

ATTENDANCE POLICY

MISSION STATEMENT

Christ is our teacher.

At St Bernard's we believe that all persons are created by God, unique and equal. We strive to create a caring Christian community in which we provide education based on Gospel values where all people reach their full potential. We aim to develop positive relationships with every individual and family, the parishes and the wider community.

"I have come that they may have life and have it to the full"

John 10:10

Reviewed by:	F Whayman, Vice Principal (Inclusion), May 2023
Reviewed by:	K Crawford, Acting Principal, May 2023
Approved by:	Austin Senior, Chair of Governors, 5 th July 2023
Signed:	Austin Senior, Chair of Governors

Introduction

1. Aims

We are committed to meeting our obligation with regards to school attendance through our whole-school culture and ethos that values good attendance, including:

- Promoting good attendance
- Reducing absence, including persistent and severe absence
- Ensuring every pupil has access to the full-time education to which they are entitled
- Acting early to address patterns of absence
- Building strong relationships with families to ensure pupils have the support in place to attend school
- To promote Gospel values
- To build a caring community
- To enable all students to achieve their maximum potential
- To keep students safe

We will also promote and support punctuality in attending lessons.

2. Legislation and guidance

This policy meets the requirements of the working together to improve school attendance from the Department for Education (DfE), and refers to the DfE's statutory guidance on school attendance parental responsibility measures. These documents are drawn from the following legislation setting out the legal powers and duties that govern school attendance:

- Part 6 of The Education Act 1996
- Part 3 of The Education Act 2002
- Part 7 of The Education and Inspections Act 2006
- The Education (Pupil Registration) (England) Regulations 2006 (and 2010, 2011, 2013, 2016 amendments)
- The Education (Penalty Notices) (England) (Amendment) Regulations 2013

This policy also refers to the DfE's guidance on the school census, which explains the persistent absence threshold.

3. Roles and responsibilities

3.1 The governing board

The governing board is responsible for:

- Promoting the importance of school attendance across the school's policies and ethos
- Making sure school leaders fulfil expectations and statutory duties
- Regularly reviewing and challenging attendance data
- Monitoring attendance figures for the whole school
- Making sure staff receive adequate training on attendance
- Holding the Principal to account for the implementation of this policy

3.2 The Principal

The Principal is responsible for:

- Implementation of this policy at the school

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- Monitoring school-level absence data and reporting it to governors
- Supporting staff with monitoring the attendance of individual pupils
- Monitoring the impact of any implemented attendance strategies
- Issuing fixed-penalty notices, where necessary

3.3 The Vice Principal responsible for attendance

The Vice Principal is responsible for:

- Leading attendance across the school
- Offering a clear vision for attendance improvement
- Evaluating and monitoring expectations and processes
- Having an oversight of data analysis
- Devising specific strategies to address areas of poor attendance identified through data
- Arranging calls and meetings with parents to discuss attendance issues
- Delivering targeted intervention and support to pupils and families

The Vice Principal responsible for attendance is Frances Whayman and can be contacted via 01709 828183 or fwhayman@sbch.org.uk

3.4 The attendance and family liaison officer

The school attendance and family liaison officer is responsible for:

- Monitoring and analysing attendance data (see section 7)
- Benchmarking attendance data to identify areas of focus for improvement
- Providing regular attendance reports to school staff and reporting concerns about attendance to the Vice Principal responsible for attendance and the Principal
- Working with Early Help to tackle persistent absence
- Advising the Principal when to issue fixed-penalty notices

The attendance and family liaison officer is officer is Rachel Graham and can be contacted via 01709 828183 or rgraham@sbch.org.uk

3.5 Class teachers/form tutors

Class teachers and form tutors are responsible for recording attendance on a daily basis, using the correct codes on Go 4 Schools.

3.6 School administration staff

School administration staff will:

- Take calls from parents/carers about absence on a day-to-day basis and record it on the school system
- Transfer calls from parents/carers to the Family Liaison and Attendance Officer, in order to provide them with more detailed support on attendance

3.7 Parents/carers

Parents/carers are expected to:

- Make sure their child attends every day on time
- Call the school to report their child's absence on the day of the absence and each subsequent day of absence
- Provide the school with more than 1 emergency contact number for their child

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- Ensure that, where possible, appointments for their child are made outside of the school day
- Arrange holidays out of school time
- Wherever possible, to make appointments outside of school hours and where this is not possible, ensure that their child attends school before and/or after the appointment so that they are not absent from school for a whole day

3.8 Pupils

Pupils are expected to:

- Attend school every day on time

4. Recording attendance

4.1 Attendance register

We will keep an attendance register, and place all pupils onto this register.

