

Managing School Attendance

Supporting pupils' return to school following Covid-19 school closure

Guidance

September 2020

This guidance is in addition to the information provided on school attendance in the Government guidance: **Guidance for full opening: schools** and **School Attendance: Main guidance** and **Addendum: recording attendance during coronavirus (Covid-19) during the 2020 to 2021 academic year.**

The Government expectation is that September 2020 will see the return to school of all pupils making school attendance mandatory again from the beginning of the autumn school term. The experiences of children, young people and their families during lockdown has been extremely variable and therefore the challenge for school will be to provide the support and flexibility required to implement the return as well as a consistency and fairness that is understood by staff, pupils and parents.

This guidance will help schools to manage the attendance of their pupils by explaining different approaches, outlining legal obligations and considering risks to approaches for both pupils and school.

The guidance will cover the following areas:

- The Law
- Staggered start dates
- Addressing attendance issues.
- Reduced timetables
- Flexi-Schooling
- Elective Home Education
- Children Missing Education
- Fixed Penalty Notices and Prosecution
- Attendance codes and Education at Home
- Summary

The Law

The DfE guidance on school attendance has been updated and the August 2020 publication can be found at <https://www.gov.uk/government/publications/school-attendance> . In addition, there is a temporary addendum on the recording of attendance in relation to Covid-19.

With the return of compulsory education in September, this guidance should be followed by schools and be the basis for schools' actions in responding to non-attendance issues.

The Government expectations of schools and local authorities outlined in the guidance therefore continues to apply, and are:

- the promotion of good attendance and reduction of absence, including persistent absence
- to ensure every pupil has access to full-time education to which they are entitled
- to act early to address patterns of absence
- to ensure parents perform their legal duty by ensuring their children of compulsory school age who are registered at school attend regularly. And,
- that all pupils are punctual to their lessons.

There will be many approaches taken by schools to ensure these expectations are met due to the specific needs of each individual child, however, it is important that a full-time suitable education remains the goal for all pupils in schools.

The DfE guidance on parental responsibility for behaviour and attendance <https://www.gov.uk/government/publications/parental-responsibility-measures-for-behaviour-and-attendance> remains the current statutory guidance for local authorities, school leaders, school staff, governing bodies and the police with temporary arrangements published to cover the period of non-compulsory attendance. As outlined in the DfE guidance for full opening of schools <https://www.gov.uk/government/publications/actions-for-schools-during-the-coronavirus-outbreak/guidance-for-full-opening-schools> attending school, if school is the choice of parents, it is now mandatory and therefore the legal duty given to parents and the powers of the local authority and schools to act if this duty is not met, are in place.

The Lincolnshire [Code of Conduct](#) is a locally agreed document that outlines the criteria used to trigger a fixed penalty notice. The temporary hold on issuing fines has now been lifted and therefore the Code of Conduct is in place which may result in parents being fined for not sending their child(ren) to school. Schools may consider that fining a parent for non-attendance following a period of non-compulsory education and any trauma that some children may have experienced due to this, is

unlikely to, initially, be the most appropriate action to take. However, where justifiable, this process may be followed.

So to summarise, the expectation is that from September children who are registered pupils at a school will attend full-time. Full-time means, in accordance with the school rules.

Staggered start dates

Schools face a huge challenge in September in managing the return of all children back into education. Whilst there is an expectation that all children will return together on the first day, some schools will have undertaken risk assessments and developed a plan that involves staggering the return dates for pupils. Any such plan must be short-term and parents must be fully informed of how the school will educate their children over those initial days when they are not attending. Parents have a right to request that their child is in school full-time therefore schools need to consider how they will accommodate this, should they be asked. Any delay of start date would constitute an exceptional short-term arrangement. If the arrangement is that one particular year group comes into school at a later date, then this would be coded # for the period. If pupils start school but are being educated at home for a number of dates until they come to school due to safety reasons, this would be coded X.

Unlike the above arrangement, if the school has formally staggered the start of the school year for an entire year group then it must ensure that the total number of teaching days remains 190 in each year group.

There are specific codes to be used for attendance in relation to Covid-19. The link to this document is <https://www.gov.uk/government/publications/school-attendance/addendum-recording-attendance-in-relation-to-coronavirus-covid-19-during-the-2020-to-2021-academic-year> and further information on these codes will be given below in *Attendance Codes and Education at home*.

