



Pilsley Church of England Primary School

Primary Attendance and Absence Policy

Adopted: March 2022

Reviewed: March 2024

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Statement of Intent

Pilsley CE Primary school believes that for children to flourish and achieve their true potential, good attendance is essential. Pupils cannot fully flourish and achieve their true potential if they do underachievement. If a child is absent from Pilsley CE Primary school, then they are missing not regularly attend school. Poor attendance is the single most significant factor in learning.

We are committed to:

- Ensuring parents follow the framework set in section 7 of the Education Act 1996, which states that:

“The parent of every child of compulsory school age shall cause him/her to receive efficient full-time education suitable –

(a) to age, ability and aptitude, and

(b) to any special educational needs he/she may have

Either by regular attendance at school or otherwise.”

- Promoting and modelling good attendance behaviour.
- Ensuring equality and fairness of treatment for all.
- Implementing our policies in accordance with the Equality Act 2010.
- Early intervention and working with other agencies to ensure the health and safety of our pupils.
- Rewarding regular attendance.

Signed by:

_____ Headteacher

Date: _____

_____ Chair of governors

Date: _____

1. Legal framework

1.1. This policy has due regard to legislation and statutory guidance, including, but not limited to, the following:

- Education Act 1996
- Equality Act 2010

- Education (Pupil Registration) (England) Regulations 2006 (As amended)
- Children (Performances and Activities) (England) Regulations 2014
- Children and Young Persons Act 1963
- DfE (2020) 'School attendance'
- DfE (2015) 'Child performance and activities licensing legislation in England'
- DfE (2020) 'Keeping children safe in education'
- DfE (2016) 'Children missing education'
- DfE (2020) 'Improving school attendance'

1.2. This policy will be implemented in conjunction with the following school policies:

- Complaints Procedures Policy
- Behaviour Policy
- Children Missing Education Policy

2. Roles and responsibilities

2.1. The governing board has overall responsibility for:

- The implementation of this policy and procedures of Pilsley CE Primary school.
- Ensuring that this policy, as written, does not discriminate on any grounds, including, but not limited to, ethnicity/national origin, culture, religion, gender, disability or sexual orientation.
- Handling complaints regarding this policy as outlined in the school's Complaints Procedures Policy.
- Having regard to 'Keeping children safe in education' (2021) when making arrangements to safeguard and promote the welfare of children.
- Ensuring there is a Children Missing Education Policy in place and that this is regularly reviewed and updated.

2.2. The headteacher is responsible for the day-to-day implementation and management of this policy and procedures of the school, and distributing these to parents.

2.3. Staff, including teachers, support staff and volunteers, are responsible for:

- Following this policy and ensuring pupils do so too. They are also responsible for ensuring this policy is implemented fairly and consistently. Modelling good attendance behaviour.
- Using their professional judgement and knowledge of individual pupils to inform decisions as to whether any welfare concerns should be escalated.

2.4. Parents are expected to take responsibility for the attendance of their child during term-time.

- 2.5. Parents are expected to promote good attendance behaviour and ensure that their child attends school every day.
- 2.6. Pupils are responsible for their own attendance at school and any agreed activities throughout the school year.
- 2.7. The school will ensure that absence procedures are understood by pupils, parents and carers.
- 2.8. Parents are responsible for:
 - Providing accurate and up-to-date contact details.
 - Providing the school with more than one emergency contact number.
 - Updating the school if their details change.

3. Definitions

3.1. For the purpose of this policy, the school defines:

- **“Absence”** as:
 - Arrival at school after the register has closed.
 - Not attending school for any reason.
- An **“authorised absence”** as:
 - An absence for sickness for which the school has granted leave.
 - Medical or dental appointments which unavoidably fall during school time, for which the school has granted leave.
 - Religious or cultural observances for which the school has granted leave.
 - An absence due to a family emergency.
- An **“unauthorised absence”** as:
 - Parents keeping children off school unnecessarily or without reason.
 - Truancy before or during the school day.
 - Absences which have never been properly explained.
 - Arrival at school after the register has closed.
 - Absence due to shopping, looking after other children or birthdays.
 - Absence due to day trips and holidays in term-time which have not been agreed.
 - Leaving school for no reason during the day.
- **“Persistent absenteeism”** as:
 - Missing 10 percent or more of schooling across the year **for any reason**.

