Cobbs Brow Primary School

Attendance Policy September 2026

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Parents and carers

Schools

1 Introduction

Cobbs Brow Primary is a successful school and every child plays their part in making it so. We aim for an environment which enables and encourages all pupils to achieve their potential and aspire to excellence.

For our children to gain the greatest benefit from their education it is vital that they attend regularly and every child should be at school, on time, every day the school is open unless they have an unavoidable reason to be absent. Any absence affects the pattern of a child's schooling and regular absence will seriously affect their learning.

Absence or late arrival also disrupts daily routines and teaching and so may affect the learning of others in the same class.

Government research shows a direct link between attendance and attainment and good attenders also make better progress socially, learn to work with others, and are better prepared for the transition to secondary school and, eventually, higher education, training and employment.

It is very important therefore that you make sure your child attends regularly and our attendance policy sets out how together we will achieve this. The policy will be applied fairly and consistently and we will always consider the individual needs of pupils, and their families, who have specific barriers to attendance. We will also be mindful of our obligations under the Equality Act 2010 and give consideration to the UN Convention on the Rights of the Child.

Our attendance target this year aims to be greater than 96%. All pupils should strive to achieve 100% attendance if they can.

2 Responsibilities and expectations

2.1 Families

Parents and carers have a legal duty to ensure that their children attend school regularly, if they are of compulsory school age and registered at a school (see the appendix for details of how the law applies to school attendance and how "parent" is defined in law).

Parents and pupils should know the times the school day starts and finishes and when the register closes (see section 4, below), the processes for requesting leave (see section 3.5), and the process for informing school of the reason for unexpected absence (as follows).

If your child is going to be absent, parents must inform school as soon as possible and at the latest by 9.15am on the first day of absence via the school app 'Parent App' or by calling school on 01695 720632.

Parents must also ensure that school has up-to-date contact information for themselves and emergency contacts.

Pupils' responsibilities depend upon their age, maturity and capability but they too must do their best to attend school regularly and punctually.

School contact information for attendance-related matters is given below at the end of section 2.2.

2.2 School

Head Teacher

- Ensure there are designated staff with day-to-day responsibility for attendance matters and protected time allocated to discharge those responsibilities.
- Take overall responsibility for ensuring the school confirms to statutory requirements regarding attendance.
- Consider each request for leave against the school's criteria, decide whether some, all, or none of the leave will be authorised and notify parents of this decision.
- Where there is uncertainty regarding an absence, make the decision whether or not to authorise an absence, or to request further evidence to support the decision-making process.
- Provide regular reports to the governing body on school attendance, including persistent absence and vulnerable groups.

Attendance Champion

- Take overall responsibility for championing and improving attendance in school, liaising with pupils, parents and external agencies where needed.
- Set a clear vision for improving and maintaining good attendance.
- Establish and maintain effective systems for tackling absence and make sure they are followed by all staff
- Have a comprehensive understanding of attendance data.
- Use attendance data to target attendance improvement efforts and support to the pupils or pupil cohorts who need it most, including pupils who are disadvantaged, have SEND, are known or previously known to children's social care, are young carers, or face other barriers to attendance.
- Regularly monitor and evaluate progress, including the efficacy of the school's strategies and processes. Attendance data will be reviewed regularly at pupil, group and whole-school level, with appropriate benchmarking against local, regional and national data to identify patterns, gaps and priority cohorts.
- Regularly communicate pupil attendance and punctuality levels to parents.

Other staff with designated responsibilities for attendance

- First day response: contact parents if a reason for absence has not been provided and record this information accordingly. Contact emergency contacts if parents cannot be reached.
- Update attendance registers.
- Regularly monitor and analyse data to identify pupil, class and whole school attendance concerns and to target attendance improvement support for those who need it most, particularly vulnerable groups.
- Discuss attendance concerns at an early stage with pupils and parents.
- Work with pupils and parents to remove barriers to regular and punctual attendance, using attendance contracts where appropriate.

- Involve external agencies to support pupils and parents as appropriate to better understand and address the issues causing attendance concerns.
- Promote regular attendance through the school newsletter, website and displays and ensure the school's attendance policy is readily accessible.
- Use projects and strategies to improve attendance and punctuality for groups, classes or the whole school (eg incentive and reward schemes, certificates, traffic light letters).