It is normal practice for schools to introduce a staggered start date or a reduced timetable for children entering reception class. The arrangements for this should not be any different to the usual procedure. A child cannot receive double funding to

attend a school and a pre-school therefore schools must not expect a child to remain in a pre-school setting and this should be explained to parents who may wish to consider this as an option to sending their reception age child to school full-time.

Addressing Attendance issue:

It is anticipated that there will be a number of issues around attendance as children return to school after this lengthy period of closure and whilst a certain amount of flexibility may be required, this must be evidence-based following normal sickness absence procedures and be carefully monitored to ensure that children are not becoming 'school refusers'.

Symptoms of /exposure to COVID 19 – There has been an addendum to the DfE guidance on school attendance and the coding of absences to allow for those absences linked to COVID 19 to be accommodated and this aspect is discussed later in this document. However, there are a number of scenarios and each requires the school to be active in requiring evidence of what is being said. So if it is isolating after a holiday abroad ask for proof of the return flight and its dates so that you know when to expect the pupil's return and can chase up if they do not reappear. If it is a track and trace exposure seek sight of the notification of the same and confirmation of the pupil's expected return date and if it is symptoms confirmation that the pupil or family member has COVID and if absence persists seek further evidence that the pupil is still unable to return as the family are still isolating or the pupil is still unwell and do not allow the matter to continue for extended periods of time unchallenged. Schools need to be mindful that the use of COVID 19 symptoms in respect of the pupil or other family members or contact with someone through the track and trace system are going to be adopted to cover up instance where parents are (for whatever reason) failing to ensure regular school attendance where COVID 19 has no bearing on the child's absence.

Anxiety and/or Depression due to the pandemic – There are going to be genuine cases where this will arise as it is clear that there has been a huge increase in mental health issues during the COVID 19 crisis. However, this needs to be properly diagnosed. If the parent has not sought medical advice for the child then the school should write to them urging them to obtain an appointment with their GP.

We need to establish whether the child is currently medically unfit to attend school and whether there are any reasonable adjustments that can put in place to facilitate their return to school and also how long it is anticipated they will be unfit to return.

It is not acceptable for a parent to keep a child home due to their own anxiety about them returning to school. The law in this area is very clear and ill health absences must relate to a pupil and not the pupil's parent or carer. If the parents are themselves suffering from anxiety you can express sympathy in terms of them seeking medical help but must remind the parent of their duty to ensure their child attends school and the possible outcome if the child does not. It should also be made clear that the absence will be marked as "unauthorised".

Shielding – The addendum guidance on this from the DfE is very clear and states that *"shielding advice for all adults and children paused on 1st August 2020. This means that even the small number of pupils who will remain on the shielded patient list can return to school, as can those who have family members who are shielding"*. Therefore all pupils who fall within this category should return to school and only a local lockdown would change this. If there was a local lockdown clearly they will be shielding again and should have a letter confirming this and provide a copy to the school. Once shielding has paused again then the school should write to the parents setting out their expectation that the child would be back in school and asking them to make contact to explain why this has not happened.

Reduced Timetables

All pupils are entitled to a full-time education; however there may be circumstances, following the Covid-19 school closure period, for which a temporary reduced timetable may be considered appropriate for the child. This may be due to a previous or newly diagnosed medical need or as an intervention to address and manage a pupil with significantly challenging behavioural, emotional or social needs. The latter may have developed due to trauma that a child and their family experienced during the Covid-19 lockdown. New guidance **Preventing Anxiety Based School Refusal: A guide to early intervention** has been produced specifically to support children who may have developed anxiety related to returning full-time to school. Whilst there

is no assumption that a child with anxiety will not be able to attend school full-time, it is recognised that a phased return for some pupils may lower their level of anxiety and ensure a better outcome in the long-term. The guidance above plus how to **Managing behaviour that challenges in response to Covid 19 - Primary Setting Guidance** can be found on Perspective Lite in *Safeguarding > Safeguarding Documents > Anxiety Led School Refusal Resources*

The **Reduced Timetables Statutory Guidance and Local Protocol for Lincolnshire Schools June 2019** can be found on Perspective Lite *Attendance > Inclusion & Attendance > Reduced Timetables (RTT) (less than 25hrs) > RTT Policy & procedures*. The key points to highlight are:

- the reasons behind a reduced timetable must be solely related to the needs of the child, and not parents or family. Whilst a school will empathise and support the fears that parents may have over sending their child to school, a reduced timetable for the child is not the appropriate strategy to address this.
- a reduced timetable can only be implemented in agreement with the parents and where appropriate, other specialist agencies. To use a reduced timetable without this permission or for any other purpose could be deemed as a potential illegal exclusion.
- the local authority must be informed of all reduced timetables through the survey link regardless of the period of time that the reduced timetable is in place. [Click here to be taken straight into the Survey log-in screen](#)
- a Pastoral Support Plan (PSP) must be completed if a reduced timetable is being considered to address the behavioural, social or emotional needs of a child. There may be additional plans in place; however the completion of the PSP will be essential if the school wish to access further temporary support via Pilgrim as outlined in the **Preventing Anxiety Based School Refusal guidance**.

