may occur if attendance does not improve.

Stage 2: Formal Attendance meeting with Head Teacher

Families will be invited to attend a meeting with the Head Teacher to discuss concerns and implement support where possible. At this stage a contract will be completed and signed by parents. If the contract is not adhered to a referral will be made to Sandwell MBC to process a Penalty notice.

Stage 3: Formal meeting with Sandwell Attendance Support Officer

This stage can be used where needed. In cases where there are mitigating circumstances our allocated Attendance Officer will have meetings with families to offer more support and discuss legal action and concequences.

Stage 4: Referral

Where a pupil accumulates 10 sessions (5 days) of unauthorised absence in any rolling 10 school weeks (the national threshold), and support has not secured improvement, the school will refer the case to Sandwell MBC's ELIT for consideration of a Penalty Notice.

The Local Authority determines whether to issue a Penalty Notice or pursue prosecution. The school does not make this decision.

Legal action is always a last resort. The school will document the full support history before making any referral, as required by Sandwell MBC's Support First framework.

Where a pupil is severely absent (50% or below) or where there are safeguarding concerns linked to absence, referral to the Local Authority and/or Children's Services may be made at any stage, without requiring all previous steps to have been completed.

19. Legal interventions and the National Framework for Penalty Notices

Details of the full range of legal interventions available to school can be found in the DfE's 'Working Together to Improve School Attendance' (August 2024) statutory guidance. The Fioretti Trust follows the Sandwell MBC guidance issued by the Education Legal Intervention Team (ELIT).

Framework for Penalty Notices for School Absence

The following section sets out the statutory National Framework for Penalty Notices, applicable from 19 August 2024. This is a statutory requirement for all school attendance policies under DfE Working Together to Improve School Attendance (August 2024), Chapter 2, paragraphs 15, 25 and 26, and Chapter 4.

What is a Penalty Notice?

A Penalty Notice (PN) is a financial penalty issued to a parent or carer by the Local Authority as an alternative to prosecution for an offence under Section 444 of the Education Act 1996. Only Sandwell MBC's Education Legal Intervention Team (ELIT) can issue Penalty Notices. The school makes a referral; ELIT determines whether a PN is appropriate. PNs are issued per parent per child. Where two parents/carers share parental responsibility, both may each receive a separate notice.

The national threshold for general unauthorised absence:

- 10 sessions (5 days) of unauthorised absence accumulated within any 10 consecutive school weeks.
- This applies to all types of unauthorised absence, not only term-time leave.
- The 10 school weeks do not need to be within the same term or school year - they can span terms.
- Once this threshold is reached, the school must consider whether a referral to ELIT is appropriate.

Penalty Notice amounts:

Penalty Notice	Amount if paid within 21 days	Amount if paid days 22–28
1st PN within 3-year rolling period	£80 per parent per child	£160 per parent per child
2nd PN within 3-year rolling period	£160 (no reduction available)	£160 (payable within 28 days)
3rd offence within 3-year rolling period	**No further PN – Local Authority MUST consider prosecution under s.444 Education Act 1996**	

Failure to pay a Penalty Notice within 28 days of issue will result in the Local Authority considering prosecution under Section 444 of the Education Act 1996.

The Local Authority's role:

- Only ELIT (Sandwell MBC) can issue Penalty Notices. The school makes a referral and provides supporting documentation; ELIT makes the decision.
- Sandwell MBC operates in accordance with the national Code of Conduct for Penalty Notices and maintains a central record of all notices issued.
- ELIT determines whether a PN, prosecution, or other intervention is appropriate in each individual case, taking into account all circumstances and the support history.

Prosecution:

- Prosecution is heard in the Magistrates' Court. Conviction under Section 444(1) Education Act 1996 can result in a fine of up to £1,000.
- Where a parent knew the child was failing to attend and failed to cause the child to attend, a Section 444(1A) charge may be brought, which carries a maximum fine of £2,500 and/or imprisonment of up to 3 months.