All school staff

- Provide a welcoming atmosphere for pupils and a safe learning environment, particularly for those returning to school following a period of absence.
- Be aware of factors that can contribute to poor attendance and punctuality.
- Recognise that absence is a symptom of other issues impacting a pupil's welfare and can be a warning sign of safeguarding concerns.
- Treat unexplained, repeated or concerning absence as a potential safeguarding indicator and follow the school's safeguarding and child protection procedures, including Keeping Children Safe in Education 2026, where appropriate.
- Adhere to the procedures in place within school to promote good attendance.
- Promote the link between attendance and educational attainment to pupils and parents.
- Complete attendance registers in accordance with the legislation and under the direction of the head teacher.
- Raise any concerns about attendance with the Attendance Champion and/or head teacher.

Governors

- Ensure compliance with The School Attendance (Pupil Registration) (England) Regulations 2024.
- Agree an attendance policy and review it annually or more frequently if required.
- Agree targets for attendance at Cobbs Brow School.
- Where the school is not meeting its attendance targets, or when the governors believe there is cause for concern, instigate a review of school's attendance procedures.
- Authorise the head teacher (or other designated person) to make decisions regarding leave of absence requests.
- Work with the head teacher in establishing equitable and consistent criteria against which leave requests will be considered.

Schools are bound by a range of attendance legislation, regulations and guidance; please see the appendix for further details.

School attendance contacts

Contacts for parents to notify school of a pupil's absence: Mrs Elaine Baxter, attendance officer.

Contacts for day to day enquiries about attendance: Mrs Elaine Baxter, attendance officer.

Support for specific and more serious attendance concerns: Mrs Lisa Pugh, Deputy Headteacher.

Attendance Champion, the senior leader responsible for the strategic approach to attendance in school: Lisa Pugh, Deputy Headteacher.

The staff named above can be contacted on: 01695 720 632

2.3 Lancashire County Council (the local authority)

School Attendance Support Team

Each school has a named contact in the School Attendance Support Team who can advise schools on attendance related matters, and with whom Targeting Support Meetings will be held. For mainstream nursery, primary and secondary schools this will be a School Attendance Support Worker (SASW); for special schools, short stay schools and pupil referral units (PRUs) this will be a School Attendance Consultant (SAC).

School Attendance Legal Team (SALT)

Following requests from schools for legal interventions when parents fail to ensure their children attend regularly, the School Attendance Legal Team undertakes enforcement processes, including penalty notices, prosecutions, parenting orders, education supervision orders and school attendance orders.

Children Missing Education (CME) Team

The Children Missing Education Team ensures the local authority fulfils its statutory duty to identify children in their area who are not registered pupils at a school and are not receiving suitable education otherwise than at a school. For further information see section 7, below, regarding notifications schools must submit.

3 Types of absence

Every half-day absence from school is classified by the school as either authorised or unauthorised. This is why information about the cause of any absence is always required from parents/carers.

3.1 Authorised absences

Authorised absences are mornings or afternoons away from school for a good reason like illness, medical/dental appointments which unavoidably fall in school time, emergencies, or other unavoidable causes or exceptional circumstances.

The NHS has guidance to help parents assess if their child is well enough to attend school: Is my child too ill for school? - NHS (www.nhs.uk).

3.2 Unauthorised absences

Unauthorised absences are those which the school does not consider reasonable or justifiable. If school has followed its attendance procedures and a pupil continues to

have unauthorised absences, the school may see seek advice from the local authority School Attendance Support Team or request legal interventions from the School Attendance Legal Team. Examples of unauthorised absences are:

- Parents/carers keeping their child off school unnecessarily.
- Absences which are not explained satisfactorily.
- Pupils who arrive at school after the register has closed and without a legitimate reason (see section 4.2).
- Days off for shopping, birthdays or looking after other children.
- Day trips and other leave in term time which have not been agreed by the head teacher.
- Days that exceed an amount of leave agreed by the head teacher.