4. Training of staff

- 4.1. The school recognises that early intervention can prevent poor attendance. As such, teachers will receive training in identifying potentially at-risk pupils as part of their induction and refresher training.
- 4.2. Teachers and support staff will receive training on this policy as part of their induction.

4.3. Teachers and support staff will receive regular and ongoing training as part of their development.

5. Pupil expectations

5.1. Pupils are expected to attend school every day and will sign an agreement at the beginning of each school year, to agree to keep their attendance at, or above, 96 percent throughout the year.

6. Pupils at risk of persistent absence

6.1. The SLT will:

- Establish a range of evidence-based interventions to address barriers to attendance.
- Monitor the implementation and quality of escalation procedures and seek robust evidence of the escalation procedures that work.
- Attend or lead attendance reviews in line with escalation procedures.
- Establish robust escalation procedures which will be initiated before absence becomes a problem by:
 - Sending letters to parents.
 - Having a weekly teacher review.
 - Engaging with LA attendance teams.
 - Using fixed penalty notices.
 - Creating attendance clinics.

6.2. The governing board will engage in attendance panels to reinforce messages and outline relevance in terms of training and employment.

6.3. Pupils potentially at greater risk of harm who need a social worker will be supported with pastoral and academic support, alongside action by statutory services in response to any unauthorised absences.

6.4. Teaching staff will:

- Welcome pupils back following any absence and provide catch-up support to build confidence and bridge gaps.
- Meet with pupils to discuss absence, patterns, barriers and problems. □ Establish plans to remove barriers and provide additional support.
- Lead daily or weekly check-ins to review progress and the impact of support.
- Make regular contact with families to discuss progress.
- Consider what support for re-engagement might be needed, including for vulnerable groups.

7. Absence procedures

7.1. Parents will contact the school as soon as possible on the first day of their child's absence.

- 7.2. Parents will send a note in on the first day that their child returns to school with a signed explanation of why they were absent; this is required even if the parent has already contacted the school.
- 7.3. Alternatively, parents may call into school and report to the school office where arrangements will be made to speak to a member of staff.
- 7.4. A phone call will be made to the parent of any pupil who has not reported their child's absence on the first day that they do not attend school.
- 7.5. In the case of persistent absence, arrangements will be made for parents to speak to the attendance officer.
- 7.6. The school will inform the LA, on a termly basis, of the details of pupils who fail to attend regularly, or who have missed 10 school days or more without authorisation.
- 7.7. If a pupil's attendance drops below 85 percent, the attendance officer will be informed, and a formal meeting will be arranged with the parents.
- 7.8. Where a pupil has not returned to school for 10 days after an authorised absence, or is absent from school without authorisation for 20 consecutive school days, the school will remove the pupil from the admissions register if the school and the LA have failed to establish the whereabouts of the pupil after making reasonable enquiries.

8. Parental involvement

- 8.1. The school will build respectful relationships with parents and families to ensure their trust and engagement.
- 8.2. The school will communicate openly and honestly with pupils and their families about their expectations of school life, attendance and performance so that they understand what to expect and what is expected of them.

8.3. The school will liaise with other agencies working with pupils and their families to support attendance, e.g. if a pupil has a social worker.

8.4. Parents will be expected to:

- Treat staff with respect.
- Actively support the work of the school.
- Call staff for help when they need it.
- Communicate with the school about possible circumstances which may affect their child's attendance or require support.

Attendance register

9.

9.1. The designated staff members will take the attendance register at the start of each school day and at the start of the afternoon session. This register will record whether pupils are:

- Present.
- Absent.
- Attending an approved educational visit.
- Unable to attend due to exceptional circumstances.

9.2. The school will use the national attendance codes to ensure attendance and absence are monitored and recorded in a consistent way. The following codes will be used:

- / = Present in the morning
- \ = Present in the afternoon
- L = Late arrival before the register has closed
- C = Authorised absence
- E = Excluded but no alternative provision made
- H = Authorised holiday
- I = Illness
- M = Medical or dental appointments
- R = Religious observance
- B = Off-site education activity
- G = Unauthorised holiday
- O = Unauthorised absence
- U = Arrived after registration closed
- N = Reason not yet provided
- X = Not required to be in school
- T = Gypsy, Roma and Traveller absence
- V = Educational visit or trip
- P = Participating in a supervised sporting activity
- D = Duel registered – at another educational establishment
- Y = Exceptional circumstances
- Z = Pupil not on admission register

9.1. When the school has planned in advance to be fully or partially closed, the code '#' will be used for the relevant pupils who are absent. This code will also be used to record year groups who are not due to attend because the school has set different term dates for different years, e.g. induction days.

