

# **BRIDGEND COUNTY BOROUGH COUNCIL**

## **REPORT TO CABINET**

**14 JULY 2015**

### **REPORT OF THE CORPORATE DIRECTOR EDUCATION & TRANSFORMATION**

#### **NON SCHOOL ATTENDANCE ENFORCEMENT POLICY**

##### **1. Purpose of Report**

- 1.1 To seek Cabinet's approval of the Authority's Non School Attendance Enforcement Policy and amended School Attendance Strategy and Code of Conduct for issuing Fixed Penalty Notices in respect of unauthorised absence from school.

##### **2. Connection to Corporate Improvement Plan / Other Corporate Priorities**

- 2.1 The report relates to the following priorities in the Corporate Plan 2013-17:

- Working together to raise ambition and drive up educational attainment.

##### **3. Background**

- 3.1 The Code of Conduct for issuing Fixed Penalty Notices in respect of unauthorised absence from schools and the Authority's Attendance Strategy was approved by Cabinet in December 2014 and January 2015 respectively. The new regulations surrounding Fixed Penalty Notices are included in the appended Non School Attendance Enforcement Policy (**Appendix 1**).
- 3.2 The Non School Attendance Enforcement Policy will ensure the legal process is consistent and sets out clear guidance on the statutory role of the Education Welfare Service (EWS) including the issuing of Fixed Penalty Notices.
- 3.3 The Education (Penalty Notices) (Wales) Regulations 2013 sets out the framework for the operation of fixed penalty notice schemes. The use of Fixed Penalty Notices has been in place since January 2015.

##### **4. Current Situation/Proposal**

- 4.1 The Authority's Attendance Strategy (**Appendix 2**) and Code of Conduct for Fixed Penalty Notices (**Appendix 3**) for unauthorised absence from school were agreed by Cabinet in December 2014 and January 2015 respectively. However, it is necessary for the new regulations to be included in this Strategy along with the Non School Attendance Enforcement Policy.
- 4.2 All schools, relevant partner agencies and the general public will need to have sight of these policies which will be made available on the Local Authority's website. They will be circulated directly to schools and other stakeholders.

## **5. Effect upon Policy Framework and Procedure Rules**

5.1 There is no effect on the Policy Framework and Procedure Rules.

## **6. Equality Impact Assessment.**

6.1 There are no equality impact issues arising from this report.

## **7. Financial Implications**

7.1 The Local Authority can retain revenue from fixed penalty notices to cover the costs of issuing or enforcing notices or the cost of prosecuting recipients who do not pay. The surplus, if any, should be surrendered to the Welsh Consolidated Fund.

7.2 The costs awarded to the Local Authority from a successful prosecution (under section 444(1) and (1a) of the Education Act 1996 which does not relate to a fixed penalty notice will be allocated to the EWS Hardship fund. These monies are used to supply school uniform and other necessary equipment for those children in need.

## **8. Recommendation**

8.1 Cabinet is recommended:

- to approve the Non School Attendance Enforcement Policy and the revised Attendance Strategy and Code of Conduct for issuing Fixed Penalty Notices for Unauthorised Absences at school.

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