Legal action as a last resort:

The school and Local Authority are committed to a support-first approach. Legal intervention, including Penalty Notices and prosecution, will only be pursued where support has been offered and has not been engaged with, or where it has not secured improvement in attendance. The school will always document the support offered before making any referral for legal action. This is consistent with DfE Working Together to Improve School Attendance (August 2024), Chapter 4, and Sandwell MBC's Support First framework. The only exception is unauthorised term-time leave, where referral to the LA for a PN may occur without the full support pathway having first been completed.

20. Vulnerable pupils

The school recognises that some groups of pupils are more vulnerable to poor attendance than others. These groups should be carefully monitored, and intervention should be targeted where

additional support is required.

Pupils with medical needs, special educational needs and/or disabilities, young carers, pupils with a social worker or in a receipt of the pupil premium are likely to require more targeted support than pupils outside of these groups. However, schools must never assume that because individual pupils do not belong to these groups that additional support will not be required, and colleagues must remain vigilant.

When a pupil with a social worker is absent without good reason, the social worker should be informed of unauthorised absences and support improved attendance. Where schools are considering the use of legal interventions, the view the relevant social worker should be considered although the final decision will be taken by the school in liaison with the local authority school attendance service.

Young carers are explicitly named in the July 2026 guidance as requiring targeted monitoring. The school will:

- Maintain a register of known young carers
- Monitor young carers' attendance separately within data analysis
- Ensure attendance interventions are sensitive to caring responsibilities
- Work with Sandwell Young Carers Service
- Consider whether caring responsibilities are a barrier and initiate Early Help if so

SEND and Reasonable Adjustments (September 2026)

The July 2026 guidance confirms that:

- Reasonable adjustments for disability under the Equality Act 2010 must be actively considered
- Time-limited phased returns should be considered before more formal interventions
- Inspectors will examine emotional, mental health and medical drivers of absence for SEND pupils
- Gaps between SEND attendance and whole-school attendance will prompt Ofsted questions
- Where a pupil has an EHCP, the school must work with the LA to ensure suitable provision

21. Removal from the roll of school

Schools must only remove compulsory school-aged children from the roll of the school under certain circumstances defined in Education (Pupil Registration) (England) Regulations 2006.

For removal from roll for elective home education (EHE), schools must follow the LA's EHE guidance and return the completed checklist and await approval from the LA's admissions and exclusions team before removing a child from the roll of a school.

ADDITIONAL REFERENCES (September 2026):

- DfE Working Together to Improve School Attendance (July 2026)
- DfE Attendance Baseline Improvement Expectations (ABIEs) - from 2026/27
- DfE Suspension and Permanent Exclusion of Pupils from Schools (July 2026)
- Equality Act 2010
- Sandwell MBC Part-Time/Reduced Timetable Guidance (September 2024)
- Ofsted Education Inspection Framework - Attendance and Behaviour Judgement (September 2026)

APPENDIX A: Part-Time / Reduced Timetable

Form A: Central Team Approval Request

This form must be completed by the Headteacher and submitted to the Trust Central Team for approval BEFORE a part-time timetable is implemented. No pupil may be placed on a part-time timetable without Deputy CEO approval.

Section 1: Pupil Details

Pupil name	
Date of birth	
Year group	
UPN	
Current attendance (%)	
SEND status (None / SEN Support / EHCP)	
Child in Care / CIN / CP status	
Young carer status	

Section 2: Rationale

Reason for the request (tick all that apply):	

☐ Medical condition - recovery is the priority outcome

☐ Reintegration following extended absence

☐ Reintegration following permanent exclusion from another school (managed move)

☐ SEND needs requiring time-limited adjustment as part of a structured plan

☐ Other exceptional circumstance (provide detail below)