We will take our attendance register at the start of the first session of each school day and once during the second session. It will mark whether every pupil is:

- Present
- Attending an approved off-site educational activity
- Absent
- Unable to attend due to exceptional circumstances

Any amendment to the attendance register will include:

- The original entry
- The amended entry
- The reason for the amendment
- The date on which the amendment was made
- The name and position of the person who made the amendment

See appendix 1 for the DfE attendance codes.

We will also record:

- Whether the absence is authorised or not
- The nature of the activity if a pupil is attending an approved educational activity
- The nature of circumstances where a pupil is unable to attend due to exceptional circumstances

We will keep every entry on the attendance register for 3 years after the date on which the entry was made.

Pupils must arrive in school by 8.40am on each school day.

The register for the first session will be taken at 9.00am and will be kept open until 9.30am. The register for the second session for years 7, 8 and 9 will be taken at 1pm and will be kept open until 1.30pm. The register for the second session for years 10 and 11 will be taken at 12.30pm and will be kept open until 1pm.

4.2 Unplanned absence

The pupil's parent/carer must notify the school of the reason for the absence on the first day of an unplanned absence as soon as practically possible by calling the school.

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We will mark absence due to illness as authorised unless the school has a genuine concern about the authenticity of the illness or if the child has a current attendance of less than 90%.

If the authenticity of the illness is in doubt, the school may ask the pupil's parent/carer to provide medical evidence, such as a doctor's note, prescription, appointment card or other appropriate form of evidence. We will not ask for medical evidence unnecessarily.

If the school is not satisfied about the authenticity of the illness, the absence will be recorded as unauthorised and parents/carers will be notified of this in advance.

4.3 Planned absence

Attending a medical or dental appointment will be counted as authorised as long as the pupil's parent/carer notifies the school in advance of the appointment. Parents can inform school in advance via telephone or email.

However, we encourage parents/carers to make medical and dental appointments out of school hours where possible. Where this is not possible, the pupil should be out of school for the minimum amount of time necessary.

The pupil's parent/carer must also apply for other types of term-time absence as far in advance as possible of the requested absence. Go to section 5 to find out which term-time absences the school can authorise.

4.4 Lateness and punctuality

A pupil who arrives late:

- Before the register has closed will be marked as late, using the appropriate code
- After the register has closed the pupil will be marked as absent, using the appropriate code.
- Punctuality will be monitored over a 2 week cycle.
- A student who has 5 or more late marks in that time (both to school and lessons) will receive a letter home- informing parents/carers of this and the number of lates. If a student's punctuality does not improve, the parent/carer will be invited in for a meeting and the student will be put on a Punctuality Plan.
- This Punctuality Plan Meeting will look at the reasons for a student being late regularly.
- The parent/carer, student and school will then agree to the steps discussed to ensure punctuality and sign the agreed Punctuality Plan.
- If, following this, there is no improvement, the school can implement agreed sanctions.

4.5 Following up unexplained absence

Where any pupil we expect to attend school does not attend, or stops attending, without reason, the school will:

- Call the pupil's parent/carer on the morning of the first day of unexplained absence to ascertain the reason. If the school cannot reach any of the pupil's emergency contacts, the school will conduct a home visit on day 3.
- Identify whether the absence is approved or not
- Identify the correct attendance code to use and input it as soon as the reason for absence is ascertained – this will be no later than 5 working days after the session
- Call the parent/carer on each day that the absence continues without explanation to ensure proper safeguarding action is taken where necessary.

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4.6 Reporting to parents/carers

All parents/carers will receive an update about their child's attendance once a term. In addition to this, parents/carers of children who have an attendance of less than 90% will be contacted more regularly via letter and phone by the school attendance and liaison officer.

5. Authorised and unauthorised absence

5.1 Approval for term-time absence

The school considers each application for term-time absence individually, taking into account the specific facts, circumstances and relevant context behind the request.