It is the head teacher's responsibility to decide if an absence is authorised or unauthorised. School will not routinely request medical evidence to authorise illness absence. In most cases, a parent's notification that their child is too ill to attend school will be sufficient. Medical or other evidence may be requested only where there is genuine and reasonable doubt about the authenticity of an illness, or where absence is prolonged or recurrent and further information would help school to understand and support the pupil's needs. School will be flexible about the form of evidence provided and will not routinely require parents to obtain additional evidence from health professionals. Where appropriate, evidence may include:

- Sight of an appointment for your GP or for the hospital, clinic, etc.
- Sight of prescribed medication or prescription for medication.
- Sight of medical notes/records.
- A letter from a medical professional such as a specialist or consultant.
- Other reasonable information agreed with the family that helps school understand the illness and any support required. A lack of written medical evidence will not, by itself, prevent appropriate support being put in place.

Parents should not ask their doctor (GP) to provide "sick notes" to excuse absence.

Whilst any child may be off school because they are ill, sometimes they can be reluctant to attend school for other reasons. If your child is reluctant to attend it is better to speak to school as soon as possible to resolve the issue, rather than trying to cover up their absence, or give in to pressure to let them stay at home. As a school, we will always work with parents (and external agencies as appropriate) to understand and address the reasons behind absence. We will also ensure that the voice of the child is heard, along with their parents' views.

3.3 Persistent Absence (PA)

Persistent absence is when a pupil misses 10% or more of their schooling across the school year for whatever reason, authorised and unauthorised (including illness, exclusion, holiday, etc). Absence at this level can damage any pupil's educational prospects and may be detrimental to their emotional wellbeing so we expect parents' full support and co-operation to address this.

At Cobbs Brow School, we monitor all absence thoroughly, therefore any pupil whose attendance indicates they are likely to reach the PA threshold will be prioritised and parents will be informed of this promptly. Pupils who are persistent

absentees are tracked and monitored carefully and the attendance procedures below (section 5) will be followed.

3.4 Severe Absence (SA)

Severe absence is when a pupil misses 50% or more of their schooling across the school year. Sometimes such absence may be due to, for example, a long-term medical condition preventing full attendance at school, though even in such circumstances the pupil is still entitled to a suitable full-time education. However, absence at this level will usually require more intensive support and intervention by the school and, if required, the local authority.

3.5 Leave during term time

By law, maintained schools cannot authorise any leave in term time other than in exceptional circumstances. Taking a child out of school in term time will affect their education and progress as much as any other absence. If leave is being requested that involves arranging travel or accommodation, approval must be obtained from the head teacher before making any bookings.

Leave of absence in term time **will not** be granted unless:

- a request for leave has been made in advance by a parent with whom the pupil normally resides (using the form available from the school office). Wherever possible, parents should submit requests at least 6 weeks in advance, particularly where travel or accommodation may be involved; and
- the head teacher (or other person authorised by the head teacher) will consider each application individually and decide whether exceptional circumstances justify granting some, all or none of the requested leave. There is no automatic entitlement to leave in term time and blanket policies will not be applied.

Due to the need to evidence exceptional circumstances, parents are advised to provide school with any relevant information regarding their request at the point of application if they believe the circumstances are exceptional.

In considering the request, school will also consider other factors such as:

- The timing of the requested leave, eg when a pupil is just starting at school or during assessment periods, such as SATs.
- A pupil's attendance record already includes unauthorised absence.
- Attendance is already a concern, or could become a concern, as a result of taking leave.
- Other periods of leave which the pupil may have had, either during the current or previous academic year.

Any period of leave taken without the agreement of the school, or in excess of that agreed, will be classed as unauthorised and may attract legal sanctions such as a penalty notice.

In certain circumstances, as outlined in regulation, parents risk losing their child's place on the school roll if leave is taken and the criteria governing removal from roll are met (see appendix).

3.6 Religious absence

School will authorise absence for a day that is exclusively set apart for religious observance by the religious body to which the parent belongs. Such absence will be recorded using code R. The number and date(s) authorised will therefore reflect the day or days formally set apart for religious observance rather than a blanket school rule of one day per festival.

Parents must request any additional leave in advance and this can only be authorised if the head teacher agrees that exceptional circumstances apply; this would be marked in the register as code C.

3.7 Participation in sporting events

Parents can request leave of absence for their child to take part in regional, national and international sporting events. However, as always, granting leave is at the head teacher's discretion and he will need to discuss with you the length and frequency of the absence(s) requested and how learning will continue if absence occurs, eg the sports club or association providing an approved education tutor.

Leave for a sporting activity that has been approved by the school and physically supervised by someone authorised by the school can be marked in the register as code P.