Flexi- Schooling

Flexi-schooling is an approach where the education is provided both at home and at school. It is not elective home education as the child is on the school roll. This is an arrangement between the parents and the school and the school have a right to

refuse a request for a child to be flexi-schooled. The guidance **Information for parents, carers, head teachers and governors regarding flexible attendance at school (flexi-learning)** can be found on Perspective Lite in the Attendance folder *Attendance> Inclusion and Attendance>Flexi- Schooling Guidance for Schools*.

It is possible that during the Covid-19 lockdown, parents have considered different options for educating their child and may approach a school asking to attend fewer days than usual so that they can educate them at home as well.

Points to consider:

- a flexi-school arrangement is a formal arrangement and an agreement needs to be created that documents the roles and responsibilities of both the parents and the school. It should be review initially every 6 weeks.
- a child who is flexi-schooled remains on the roll of a school therefore the days they are not in school are considered as authorised absences. Whilst school may be concerned about this, Ofsted have recognised flex-learning as an acceptable reason for absence.
- Flexi-schooling must be C coded and not B coded.

Elective Home Education

To electively home educate a child, parents must inform the school of their decision after which the school will remove their child from roll and inform the local authority that the child's learning is now being arranged by the parents. Note that if the child is on roll at a special school then the local authority must give permission for the child to be electively home educated to ensure that the specific needs can still be met outside the school environment. It is the parent's choice to elect to home educate and the school must not be seen to persuade them in their decision either way. However, it is important that parents are given full information about elective home education, and particularly, how it may differ to what they have been experiencing over the last few months during school closure.

The **Elective Home Education Protocol April 2019** can be found on Perspective Lite in the Attendance folder *Attendance > Inclusion & Attendance > Elective Home Education*. There is also a leaflet **Home Education: Information for Parents** that explains the expectations of parents if they choose to home educate.

There are three main reasons why parents may choose to home educate that are different to the usual decision making

1. They are still not confident to return their child to school due to their perception of the risks of Covid-19 (parental anxiety)
2. Their child has anxiety over returning to school and parents wish to extend the period of being at home (child anxiety)
3. They enjoyed the experience of teaching their children at home for the short period of school closure and wish to continue.

Key points to consider are:

- a child who is home educated does not remain on the school roll and therefore will not get access to the resources that schools may have provided during lockdown, including any digital devices.
- the parent is responsible for providing a suitable education and will be asked to provide evidence of this.
- should a parent decide that they no longer wish to home educate, there is no guarantee that they will be able to return to the original school as there may not be a school place available. Parents should not be threatened with this, but be made aware of the difficulties that the school may have in offering a return.
- if the reason for requesting to EHE is around the child's anxiety about returning, then delaying the return could be more detrimental if appropriate support is not in place. The school should ensure that parents are aware of the full support package that is available for the child and family if they remain in school and that there are alternative options that may include a temporary reduced timetable if appropriate.

Whilst home education can be the right approach and very rewarding for some children, there is a risk that it may be chosen for the wrong reasons following the Covid-19 lockdown. It is therefore important to, if possible, invite parents to a meeting to discuss alternative options of how the school can support their child in the early stages of the return.

If parents wish to pursue the home education route, the school must complete the Elective Home Education notification survey. The link to this survey is <https://snaps.lincolnshire.gov.uk/snapwebhost/s.asp?k=159903791844>. The school may also be contacted by an Education Welfare officer to discuss the level of contact with the family during school closure. It is important that schools inform any other agencies involved with the child, of the parent's decision to go EHE, especially if the child was deemed as vulnerable and the level of contact was low.

Fixed Penalty Notices and Prosecutions

During school closure, the government announced that all processes resulting in fixed penalty notices (FPN) and prosecutions for non-attendance would cease. This temporary hold is now lifted. Therefore the duty on parents to ensure regular school attendance and the power to issue fixed penalty notices and prosecutions for failing to ensure regular school attendance are back in force.