9.2. All amendments made to the attendance register will include the original entry, the amended entry, the reason for the amendment, the date of amendment and the name and role of the person who made the amendment.

9.3. Every entry received into the attendance register will be preserved for three years.

9.4. Office staff will complete the '[Educational setting status form](#)' on a daily basis, based on the information on the attendance register.

10. Attendance officer

- 10.1. If they are persistently absent, pupils will be referred to the attendance officer who will attempt to resolve the situation through a parent agreement.
- 10.2. If the situation cannot be resolved and attendance does not improve, the attendance officer has the power to issue sanctions such as prosecutions or penalty notices to parents.
- 10.3. The attendance officer will monitor and analyse attendance data regularly to ensure that intervention is delivered quickly to address absence.
- 10.4. The attendance officer will provide regular reports to staff across the school to enable them to track the attendance of pupils and to implement attendance procedures.

11. Lateness

- 11.1. Punctuality is of the utmost importance and lateness will not be tolerated.
- 11.2. The school day starts at 8.50am. Pupils should be in their classroom at this time.
- 11.3. Registers are marked by 9.00am. Pupils will receive a late mark if they are not in their classroom by this time.
- 11.4. The register closes at 9:15am. Pupils will receive a mark of absence if they do not attend school before this time.
- 11.5. After lunch, registers are marked by 1pm. Pupils will receive a late mark if they are not in their classroom by this time.
- 11.6. The register closes at 1:15pm. Pupils will receive a mark of absence if they are not present.
- 11.7. Pupils attending after 9:05am will receive a mark to show that they were on site, but this will count as a late mark.

12. Term-time leave

- 12.1. At Pilsley CE Primary, our aim is to prepare pupils for their future lives and careers. With this in mind, we require parents to observe the school holidays as prescribed.
 - 12.2. The headteacher will be unable to authorise holidays during term-time.
- 12.3. The headteacher will be only allowed to grant a leave of absence in exceptional circumstances. Applications will be made in advance and the headteacher will be satisfied by the evidence which is presented, before authorising term-time leave.

12.4. The headteacher will determine the amount of time a pupil can be away from school during

term-time. Any leave of absence is at the discretion of the headteacher.

12.5. Any requests for leave during term-time will be considered on an individual basis and the pupil's previous attendance record will be taken into account.

12.6. Requests for leave will not be granted in the following circumstances:

- Immediately before and during assessment periods
- When a pupil's attendance record shows any unauthorised absence
- Where a pupil's authorised absence record is already above 10 percent for any reason apart from medical.

12.7. If parents take their child out of school during term-time without authorisation from the headteacher, they may be subject to sanctions such as penalty fines.

13. Leave during lunch times

13.1. Parents may be permitted to take their child away from the school premises during lunch times with permission from the headteacher – it is at the headteacher's discretion as to whether a pupil will be allowed to leave the premises.

13.2. Parents will submit a written request, outlining the reasons for their child to leave the premises during lunch time – this request will be submitted to the headteacher.

13.3. The headteacher will consider the request and will invite the parent in to the school for a discussion regarding any concerns, as well as the timely return of their child at the end of lunch time and their child's behaviour when not on the school premises.

13.4. The headteacher reserves the right to grant or refuse a request and will inform the parent in writing of their decision within one week of the request.

13.5. Where permission has been granted, the headteacher will ensure a photo lunchtime pass is printed for the pupil and will include the pupil's name on the off-site register.

13.6. Our lunch time hours are 12:00pm - 1:00pm.

13.7. Parents will be required to meet their child at the school office when taking them off the premises – the pupil will be signed out and back in using the signing in/out register at the school office.

13.8. A member of staff will be available at the school office before the pupil leaves the premises and upon their return to sign them back in. No pupil will leave the premises before the member of staff has given their permission.

13.9. If a pupil is expected to be leaving the school premises, they are required to do so – pupils will go home as soon as they leave the site and will not loiter outside the premises.