Permission for your child to leave early or arrive late in order to attend coaching and training sessions is also at the discretion of the head teacher and is unlikely to be approved if it would occur regularly.

3.8 Participation in performances (eg theatre, television, modelling)

Parents of a child performer can request leave from school for their child to take part in a performance. A local authority licence must be obtained before a child can take part in a performance. Before a licence is granted, school will be consulted and head teachers must be satisfied that the leave will not have a negative effect on the child's education.

Where the licence specifies the dates that the child is to be away from school, the head teacher should authorise those days. However, where the licence does not specify dates, it is at the discretion of the head teacher to authorise the leave request. Any absence authorised for the child to take part in a performance will be recorded as code C1.

Parents wishing to apply for a performance licence should go the Lancashire County Council Child performance licences webpage.

4 Registration

In line with statutory guidance our registers will be taken at the same time for all pupils and registers will not be open for longer than 30 minutes.

4.1 Attendance registration

Morning registration is between 8.50am and 9.00am.

Afternoon registration is between 12:50pm and 1.05pm.

The school day starts at 8.50am. Pupils are expected to be in class at that time and that is when the registration period starts (ie when the register is taken and remains open).

When the attendance register has been taken it remains open until 9.20am in the morning and 1.20pm in the afternoon. This provides the same maximum 30-minute registration window for each session.

School finishes between 3.15pm (KS1) and 3:20pm (KS2).

4.2 Late arrival

Pupils who arrive after 9.00am (or 1.05pm) must go straight to the school office at the main entrance to sign in and give a reason for their lateness.

Pupils who arrive after the register has been taken (9.00am or 1.05pm) but before it is closed (9.20am or 1.20pm), will be marked as code L. This is classed as late but present for the session (ie the morning or afternoon).

Pupils who arrive after the register has closed and without a valid reason for being late (such as attending a dental or medical appointment) will be marked as code U, which is classed as an unauthorised absence but indicates that the pupil was physically present in school for part of the session.

4.3 Punctuality

Poor punctuality is not acceptable. If your child misses the start of the day, they can miss work and do not spend time with their class teacher, or other adults to receive any intervention or skills based sessions at this time. These lost minutes often include important introductions to lessons, key instructions, phonics sessions, mental maths or opportunities to recap previous learning. This can make it harder for children to fully access the rest of the lesson and may impact their progress over time. Pupils arriving late also disrupt lessons, which can be embarrassing for the child and can in turn, encourage absence. Being 10 minutes late every day throughout the academic year is the same as missing two weeks of school.

If your child is often late you will be asked to meet with the head teacher and/or a member of the pastoral support team to discuss ways to improve punctuality, but you can approach us at any time if you are having problems getting your child to school on time.

Persistent lateness after the register has closed may result in further action, as outlined below, under section 5.

5 School attendance procedures

5.1 First day of absence

If your child is absent and we have not heard from you, we will telephone you on the first day of absence to find out what the reason is and when your child is expected to return. If we are unable to contact you, we will approach your emergency contacts

and, if necessary, make a home visit. Please note that such home visits may be unannounced.

5.2 Attendance concerns

Parents are expected to contact school at an early stage and to work with us in resolving any attendance problems together; this is nearly always successful. However, if concerns persist or absences are unexplained, school will use the following procedures and interventions, as required, to support parents in improving their child's attendance and/or punctuality:

- Telephone calls and/or letters to make parents aware of school's concern about their child's attendance.
- When there is uncertainty about the reason for absence, school may ask parents to provide appropriate evidence and/or undertake home visits to ascertain where a child is and to ensure they are safe.
- Invitation to meetings to discuss concerns with attendance officer, then pastoral team, attendance champion and headteacher.
- Attendance contracts to identify barriers to regular attendance, ways to overcome these and agree targets for improvement.
- Incentive schemes for individual pupils, as appropriate.
- The Early Help Assessment (EHA) process and/or referral to other agencies and services, including School Nurses and Primary Mental Health Workers, if appropriate.
- For unauthorised absences, request legal interventions by the local authority, such as penalty notices, prosecution or other attendance-related court orders.

At any stage, we may seek advice from the local authority School Attendance Support Team.

5.3 Pupils with medical needs, SEND or other barriers to attendance

Government guidance emphasises that pupils with physical or mental health needs, SEND or disabilities should be supported to access education and attend as regularly as their individual circumstances allow. School will maintain high expectations for attendance while recognising that some pupils face additional barriers. In line with the Equality Act 2010, reasonable adjustments will be considered where a pupil’s disability places them at a substantial disadvantage.

