

The Law regarding attendance

You are legally responsible for ensuring that your child gets a full-time education that meets their needs (for example if they have special educational needs). For most parents this will mean making sure that your child attends school every day. Children must get an education between the school term after their 5th birthday and the last Friday in June in the school year they turn 16. You can be prosecuted if you do not give your child an education. If you accept a place in nursery, reception or 6th form the expectation is that your child attends every day.

Registration

The register at school is taken both in the morning and in the afternoon and this means that there are two sessions each day.

If your child is absent from school at the time the register is taken, they will be marked as absent. If they arrive within 30 minutes of the start of the school day the mark will be changed to a late mark. If they are over 30 minutes late to school, they will be marked as an unauthorised late mark which counts as an absence.

Absence

As a parent /carer you should follow the school absence procedure to tell the school when and why your child is absent or late.

If you know in advance that your child will need to be absent for an exceptional reason you must ask in advance for the school to agree that your child may be absent. As a parent/carers you can offer an explanation regarding your child's absence from school, but the decision if the school authorise the absence rests with the Headteacher.

Support

If your child is struggling to attend, talk to the school. Schools can offer support and will work with you to ensure that your child attends regularly and punctually.

The school may ask you to engage with an Attendance Contract to support better attendance and punctuality. This is an agreement of what everyone will do to help your child to attend. It may include referrals to other support agencies or services. If support is not engaged with or the child's attendance is not improving a school may need to consider other action to make sure your child gets an education.

The National Framework for issuing Penalty Notices that came into effect from 19th August 2024.

Schools must now consider if a Penalty Notice Fine should be issued if the child has been marked as unauthorised absence for 10 sessions in a 10 school week period. This can mean one continuous absence or separate absences adding up to 10 sessions and can be spread across weeks, school terms and academic years.

First Offence:

The first penalty notice issued to a parent in respect of a particular pupil will be charged at £160 if paid within 28 days. This will be reduced to £80 if paid within 21 days.

Second Offence (within 3 years):

A second penalty notice issued to the same parent in respect of the same pupil is charged at a rate of £160 if paid within 28 days. There is no option to pay a reduced rate. However the Local Authority may decide to take alternative legal action which includes prosecution in a Magistrates' Court.

Any Further Offence (within 3 years):

A Third Penalty Notice cannot be issued to the same parent in respect of the same child within 3 years of the date of issue of the first. If the threshold is met for a third or subsequent times within 3 years, alternative legal intervention will be taken, this may include cases being presented straight to a Magistrates' Court.

For further information please see:

The school's website to read their Attendance Policy.

[Working together to improve school attendance \(applies from 19 August 2024\)](#)
publishing.service.gov.uk

[School attendance, welfare and support : Overview | Merton Council](#)

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**MOMENTS
MATTER,
ATTENDANCE
COUNTS.**