13.10. If a pupil expected to leave no longer has reason to do so, e.g. a medical appointment is

cancelled, they will inform a member of staff at the school office immediately.

14. Truancy

- 14.1. Truancy means any absence of part, or all, of one or more days from school, during which the school has not been notified of the cause behind such absence.
- 14.2. All staff will be concerned about the regular attendance of pupils, and the importance of continuity in each child's learning.
- 14.3. All pupils are expected to be in their classes by 8.50am and 1:00pm, where the teacher will record the attendance electronically.
- 14.4. Any pupil with permission to leave the school during the day must sign out at **the school office** and sign back in again on their return.
- 14.5. Immediate action will be taken when there are any concerns that a child might be truanting.
- 14.6. If truancy is suspected, the headteacher is notified, and they will contact the parent in order to assess the reasons behind the child not attending school.
- 14.7. The following procedures will be taken in the event of a truancy:
 - In the first instance, a letter of warning will be sent to the parents of the pupil, informing them of the truancy and stating that any future occurrences could result in further action being taken.
 - If any further truancy occurs, then the school will consider issuing a penalty notice.
 - A penalty notice will be issued where there is overt truancy, inappropriate parentally-condoned absence, excessive holidays in term-time and persistent late arrival at school.

15. Missing children

- 15.1. Pupils are not permitted to leave the school premises during the school day unless they have permission from the headteacher.
- 15.2. The following procedures will be taken in the event of a pupil going missing whilst at school:
 - The member of staff who has noticed the missing pupil will inform the headteacher immediately.
 - The office staff will also be informed as they will act as a point of contact for receiving information regarding the search.
 - A member of staff will stay with the rest of the class, and all other available members of staff will conduct a thorough search of the school premises as directed by the headteacher.

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- The following areas will be systematically searched:

- All classrooms
 - All toilets
 - The library
 - The school grounds
- Available staff will begin a search of the area immediately outside of the school premises, and will take a mobile phone with them so they can be contacted.
 - If the pupil has not been found after 10 minutes, then the parents of the pupil will be notified.
 - The school will attempt to contact parents using the emergency contact numbers provided.
 - If the parents have had no contact from the pupil, and the emergency contacts list has been exhausted, the police will be contacted.
 - The missing pupil's teacher will fill in an incident form, describing all circumstances leading up to the pupil going missing.
- 15.3. If the missing pupil has an allocated social worker, is a LAC, or has any SEND, then the appropriate personnel will be informed.
- 15.4. When the pupil has been located, members of staff will care for and talk to the pupil to ensure they are safe and well.
- 15.5. The headteacher will take the appropriate action to ensure that pupils understand they must not leave the premises, and sanctions will be issued if deemed necessary.
- 15.6. Parents and any other agencies will be informed immediately when the pupil has been located.
- 15.7. The headteacher will carry out a full investigation, and will draw a conclusion as to how the incident occurred.
- 15.8. Appropriate disciplinary procedures are followed in accordance with the Behaviour Policy.
- 15.9. Prolonged periods of unauthorised absence without contact will be handled in accordance with clauses [7.6-7.8](#) of this policy.
- 15.10. A written report will be produced, and policies and procedures will be reviewed in accordance with the outcome.

16. Religious observances

- 16.1. The school will take advice from local religious leaders of all faiths to establish the appropriate number of days of absence required for religious festivals.

16.2. Parents will inform the school in advance if absences are required for days of religious

observance.

17. Appointments

- 17.1. As far as possible, parents will attempt to book medical and dental appointments outside of school hours.
- 17.2. Where this is not possible, a note and appointment card will be sent to the school office.
- 17.3. If the appointment requires the pupil to leave during the school day, they will be signed out at the school office by a parent.
- 17.4. Pupils will attend school before and after the appointment wherever possible.

