

Meeting of:	CABINET
Date of Meeting:	19 SEPTEMBER 2023
Report Title:	SCHOOL ATTENDANCE ENFORCEMENT POLICY AND FIXED PENALTY NOTICES FOR UNAUTHORISED ABSENCE - CODE OF CONDUCT
Report Owner / Corporate Director:	CORPORATE DIRECTOR AND FAMILY SUPPORT
Responsible Officer:	MARK LEWIS, GROUP MANAGER – FAMILY SUPPORT
Policy Framework and Procedure Rules:	THERE IS NO EFFECT ON POLICY FRAMEWORK OR PROCEDURE RULES.
Executive Summary:	TO SEEK CABINET APPROVAL OF THE REVISED SCHOOL ATTENDANCE ENFORCEMENT POLICY AND FIXED PENALTY NOTICES FOR UNAUTHORISED ABSENCE – CODE OF CONDUCT.

1. Purpose of report

- 1.1 The purpose of the report is to seek Cabinet approval of the revised School Attendance Enforcement Policy (Appendix 1) and fixed penalty notices for unauthorised absence from school – Code of Conduct (Appendix 2).

2. Background

- 2.1 Bridgend County Borough Council (BCBC) has a legal obligation to make education provision for all children (between the school term after their 5th birthday and the last Friday in June of the school year they turn 16) living within the county borough. There is also a duty to ensure that all children regularly attend education provision.
- 2.2 The Education Welfare Service (EWS) acts as statutory service within the local authority to ensure these responsibilities are met. The service also works with schools and parents to ensure compliance.
- 2.3 The responsibility for ensuring regular school attendance lies with parents/carers and the implementation of legal proceedings to address issues is progressed by the EWS.
- 2.4 When the pupil fails to attend school, the absence is recorded and is marked as either an authorised or unauthorised absence. The school will consider whether the reason for absence is reasonable before doing so.
- 2.5 It is essential that all schools or cluster of schools adopt their own attendance policy which should include the rationale for fixed penalty notices (FPNs), prosecutions and other intervention methods. This policy should also cover situations when an absence will and will not be authorised.

3. Current situation/proposal

- 3.1 While there has been an improvement in school attendance rates for the academic year 2022-2023 (91.5% for primary schools compared to 90.1% in 2021-2022 and 89.1% compared to 86.5% for secondary schools in 2021-2022), we remain focussed on returning to pre-pandemic attendance levels as soon as possible.
- 3.2 A task and finish group, chaired by the Group Manager (Family Support) has been established with representative headteachers and other partners to progress this work.
- 3.3 A revised School Attendance Enforcement Policy and FPNs for unauthorised absence – Code of Conduct are attached as Appendix 1 and Appendix 2. These have been revised in conjunction with legal colleagues being cognisant of the current All-Wales Attendance Framework.
- 3.4 The criteria for which an FPN will be issued is outlined below:
- where a minimum of 10 unauthorised sessions (5 school days) have occurred in the current term (these do not need to be consecutive);
 - persistent lateness of more than 10 sessions in the current term (that is, arrived at school after the close of the registration period);
 - where parent/carers have failed to engage with the EWS in attempts to improve attendance but where court sanctions have not been instigated;
 - where a parent/carer has chosen to take their child on holiday during term time without authorisation; and
 - where a pupil regularly comes to the attention of the police during school hours for being absent from school without an acceptable reason.
- 3.5 Both the policy and code of conduct will be issued to schools and other partners following Cabinet approval.

4. Equality implications (including Socio-economic Duty and Welsh Language)

- 4.1 The protected characteristics identified within the Equality Act, Socio-economic Duty, and the impact on the use of the Welsh Language have been considered in the preparation of this report. As a public body in Wales, BCBC must consider the impact of strategic decisions, such as the development or the review of policies, strategies, services, and functions. It is considered that there will be no significant or unacceptable equality impacts as a result of this report.

5. Well-being of Future Generations implications and connection to Corporate Well-being Objectives

- 5.1 The well-being goals and principles prescribed for within the Well-being of Future Generations (Wales) Act 2015 connect directly to the approach to supporting children, young people, and their families. The approach is consistent with the five ways of working as defined within the sustainable development principle and more specifically as follows:

Long term	Research confirms that good school attendance will lead to better outcomes for pupils.
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Prevention	The focus of family support services is upon early identification of need and ensuring that there is appropriate provision in place to meet individual needs.
Integration	The approach to family support services addresses the need for a coherent delivery of economic, social, environmental, and cultural outcomes.
Collaboration	A fundamental principle of the approach to family support focuses on improving collaboration and creating a unified system.
Involvement	Ensuring that children, families, and other stakeholders are involved in improving school attendance is key to the current delivery model

6. Climate change implications

- 6.1 There are no climate change implications resulting from this project. However, we are committed to supporting the implementation of the local authority's 'Bridgend 2030 – Net Zero Carbon Strategy' and Welsh Government's carbon reduction commitments.

7. Safeguarding and corporate parent implications

- 7.1 The Education and Family Support Directorate (EFS) has a robust approach to safeguarding, and this is detailed within the directorate's strategic plan. The EFS Strategic Plan 2023-2026 is aligned with BCBC's Corporate Parenting Strategy.

8. Financial implications

- 8.1 It is difficult to anticipate how many FPNs will be issued in the course of a school year. However, a penalty notice is £60 if paid within 28 days of receipt of the notice, rising to £120 if paid after 28 days (but within 42 days of receipt). If the penalty is not paid in full by the end of the 42 days, the local authority must either prosecute parents/carers for the offence or withdraw the notice.

9. Recommendation(s)

- 9.1 Cabinet is asked to approve the:

- School Attendance Enforcement Policy; and
- FPNs for unauthorised absence from school (Code of Conduct).

Background documents

All-Wales Attendance Framework 2012