Any request should be submitted as soon as it is anticipated and in accordance with any leave of absence request form, accessible via school reception.

Valid reasons for **authorised absence** include:

- Illness and medical/dental appointments (see sections 4.2 and 4.3 for more detail)
- Religious observance – where the day is exclusively set apart for religious observance by the religious body to which the pupil's parents belong. If necessary, the school will seek advice from the parents' religious body to confirm whether the day is set apart
- Traveller pupils travelling for occupational purposes – this covers Roma, English and Welsh gypsies, Irish and Scottish travellers, showmen (fairground people) and circus people, bargees (occupational boat dwellers) and new travellers. Absence may be authorised only when a traveller family is known to be travelling for occupational purposes and has agreed this with the school, but it is not known whether the pupil is attending educational provision

5.2 Legal sanctions

The school or local authority can fine parents for the unauthorised absence of their child from school, where the child is of compulsory school age.

If issued with a fine, or penalty notice, each parent must pay £60 within 21 days or £120 within 28 days. The payment must be made directly to the local authority.

Penalty notices can be issued by a headteacher, local authority officer or the police.

The decision on whether or not to issue a penalty notice may take into account:

- The number of unauthorised absences occurring within a rolling academic year
- One-off instances of irregular attendance, such as holidays taken in term time without permission
- Where an excluded pupil is found in a public place during school hours without a justifiable reason

If the payment has not been made after 28 days, the local authority can decide whether to prosecute or withdraw the notice.

6. Strategies for promoting attendance

We reward attendance through phone-calls to parents/carers, end of year vouchers and certificates. We also provide a Dominoes Pizza lunch for the forms with the best attendance.

7. Attendance monitoring

7.1 Monitoring attendance

The school will:

- Monitor attendance and absence data daily, termly and yearly across the school and at an individual pupil level
- Identify whether or not there are particular groups of children whose absences may be a cause for concern

Pupil-level absence data will be collected each term and published at national and local authority level through the DfE's school absence national statistics releases. The underlying school-level absence data is published alongside the national statistics. The school will compare attendance data to the national average, and share this with the governing board.

7.2 Analysing attendance

The school will:

- Analyse attendance and absence data regularly to identify pupils or cohorts that need additional support with their attendance, and use this analysis to provide targeted support to these pupils and their families
- Look at historic and emerging patterns of attendance and absence, and then develop strategies to address these patterns

7.3 Using data to improve attendance

The school will:

- Provide regular attendance reports to form tutors, heads of year, governors and school leaders in order to facilitate discussions with pupils and families
- Use data to monitor and evaluate the impact of any interventions put in place in order to modify them and inform future strategies

7.4 Reducing persistent and severe absence

Persistent absence is where a pupil misses 10% or more of school, and severe absence is where a pupil misses 50% or more of school.

The school will:

- Use attendance data to find patterns and trends of persistent and severe absence
- Hold meetings with the parents/carers of pupils who have persistent absences
- Provide access to wider support services to remove the barriers to attendance

8. Monitoring arrangements

This policy will be reviewed as guidance from the local authority or DfE is updated, and as a minimum, yearly, by Frances Whayman, Vice Principal. At every review, the policy will be approved by the Chair of Governors.

9. Links with other policies

This policy links to the following policies:

- Child protection and safeguarding policy
- Positive Discipline policy

Appendix 1: attendance codes

The following codes are taken from the DfE's guidance on school attendance.

Code	Definition	Scenario
/	Present (am)	Pupil is present at morning registration
\	Present (pm)	Pupil is present at afternoon registration
L	Late arrival	Pupil arrives late before register has closed
B	Off-site educational activity	Pupil is at a supervised off-site educational activity approved by the school
D	Dual registered	Pupil is attending a session at another setting where they are also registered
J	Interview	Pupil has an interview with a prospective employer/educational establishment
P	Sporting activity	Pupil is participating in a supervised sporting activity approved by the school
V	Educational trip or visit	Pupil is on an educational visit/trip organised, or approved, by the school
W	Work experience	Pupil is on a work experience placement