Covid-19 was in itself, an exceptional circumstance that affected all children, but it did not affect them all equally. Therefore it is important that the school consider absences case by case for a period of time, to consider mitigating factors and ensure that the right approach to the non-attendance is taken and will be effective. The purpose of a legal route must be to improve attendance.

All schools therefore need to return to monitoring school absence in the normal way but to step up vigilance to identify those children who have genuine reasons for absence and ensure this is evidenced and monitored and appropriate support put in place where needed.

However, fixed penalty notices remain an appropriate mechanism for addressing issues such as:

- holidays in term-time. Schools should consider that the days taken for a holiday requested in term-time is unauthorised, as is usual practice. Schools may wish to communicate this clearly to parents emphasising the importance of their children attending every day at school following a period of up to 6 months absence during lockdown. This may be particularly relevant to those families who in the past have regularly taken children out of school during term-time. Schools would need to consider exceptional circumstances carefully taking into consideration any social, emotional, behavioural and cultural needs before making a decision to authorise or un-authorise the absences, and then pursue a FPN.
- As a tool in the process of addressing more general poor attendance issues.

Submitting a file for prosecution should again be considered in cases of:

- Persistent absenteeism where no evidence of a reason allowing for a code that authorises the absence.
- Where a parent deliberately withholds a child from school for any reason then an aggravated prosecution will be appropriate.

The local authority is the final decision maker as to whether a Fixed Penalty Notice (FPN) will be issued or not and will have to be satisfied that there is relevant evidence to support a prosecution for non-school attendance should the FPN offer not be taken up by the parent. If parents have issues with the reasons behind the issuing of the FPN then they should address these with the school.

Children Missing Education

The guidance issued by the government during lockdown focussed on the engagement of children specifically those who are vulnerable and at potential risk of missing education. Some families were easier to engage with than others and so schools will have begun to make the necessary steps to establish if the child is still resident at the known address and reporting as a child missing education if they are not.

Some key points to consider are:

- parents may decide that they are not returning their child to school at the start of term. As the child is still on the roll of the school, the child is not missing education and therefore school should start addressing matters in line with its school attendance process and seek to engage with the parents to identify the issues and provide help and support in the usual way and, if there is no medical evidence to substantiate the absence, the school should go down the usual enforcement route.
- A child should live within reasonable distance of the school to be able to attend regularly, therefore if a child is living away from their home e.g. has returned to their home country, the school will need to consider whether they hold the school place until the child returns. If the parents are in regular contact with the school, and the parents have given a return date which is acceptable to the school, then it seems reasonable to keep the school place open for the child's return and authorise this absence. This should not be more than a few weeks and an open return date is not acceptable. Once it is clear the parents are able to travel (subject to quarantine on re-entering the UK) there is an expectation they will resume their place at the school. If they do not, seek advice on the way forward and do not simply remove them from roll.
- Parents applied for primary (Reception and Year 3) and secondary school (Year 7) places as part of the admissions process and therefore schools are responsible for the attendance of these children at the start of the new academic year. If the child does not turn up in September, the school **must** follow their non-school attendance process unless they can confirm that the child and family are no longer resident at the assumed address, in which case the CME process is applied. If a child is intending to attend the school but is currently living away, then the school should follow the steps as in bulletin point 2 above.
- If a parent refuses to send their child to school, this is not considered a child missing education. In the current climate, schools should attempt all they can to keep a child on roll especially if the reasons are due to parental or child anxiety. Schools cannot remove a child from roll due to non-attendance after 20 days if they are in contact with the parents and the child still lives at the

home address. In these circumstances the school should again follow its policy in respect of non-school attendance first establishing whether there is a genuine reason for absence and where this is medical, such as anxiety, ensuring medical appointments are made to assess the child and appropriate medical advice obtained so that the right support can be put in place. In the absence of a valid reason that can be authorised the normal school attendance process should be followed using the normal tools and some of the additional ones suggested in the document.

Attendance Codes and Education at home

During the COVID-19 lockdown, the government suspended recording of attendance and absences at school providing an alternative set of codes for this period. From the start of the academic year, schools are required to record attendance correctly using the codes set out in the DfE guidance

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/907535/School_attendance_guidance_for_2020_to_2021_academic_year.pdf

Coding related to Covid-19: In addition to the above, the Government released attendance guidance on coding during Covid19 for the academic year 2020/21, <https://www.gov.uk/government/publications/school-attendance/addendum-recording-attendance-in-relation-to-coronavirus-covid-19-during-the-2020-to-2021-academic-year>

This guidance must be read in full, however a summary of the key points is as follows:

Pupil experiencing symptoms:

- The X code is an additional code to be used to indicate a child not attending in specific circumstances related to coronavirus (COVID-19)
- Children who have symptoms should self-isolated and their attendance will be X coded until they take a Covid-19 test

- After the pupil tests positive they should be recorded as code I (illness) until they are able to return to school. This should be at least 10 days from the onset of their symptoms
- Children who test negative will be recorded as I (illness) following the test until they return to school. If they feel well and no longer have symptoms similar to coronavirus (Covid-19), they can stop self –isolating and return to school.