School will work with the pupil, parents and relevant professionals to understand and remove barriers to attendance. Support may include reasonable adjustments, specific resources or pastoral support, a time-limited phased reintegration or part-time timetable in exceptional circumstances, and liaison with the local authority or other agencies where appropriate. Where a pupil has an EHCP, school will work with the local authority and relevant professionals where attendance difficulties relate to the pupil’s special educational needs or provision. Any education provided away from the school site will be arranged and recorded using the appropriate statutory route and attendance code; an off-site direction is used only where the legal criteria for such a direction are met.

When a pupil has been absent from school for an extended period, the head teacher, pastoral staff and other support services will work with the family to ensure that a smooth reintegration is achieved.
Remote education will not normally be used as a substitute for attendance at school. Where it is considered appropriate for an individual pupil, it will be used only in line with current DfE guidance, ordinarily as a temporary measure and as part of a plan to support reintegration and improved attendance.

5.4 Pupils experiencing barriers to attendance

At Cobbs Brow, every child has a right to a suitable full-time education. Where a pupil is struggling to attend, school will listen to the pupil and their family, seek to understand the underlying barriers and agree appropriate strategies to support improved attendance. This may include consideration of anxiety, mental health, SEND, family circumstances, bullying, safeguarding concerns or other barriers. High expectations for attendance will be maintained alongside appropriate support and reasonable adjustments.

We may request advice from the School Attendance Support Team and, with consent, make referrals to other external partners such as the Children and Family Wellbeing Service or Primary Mental Health Workers, as appropriate, to try to ensure the correct support is secured for the child and their family.

5.5 Promotion of good attendance

School will promote and incentivise attendance by acknowledging and rewarding good attendance by all pupils and efforts to improve attendance by individual pupils who have additional needs or challenging circumstances.

5.6 Use of penalty notices and other attendance legal interventions

Legal interventions may be sought if providing support to improve attendance is not appropriate (eg for an unauthorised holiday in term time), or has not been successful or engaged with. In accordance with the Lancashire code of conduct, we may request that the local authority issue penalty notices for unauthorised absences that include:

- Leave of absence which is taken without a prior request being made.
- Leave taken after a request has been declined.
- Days taken in excess of an agreed period of leave, without good reason.
- Other unauthorised absence that meets the required threshold, including sessions marked as late after the register has closed (code U).

On 19 August 2024 new penalty notice arrangements came into force, with changes to the cost of a penalty notice and to the thresholds at which penalty notices may be requested by school. The DfE now requires that schools **must** consider if a penalty notice is appropriate when the thresholds are met. The changes to be aware of are:

- Penalty notices will be charged at £160 per parent per child. This will reduce to £80 if paid within 21 days.

- Any second penalty notice issued to the same parent for the same child within a rolling 3-year period will be issued at the rate of £160 to be paid within 28 days with no option for a discounted rate.
- The threshold at which a penalty notice must be considered is set at 10 sessions (equivalent to 5 days) of unauthorised absence within a rolling 10-school week period. This may include absences as a result of arriving late after the register closes. The 10 school weeks may span different terms or consecutive school years.
- A maximum of two penalty notices may be issued to a parent for the same child within a rolling 3-year period, so at the 3rd (or subsequent) offence(s) another course of action will need to be considered, such as prosecution or one of the other attendance legal interventions.
- If a school requests a penalty notice for absences other than unauthorised holidays, including being late after the register has closed, the local authority School Attendance Legal Team may issue a Notice to Improve to parents. A Notice to Improve is a final opportunity for parents to engage in support and improve attendance before a penalty notice is issued. If the national threshold has been met and offers of support have not been engaged with by parents or have not worked, a Notice to Improve may be issued to give parents a final chance to engage with support and improve their child's attendance.

The code of conduct for penalty notices and information and FAQs for parents can be found on the Lancashire County Council education penalty notice webpage.

6 Alternative provision and off-site directions

There is a range of circumstances when pupils might be required to access educational provision at a venue other than their main school. The main reasons are:

- Pupils who have been permanently excluded or suspended for a period of more than 5 days.
- Pupils unable to access provision at their main school for medical reasons.
- Pupils required to attend another venue for the purpose of improving behaviour, including where an off-site direction is used in accordance with the relevant legal framework. A managed move is a separate, voluntary process and is not an off-site direction.