Code	Definition	Scenario
Authorised absence		
C	Authorised leave of absence	Pupil has been granted a leave of absence due to exceptional circumstances
E	Excluded	Pupil has been excluded but no alternative provision has been made
H	Authorised holiday	Pupil has been allowed to go on holiday due to exceptional circumstances
I	Illness	School has been notified that a pupil will be absent due to illness
M	Medical/dental appointment	Pupil is at a medical or dental appointment
R	Religious observance	Pupil is taking part in a day of religious observance
S	Study leave	Year 11 pupil is on study leave during their public examinations

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T	Gypsy, Roma and traveller absence	Pupil from a traveller community is travelling, as agreed with the school
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Unauthorised absence

G	Unauthorised holiday	Pupil is on a holiday that was not approved by the school
N	Reason provided not	Pupil is absent for an unknown reason (this code should be amended when the reason emerges, or replaced with code O if no reason for absence has been provided after a reasonable amount of time)
O	Unauthorised absence	School is not satisfied with reason for pupil's absence
U	Arrival registration after	Pupil arrived at school after the register closed

Code	Definition	Scenario
X	Not required to be in school	Pupil of non-compulsory school age is not required to attend
Y	Unable to attend due to exceptional circumstances	School site is closed, there is disruption to travel as a result of a local/national emergency, or pupil is in custody
Z	Pupil not on admission register	Register set up but pupil has not yet joined the school
#	Planned school closure	Whole or partial school closure due to half-term/bank holiday/INSET day

Appendix 2: Code of Conduct on the Issue of Fixed Penalty Notices

Appendix 3: School Attendance Matters Pathways

Early Help and Family Engagement

Code of Conduct on the Issue of Fixed Penalty Notices in respect of

Poor School Attendance and Unauthorised Holidays / Leave of Absence taken in Term-Time

Version 8.1 Reviewed September 2022

1. Rationale

- 1.1 The Education Act 1996 is the primary legislation which governs the attendance of a child at school. Section 7 of The Education Act 1996 states that:

‘The parent of every child of compulsory school age shall cause him to receive efficient full-time education suitable...to his age, ability and aptitude, and...to any special educational needs he may have, either by regular attendance at school or otherwise.’
- 1.2 Regular and punctual attendance of children at school is both a legal requirement and a priority for Rotherham Metropolitan Borough Council, to maximise the educational opportunities available to children and to ensure **Rotherham’s children are resilient, successful and safe**. The Local Authority will continue to investigate cases of regular absence from school and, following appropriate application of the School Attendance Matters Pathway (SAMP) which is Rotherham’s policy for poor school attendance, will instigate legal action where applicable and appropriate.
- 1.3 In law, an offence occurs if a parent fails to secure a child’s attendance at a school in which they are a registered pupil, and that absence is not authorised by the school. Fixed Penalty Notices supplement the existing sanctions currently available under Section 444 of The Education Act 1996, Section 103 of the Education and Inspections Act 2006 or Section 36 of The Children’s Act 1989 to enforce attendance at school where appropriate, subject to statutory defences.
- 1.4 The Early Help and Family Engagement Service, within the Local Authorities’ Children’s Services Directorate, deliver this responsibility.
- 1.5 Parents and children are supported at school and Local Authority level to overcome barriers to regular attendance in school through intervention and strategies and where required, through the Early Help Assessment and planning process (where there are additional welfare needs noted.) Sanctions of any nature are for use only where parental co-operation in this process is either absent or deemed insufficient to resolve the presenting problem.
- 1.6 Sanctions are used primarily as a means of enforcing attendance as part of the SAMP high challenge, high support methodology, where there is a reasonable expectation that their use will secure an improvement.
- 1.7 The Education (Penalty Notices) (England) Regulations 2007 set out the procedures for issuing Fixed Penalty Notices to each parent who fails to secure the regular attendance of their child at school.

- 1.8 Amendments were made to the 2007 Regulations in the Education (Penalty Notices) (England) (Amendment) Regulations 2013. These amendments came into force on 1st September 2013.
- 1.9 Amendments to 2007 regulations reduced the timescales for paying a Fixed Penalty Notice. Parents must, from 1st September 2013, pay £60 within 21 days or £120 within 28 days. This brought attendance Fixed Penalty Notices into line with other types of Fixed Penalty Notices and allows local authorities to act faster on prosecutions.
- 1.10 In order to comply with Human Rights legislation, it is essential that Fixed Penalty Notices are issued in a consistent manner. The SAMP supports the consistent application of enforcement in Rotherham. This Code of Conduct will govern the issuing of Fixed Penalty Notices in respect of unauthorised absence from school for holidays/ leave of absence taken in term time, and other unauthorised absence, for Rotherham Metropolitan Borough Council.
- 1.11 This code of conduct also takes into consideration statutory guidance Working Together to Improve School Attendance, May 2022.