Recent close contact with someone with Covid 19 symptoms but that person hasn't had a test yet and the pupil has no symptoms themselves:

- If a member of the household has symptoms, the household should self-isolate whilst the member of the household gets a test. The child's attendance will be X coded
- If the member of the household tests negative, the pupils can stop self – isolating and return to school

Recent contact with positive Covid person but no symptoms themselves:

- If a member of the household tests positive, the pupil should self-isolate for 14 days. The X code will be used for this purpose
- Schools will seek advice or will be informed of who should self-isolate due to covid-19 breakout within the school community. The X code will be used in these circumstances.
- As outlined in the guidance, holidays should only be taken outside term-time. This may result, however, in a period of quarantine that falls into the school term. Only the period of quarantine falls under the 'not attending in circumstances related to coronavirus (COVID-19)' criteria and this should be coded as X.
- Should future outbreaks result in children or members of their family being asked to shield, the family will receive a letter outlining this. Parents will need to share this letter with the school before non-attendance can be recorded as X under the criteria of shielding.
- There may be other circumstances when medical professionals advise a household to self isolate. Examples of these are where a household member

is due to have a hospital admission for an operation or women in the last 14 days of pregnancy. Schools may wish to seek confirmation from the professional of these circumstances.

Other key points to consider in relation to coding of attendance:

- The 'B' code should be used when pupils are present at an off-site educational activity that has been approved by the school. It should not be used when children are doing school work at home and/or are unsupervised. The school are responsible for the safeguarding and the welfare of the children in the setting. The person or organisation responsible for the provision, must inform the school of any absence. Elective Home Education is not B coded. Flexi-learning is not B coded. Attending an alternative provision that is not a school, is B coded.
- It is possible for children to be registered at more than one educational setting. This is D coding. The education being provided must be full-time (unless Gypsy Roma and Traveller children for which there is additional guidance) and the school must communicate in order to follow up any absence in a timely manner. This arrangement may be suitable at this time, if, for example, a family are caring for a shielding or quarantined relative which means a temporary move and educational arrangements for the child. The host school does not have to agree to this arrangement and may request work from the main school to be given to the child. The main school should request evidence from the parents that the dual registered arrangement is required for the child to continue their education.
- Holiday authorisation; absence code H should not be used unless there are exceptional circumstances. This has been discussed above but it is a reminder that holiday absences, despite the current restrictions during school holidays, should be authorised sparingly and with due consideration, by the Head teacher.

Providing Education to Children at Home

Clearly where no authorised reason for absence has been established school work should not be provided at home. However, there will be situations where pupils are at home for justifiable reasons such as quarantine when they are not themselves ill. It is then expected that they will be provided with online schooling or some other form of remote education such as sending work home without delay. This should be monitored and marked during their time at home. This may also apply in a local lockdown situation if schools remain open but vulnerable children, or those with family members who are vulnerable, are required to shield.

Summary

We know that the government have prioritised children returning to school in September and that both schools and the local authority are likely to be subject to scrutiny in respect of school attendance figures. School attendance is not always just a case of opening the school doors and it is inevitable that existing school attendance issues prior to the pandemic, and new ones caused by the pandemic, will result in an initial drop in attendance figures. It is therefore vital that school address school attendance issues in a timely manner and establish which are genuine and can be authorised, which are genuine and require additional help and support to facilitate a return to full-time education and which are matters that require placing into the normal school attendance procedure.

We are all aware that the longer a pupil is out of school the harder it is to get them back into full-time education and we are already at a disadvantage because schools have been closed since March. It is therefore vital to act as swiftly as possible to address issues and not allow poor attendance to drift on unchallenged.

Further guidance

The information above provides a summary of the main processes and guidance that will support schools to managing the attendance of pupils returning in September. Schools should read the full guidance available related to each process for a full understanding. Schools who have purchased the Managing Attendance support

package may request further support on individual cases by emailing attendance@lincolnshire.gov.uk.