18. Modelling, sport and acting performances/activities

- 18.1. Under Section 37 of the Children and Young Persons Act 1963, all pupils engaging in performances/activities (whether they, or another person, receives payment or not), which require them to be absent from school, will be required to obtain a licence from the LA which authorises their absence(s).
- 18.2. Where a pupil requests to be absent for a performance or activity, the individual or organisation responsible for organising, producing or running the activity/performance will request a licence from the LA.
- 18.3. The organiser will allow sufficient time for the LA to process the request – the LA will refuse to consider an application if the performance or activity is less than 21 days away.
- 18.4. The LA will only approve a licence application once it is satisfied that:
 - The pupil's education, health and wellbeing will not suffer; and The conditions of the licence will be observed.
- 18.5. The LA will impose any conditions it considers necessary to ensure that the pupil is fit to take part in the performance/activity, that there will be proper provision for the pupil's wellbeing, and that the pupil's education will not suffer.
- 18.6. The school will make additional arrangements for pupils engaging in performances or activities that require them to be absent from school to ensure they do not fall behind in their education – this may involve private teaching. These arrangements will be approved by the LA who will ensure that the arrangements are suitable for the pupil.
- 18.7. The organiser of the performance/activity is responsible for ensuring these arrangements are carried out.
- 18.8. The pupil will receive education that, when taken together over the term of the licence, amounts to a minimum of three hours per day that the pupil would be required to attend a school maintained by the LA issuing the licence.
- 18.9. The above requirement will be met by ensuring a pupil receives an education:

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- For not less than six hours a week; and

- During each complete period of four weeks (or if there is a period of less than four weeks, then during that period), for periods of time not less than three hours a day; and
- On days where the pupil would be required to attend school if they were attending a school maintained by the LA; and
- For not more than five hours on any such day.

18.10. Where the applicant is unable to specify the dates of the performance/activity, and the LA decides to grant the application, the LA will specify that the pupil can only take part in the activity for a specified number of days within a sixmonth period.

18.11. Where a licence has been granted by the LA and it specifies dates of absence, no further authorisation is needed from the school.

18.12. Where an application does not specify dates, and it has been approved by the LA, it is at the discretion of the headteacher to authorise the leave of absence for each day.

18.13. The headteacher will not authorise any absences which would mean that a pupil's attendance would fall below 96 percent.

18.14. Where a licence has not been obtained, the headteacher will not authorise any absence for a performance or activity.

18.15. The LA will be satisfied that arrangements for chaperones, accommodation, place of performance and rehearsal, and travel are suitable before it grants the application.

18.16. The LA may decide to place restrictions on any performance or activity – this can include maximum hours and breaks.

18.17. The maximum number of consecutive days that a child can perform is six – this applies to performances only.

18.18. Pupils who perform are entitled to a break of at least 14 days following the last performance where the pupil has been performing on the maximum number of consecutive days over a period of eight weeks, unless the period to which the licence applies is less than 60 days.

18.19. A licence is also required where a pupil will be absent from school and conducting a performance or activity abroad.

18.20. The LA is responsible for enforcing all licence requirements; they may carry out inspections of the premises:

- Where rehearsals during the performance period are taking place;
- Where performances or activities are taking place; or
- Where the pupil is receiving their education, in order to check that licensing conditions are being met.

18.21. The LA has the power to amend or revoke existing licences at any time.

18.22. If the LA refuses to grant a licence, it will provide reasons for this decision in writing to the individual/organisation applying for the licence.

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- 18.23. The organiser of the performance/activity has the right to appeal the decision to a magistrates' court, including its refusal, revocation or variation, and against any condition under which a licence is granted or an approval is given.

19. Young carers

- 19.1. The school understands the difficulties that face young carers.
- 19.2. The school will endeavour to identify young carers at the earliest opportunity from enrolment at the school and throughout their time at the school.
- 19.3. The school will take a caring and flexible approach to the needs of young carers and each pupil will be examined on a case-by-case basis, involving other

20. Monitoring and review

- 21.1. The school monitors attendance and punctuality throughout the year.
- 21.2. Pilsley's attendance target is 96 percent.
- 21.3. Details of our absence levels can be found on our website.
- 21.4. This policy is reviewed every three years by the headteacher; the next scheduled review date for this policy is January 2025.
- 21.5. Any changes made to this policy will be communicated to all members of staff and parents.
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[Updated] Attendance During the Coronavirus (COVID-19) Pandemic

From September 2020, all pupils are required to attend school. As such, the arrangements set out in the main body of this policy (above) will be adhered to. This appendix has been developed in line with the latest government guidance to set out the additional measures that have been put in place to support pupils' attendance at school.

The school will have due regard for the DfE's '[Recording attendance during the coronavirus \(COVID-19\) outbreak](#)' guidance when recording attendance during the pandemic.