2. Section 576 Education Act 1996: Definition of a Parent

2.1 Under section 576 of The Education Act 1996, a parent is defined as follows:

- All natural parents whether they are married or not
- Any person who although they are not a natural parent, has care of a child or young person – having care of a child or young person means that a person with whom the child lives and who looks after the child, irrespective of what their relationship is with the child, is considered to be a parent in education law.

2.2 Throughout this document, references to 'parent' mean each and every parent falling within the definition, whether acting jointly or separately, and should not be taken to mean that provisions only apply to 'parent' in the singular.

3. Circumstances where a Fixed Penalty Notice may be issued

3.1 The issuing of a Fixed Penalty Notice is considered appropriate in the following circumstances:

a) Leave of absence:

In cases of absence from school when the child has been taken on holiday or had a leave of absence during term time and the absence has not been authorised by the school.

Schools must have made the parent aware of their policies in relation to leave of absence through publicity materials, general correspondence, policies etc.

There must be at least 10 consecutive sessions (5 school days) lost due to unauthorised leave of absence during term time and the child has attendance below 95.2% (combined National average for both primary and secondary schools 2018/19), for the previous 12 months, including the holiday absence period.

b) Persistent Absence:

For those parents of children where there is unauthorised absence, notification of unsatisfactory attendance has been issued via the Rotherham School Attendance Matters Pathway, and when unsatisfactory attendance remains a concern.

Where the Local Authority School Attendance Panel (LASAP) or the FPN panel (subgroup of the LASAP) agree that a Fixed Penalty Notice is the most appropriate way to deal with non-school attendance.

c) Excluded pupils:

Where an excluded pupil is present in a public place during the school hours of the school where the child is on roll.

- 3.2 In each of the above scenarios, each parent may receive a separate Fixed Penalty Notice for each child.
- 3.3 Rotherham is committed to ensuring that children are supported to attend school when it is open and seeks to reduce incidences of unauthorised absence.

A parent will not be issued with more than 1 FPN in respect of an individual child in any 2-year period commencing on the last day of the leave absence pertaining to the FPN. This is designed to be a deterrent to prevent children being taken out of school for holiday's / family trips / special occasions repeatedly in their school career.

Where poor school attendance is evident following an FPN parents, carers and children (where appropriate) will be invited following escalation to the multi-disciplinary LASAP, for a decision on an appropriate course of action that will explore support to improve the child's attendance. This may include legal action through the Court.

4. Procedures for issuing Fixed Penalty Notices

- 4.1 Fixed Penalty Notices are issued by the Local Authority to avoid duplicate notices. This ensures consistent and equitable application of policy, protects school-home relationships and allows alignment with other enforcement sanctions and statutory interventions. Fixed Penalty Notices will only be issued for offences where the Local Authority is willing and able to prosecute and that are agreed at either the Local Authority School Attendance Panel or the FPN panel.
- 4.2 The Local Authority will ensure that the issuing of Fixed Penalty Notices will be closely monitored to ensure that recipients pay the relevant fine. In instances where the penalty is not paid within the appropriate period, the Local Authority will prosecute.
- 4.3 A Fixed Penalty Notice can only be issued in cases of unauthorised absence.
- 4.4 The Local Authority will receive requests to issue Fixed Penalty Notices from schools and requests will be screened to ensure adequate evidence of support and intervention, as required by the pathway, is submitted.
- 4.5 The Local Authority will consider requests to issue Fixed Penalty Notices in respect of any of the circumstances arising under Section 3 of this Code, in either the Local Authority School Attendance Panel or the FPN panel.