Where an off-site direction is used to require a pupil to attend another education setting for the purpose of improving behaviour, the school will follow the statutory requirements governing off-site direction, including the required written notice, review arrangements and parental information. Other forms of alternative provision, including provision arranged because of health needs or special educational needs, will be arranged under the appropriate legal framework and must not be treated as an off-site direction merely because the education takes place away from the school site.

7 Notifications school must submit to the local authority

7.1 Admissions

All schools must notify the local authority within five days of adding a pupil's name to the admission register and must provide the local authority with all the information held within the admission register about the pupil. This duty does not apply to pupils who are added to the admission register at the start of the school's youngest year unless the local authority also requests for such information to be provided (currently Lancashire does not).

7.2 Leavers

All schools must notify the local authority when a pupil's name is to be deleted from the admission register under any of the grounds prescribed in Regulation 9 of The School Attendance (Pupil Registration) (England) Regulations 2024, as soon as the ground for removal is met and no later than the time at which the pupil's name is removed from the register. This duty does not apply where the pupil's name is removed after they have completed the school's final year, unless the local authority requests such information to be provided (Lancashire currently does not).

Where a school notifies a local authority that a pupil's name is to be deleted from the admission register, the school must provide the local authority with the required information as laid out in the regulation.

In addition to submitting a notification about removal from roll, some circumstances also require school to make referral to other local authority teams such as the Elective Home Education team or the Children Missing Education team. Schools may also contact the School Attendance Support Team for advice on removing children from roll. For pupils with an EHCP on roll at a special school, the school must have the agreement of the Lancashire Inclusion Service (SEND) before removing from roll.

7.3 Pupils who fail to attend

Attendance returns: all schools must inform the local authority of any pupil of compulsory school age who fails to attend school regularly or has been absent without the school's permission (codes G, N, O and/or U) for a continuous period of 10 school days (20 sessions) or more. Attendance returns will be provided at the frequency agreed with the local authority and no less frequently than once per calendar month. In Lancashire schools, this can be done via the arrangements specified by the local authority and school can contact the School Attendance Support Team for further advice.

Sickness returns: all schools must inform the local authority of any pupil of compulsory school age who has been recorded absent with code I (illness) and who the school believes will miss 15 days consecutively or cumulatively due to sickness. Only one sickness return is required for a continuous period of sickness in a school year.

7.4 Pupils on a part-time timetable

Schools must inform the local authority when a pupil is placed on a part-time timetable. In Lancashire, this should be done via the eForm available to schools.

7.5 Children missing education (CME)

Local authorities have a duty to put in place arrangements for identifying (as far as possible) those children of compulsory school age in their area who are not on roll at a school or receiving suitable education otherwise than at a school. Local authorities should trace those children and ensure they receive a full-time education.

If a pupil has stopped attending and her or his location is unknown, schools must make reasonable enquiries to establish the whereabouts of the child jointly with the local authority, before deleting the pupil's name from the register. In such cases, school should undertake a home visit, prior to a referral being made to the local authority Children Missing Education team

Evaluation and Review

Review completed: October 2026.

Next planned review: September 2027, or sooner if required.

Approval date: Oct 2026

Signed:  Chair of Governors

Appendix: School attendance and the law

There are many pieces of legislation and government regulations and guidance that are relevant to school attendance and to children and their parents and carers. The list below relates to this attendance policy but is not exhaustive. Some elements of government regulations and DfE guidance do not apply to academies and independent schools (but may apply to independent special schools).

Parents and carers

Duty to ensure children receive education

Section 7 of the Education Act 1996 covers the duty of parents to secure the education of children in their care who are of compulsory school age and states:

> *The parent of every child of compulsory school age shall cause him to receive efficient full-time education suitable—*
> *(a) to his age, ability and aptitude, and*
> *(b) to any special educational needs he may have,*
> *either by regular attendance at school or otherwise.*

Offence if a child does not attend regularly

Under Section 444 of the Education Act 1996, if a child of compulsory school age who is a registered pupil at a school fails to attend regularly, their parent is guilty of an offence.