1. Attendance expectations from September

- 1.1 As of September 2020, attendance is mandatory for all pupils.
- 1.2 From September, the usual rules on school attendance (as set out in the main body of this policy) apply, including:
 - Parents' duty to ensure that their child attends school regularly.
 - The school's responsibility to record attendance and follow up absence, in line with the procedures in the main body of this policy.
 - The availability to issue sanctions, including fixed penalty notices in line with the LA's code of conduct.

2. Shielding or self-isolating pupils

- 2.1 Shielding advice for all adults and children paused on 1 August. This means that pupils who were shielding can return to school, as can pupils who have family members who were shielding.
- 2.2 Pupils who are no longer required to shield but who generally remain under the care of a specialist health professional should discuss their care with their health professional before returning to school. Parents should inform the school of any particular measures that need to be in place to ensure their child can return to school safely.
- 2.3 The school understands that there will be occasions where some pupils may not be able to attend school due to coronavirus, including for the following reasons:
 - They are self-isolating and have symptoms of coronavirus or a positive test result themselves, or because they are a close contact of someone who has coronavirus.
 - Rates of coronavirus in the local area have risen and certain individuals are asked to temporarily shield.
- 2.4 Absences relating to pupils following clinical and/or public health advice will not be penalised.

- 2.5 Where a pupil is unable to attend school because they are complying with clinical and/or public health advice, they will be immediately offered access to remote learning, in line with the [Pupil Remote Learning Policy](#).

3. Reluctance to return to school

- 3.1 Parents will be advised to contact the school if they have concerns about their child returning to school.
- 3.2 If a parent raises a concern, a relevant staff member will hold a discussion with the parent to discuss their concerns and provide reassurance on the measures that are in place to reduce risk in the school.

4. Monitoring attendance

- 4.1 The [attendance officer](#) will monitor the school's attendance rates once the school is open to all pupils in September.
- 4.2 Any trends in non-attendance will be identified (e.g. due to anxiety) and measures will be put in place to reengage affected pupils with the school.

Attendance Monitoring Procedures

[Pilsley CE Primary school](#) has adopted the following attendance monitoring procedures, to ensure that pupils' attendance meets the expected standard, and effective intervention is provided where pupils' attendance falls below the standard:

1. A spreadsheet is sent to the [SLT](#) and [attendance officer](#) detailing [weekly](#) and [annual](#) attendance to date.
2. Attendance is discussed by classroom teachers. Any attendance/punctuality trends noticed by classroom teachers are passed immediately to the [SLT](#).
3. Contact is made with parents on the first day of absence for any pupil absence not reported. 'N' codes are used to indicate that the pupil is absent for a reason not yet provided; these N codes are reported to the [SLT](#) and [attendance officer](#) daily.
4. Contact is made to the parents of any pupils marked using the N code. Any N codes not established after a week are recorded as an unauthorised absence.

5. If a pupil's attendance falls to **96 percent**, the **attendance officer** speaks to the pupil in school to discuss any issues or problems to ascertain how the school can help to improve their attendance. The **attendance officer** also makes a phone call home to discuss this with parents, if necessary.
6. If a pupil's attendance falls below **96 percent**, a letter is sent home raising concerns that their attendance has fallen below the school's expected standard. The letter also has an attached leaflet outlining how parents can work with the school and their child to improve attendance.
7. If a pupil's attendance falls below **90 percent**, a letter is sent home explaining that the pupil's attendance is now being monitored, and the **attendance officer** contacts the parents to discuss this.
8. The pupil's attendance is monitored for **two weeks** and, if attendance does not improve after this time, parents are required to attend a meeting in school with the classroom teacher and set targets for their child. If parents are unwilling to cooperate, or are genuinely unable to attend, a referral may be required to the local education welfare officer (EWO), who will then conduct a home visit.
9. After the **two-week** monitoring period, and if targets are met, a letter is sent home from the **SLT** to congratulate the pupil and their parents on improving attendance. Monitoring and communication with the parents continues until attendance stabilises to **96 percent**.
10. If targets are not met, the classroom teacher makes a referral to the EWO. Education welfare protocol is followed, and a parental contract is drawn up. A **four-week** monitoring period is established and, if there are no improvements, a final written warning is issued to the parents if there is no improvement after an additional **four weeks**, a fixed-penalty notice is issued.