Detailed explanation of why a part-time timetable is in the pupil's best interests:	
What support has already been provided and why it has not been sufficient:	
Medical evidence attached? (if applicable)	

Section 3: Proposed Timetable

Proposed start date	
Proposed end date (return to full-time)	
Total duration	
Hours per week during part-time period	
Sessions to be attended (detail below):	

Weekly timetable:

	Monday	Tuesday	Wednesday	Thursday	Friday
AM session					
PM session					

Mark each session: ✓ = attending, ✗ = not attending

Section 4: Step-Up Plan

How will hours increase each week towards full-time?	
Education provision for missed sessions (e.g. work packs, remote):	
First review date (within 2 weeks of start)	

Subsequent review dates	

Section 5: Safeguarding and Risk

Has a risk assessment been completed?	
Key risks identified and mitigations:	
Has Early Help assessment been completed?	
External agencies involved:	

Section 6: Confirmation and Compliance Checklist

☐ Parent/carer consent has been obtained in writing (Form B attached)

☐ A risk assessment has been completed

☐ An Early Help assessment has been completed (or is not required - explain)

☐ The proposed timetable does not exceed 6 weeks (or exceptional justification provided)

☐ This timetable is NOT being used as an alternative to suspension or exclusion

☐ This timetable is NOT being used to manage behaviour

☐ Where the pupil has an EHCP, the LA / SENAR has been consulted

☐ Where the pupil is a Child in Care, the Virtual School has been consulted

☐ Where the pupil is subject to CP/CIN, the social worker has agreed

☐ BCC online notification will be submitted within 5 school days of approval

☐ Registration code C2 will be used for sessions not attended

Section 7: Signatures

Headteacher name: _____ **Date:** _____

Headteacher signature: _____ **Date:** _____

FOR CENTRAL TEAM USE ONLY

☐ APPROVED

☐ APPROVED WITH CONDITIONS (specify below)

☐ NOT APPROVED (reasons below)

Comments / conditions:	

CEO name: _____ **Date:** _____

CEO signature: _____ **Date:** _____

APPENDIX: Part-Time / Reduced Timetable

Form B: Parent/Carer Agreement

This form must be signed by the parent/carer before the part-time timetable begins. Under DfE statutory guidance (Working Together to Improve School Attendance, July 2026), a part-time timetable can only be put in place with the consent of the parent/carer. Parents must not be coerced to agree.

Pupil Details

Pupil name	
Date of birth	
Year group	
Start date of part-time timetable	
Expected end date (return to full-time)	
First review date	

Parent/Carer Declaration

I understand my child has been placed on a part-time/reduced timetable for a limited period of time. I have discussed the matter fully with the school and agree, during the period of the part-time timetable, to:

☐ Take full responsibility for my child during the hours when not attending school

☐ Work with the school on the reintegration of my child back into full-time education

☐ Ensure there is supervision of schoolwork provided by the school

☐ Ensure there is a flow of work between school and home for marking and guidance

☐ Take full responsibility for the health and safety of my child when they are not in school

☐ Attend all review meetings at the agreed dates

School Declaration

During the period of the part-time/reduced timetable the school will:

☐ Monitor the effectiveness of the part-time/reduced timetable

☐ Listen to the voice of the child

☐ Arrange and hold regular reviews on the agreed dates (at least every two weeks)

☐ Provide work for the child to do whilst at home and mark all work completed

☐ Record the child's absence using code C2 on the registers for sessions not attended, even if the child completes work at home

☐ Work with the parent/carer to ensure the swift reintegration of the child back into full-time education

☐ Notify Sandwell MBC via the online notification form within 5 school days

☐ Seek the advice of agencies as necessary, with the consent of the parents

Signatures

Parent/Carer name: _____ **Date:** _____

Parent/Carer signature: _____ **Date:** _____

Aligned with Sandwell MBC Part-Time/Reduced Timetable Guidance (October 2025) and DfE Working Together to Improve School Attendance (July 2026).