- 4.6 Schools must consider welfare aspects of a child's circumstances before considering whether a request to the Local Authority would be appropriate. The SAMP is underpinned by the Early Help Assessment to enable schools to understand need and develop appropriate plans to support good attendance in partnership with the child and family.
- 4.7 Where a child has special educational needs and/or disabilities, the school should consider whether a request via SAMP would be appropriate having considered all the circumstances relevant to that child. In particular, the school will need to have specific regard to the individual needs of the child, pertinent EHCP process and the overall attendance of the child, which may or may not be in line with the combined National primary and secondary average.
- 4.8 The Local Authority will require supporting documentation and relevant information outlined in the SAMP Guidance including all correspondence with the parent, in order to establish whether a Fixed Penalty Notice is appropriate.
- 4.9 Requests for unauthorised leave of absence during term time will be considered provided that:
- The circumstances of the child's absence meet all the requirements of this Code.
 - The Local Authority must receive the referral within five working days of the last date of the leave of absence.
 - The issue of a Fixed Penalty Notice does not conflict with or undermine other intervention strategies in place or other enforcement sanctions already underway.
- 4.10 Requests for a Fixed Penalty Notice for persistent absence via SAMP will be considered provided that:
- The circumstances of the child's absence meet all the requirements of this Code.
 - The Local Authority must receive the referral within five working days of warning letter 3 being sent to parents for requests via SAMP.
 - The issue of a Fixed Penalty Notice does not conflict with or undermine other intervention strategies in place or other enforcement sanctions already underway.
- 4.10 The Local Authority will respond with the outcome to all requests within two weeks of the request being heard by either the Local Authority School Attendance Panel or the FPN panel, notifying the school of any intended action.
- 4.11 Provided the request has met all the criteria the Local Authority will issue a Fixed Penalty Notice by post.

5. Procedures for Withdrawing Fixed Penalty Notices

- 5.1 A Fixed Penalty Notice may be withdrawn by Rotherham Metropolitan Borough Council in exceptional circumstances that determine:
- a) It ought not to have been issued.
 - b) It ought not to have been issued to the person named as the recipient.
- 5.2 Decisions to withdraw an FPN will be made by the Local Authority Lead for the School Attendance Matters Pathway.

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- 5.3 Where a Fixed Penalty Notice has been withdrawn in accordance with the above, a notice of withdrawal shall be given to the recipient and the amount paid by way of penalty pursuant to that notice shall be repaid to the person who paid it
- 5.4 No proceedings shall be continued or instituted against the recipient for the offence in connection with which the withdrawn notice was issued or for an offence under Section 444 (1A) of the Act arising out of the same circumstances

6. Right of Appeal

- 6.1 There is no statutory right of appeal once a Fixed Penalty Notice has been issued. A parent must pay the Fixed Penalty Notice or face proceedings in the Magistrates Court.

7. Payment of Penalty Notices

- 7.1 The arrangements for the paying of penalties will be detailed on the Penalty Notices.
- 7.2 Fixed Penalty Notices were set nationally by the DfE in September 2013 at £60 per parent, per child, if paid within 21 days of receipt of the notice; increasing to £120 per parent, per child, if paid within 28 days of receipt of the notice.
- 7.3 Payment of a Fixed Penalty Notice discharges the parent/carer liability for the period in question and they cannot subsequently be prosecuted under other enforcement powers for the period covered by the Penalty Notice.
- 7.4 The Local Authority retains revenue from the Fixed Penalty Notice payments to cover the costs for issue and enforcement and for costs related to the prosecution of unpaid Fixed Penalty Notices.

8. Non-Payment of Fixed Penalty Notices

- 8.1 Non-payment of a Fixed Penalty Notice will result in the matter being escalated to RMBC Legal Services to consider instigating a prosecution under the provisions of Section 444 of the Education Act 1996. The fact that a notice was issued and unpaid, can be used as evidence in a subsequent prosecution. The prosecution can only be for the original offence and not for non-payment of the Fixed Penalty Notice.
- 8.2 The Local Authority will consider whether it would be appropriate (instead of or as well as instituting proceedings) to apply for an Education Supervision Order in respect of the child under Section 447(1) of the Education Act 1996.

9. Reporting and Review

- 9.1 The Local Authority will review the Code of Conduct on the Issue of Fixed Penalty Notices in regard to unauthorised holidays taken in term time and poor school attendance annually and/or following any changes in legislation/statutory guidance or following recommendations from the Rotherham Safeguarding Children's Partnership.

Appendix 3

Date: Reviewed and updated December 2022
Author: Susan Claydon