The offence is absolute as the only defences available to the parent are those statutory defences listed within that section of the Act, ie:

- the child was absent with leave granted by the school;
- the child was prevented from attending by reason of sickness or any unavoidable cause;
- absence was on a day exclusively set apart for religious observance by the religious body to which their parent belongs;
- that the school is not within statutory walking distance and that the local education authority has made no suitable transport arrangements or enabled the pupil to become registered at an alternative nearer school.

Compulsory school age

Section 8 of the Education Act 1996 establishes that a child becomes of compulsory school age on the start date of the term following her/his fifth birthday, or that day if her/his fifth birthday falls on the day term starts.

A child ceases to be of compulsory school age on the last Friday in June in the academic year in which he/she reaches the age of 16 or if he/she reaches 16 after the last Friday in June but before the start of the new school year.

Legal definition of "parent" in relation to attendance

The law requires that all “parents” are held responsible for their child’s attendance. This definition can include any person who has care of the child. Section 576 of the Education Act 1996 states:

> *Meaning of “parent”.*
> *(1) In this Act, unless the context otherwise requires, “parent”, in relation to a child or young person, includes any person—*
> *(a) who is not a parent of his but who has parental responsibility for him, or*
> *(b) who has care of him.*

Thus, the definition of “parent” means all natural parents, whether they are married or not, and includes any person who, although not a natural parent, has parental responsibility and/or care for a child or young person.

Schools

Attendance and absence registration codes

Working together to improve school attendanceWorking together to improve school attendance, DfE statutory guidance, updated July 2026, explains which codes schools should use to record attendance and absence in their registers and specifies the DfE’s expectations of schools, academy trusts, governing bodies and local authorities with respect to school attendance.

Data protection

Schools must ensure that personal data is handled in accordance with the Data Protection Act 2018. See Cobbs Brow School’s Privacy Notice on our website for information about how personal data will be used.

Duty for schools to include attendance information in reports for parents

The Education (Pupil Information) (England) Regulations 2005

Duty for schools to notify the local authority when pupils join or leave school

Regulation 13 of The School Attendance (Pupil Registration) (England) Regulations 2024

Duty for schools to report attendance concerns about individual pupils to the local authority

Regulation 13 of The School Attendance (Pupil Registration) (England) Regulations 2024

Duty for schools to safeguard and promote the welfare of children

Keeping children safe in educationKeeping children safe in education 2026, DfE statutory guidance (in force from 1 September 2026)

Duty for schools to share attendance data with the Government

Section 537A of the Education Act 1996 and

Share your daily school attendance, DfE guidance 2024

Leave of absence

Regulation 11 of The School Attendance (Pupil Registration) (England) Regulations 2024

Legal interventions

Parents/carers commit an offence if a child who is on a school roll fails to attend regularly and those absences are recorded by the school as unauthorised.

Legal interventions are available under the following acts, guidance and regulations:

- Section 444 of the Education Act 1996
- Section 36 of the Children Act 1989
- Section 23 of the Anti-Social Behaviour Act 2003
- The Education (Penalty Notices) (England) (Amendment) Regulations 2024
- School attendance parental responsibility measures, DfE guidance 2015

Pupils experiencing social, emotional or mental health issues

Mental health issues affecting a pupil's attendance: guidance for schools, DfE 2023

Mental health and behaviour in schools, DfE 2018

Pupils with health needs who cannot attend school

Arranging education for children who cannot attend school because of health needs, DfE statutory guidance 2023

Supporting pupils at school with medical conditions, DfE statutory guidance 2015

Pupils with individual needs and specific barriers to attendance

When considering the individual needs of pupils and families who have specific barriers to attendance, schools should be mindful of their obligations under the UN Convention on the Rights of the Child and the Equality Act 2010. The Technical Guidance for Schools in England, published by the Equality and Human Rights Commission, outlines the requirements of the Equality Act 2010 for schools.

Regulations regarding participation in performances

The Children (Performances and Activities) (England) Regulations 2014

Regulations regarding removal from roll

Regulation 9 of The School Attendance (Pupil Registration) (England) Regulations 2024

Regulations regarding the school day and number of sessions

The Education (School Day and School Year) (England) Regulations 1999

Requirement for mainstream, state-funded schools to deliver a school week of at least 32.5 hours

Length of the school week, DfE guidance 2023

Specialist and alternative provision settings are also encouraged to consider extending their core week where appropriate.