Department for Education

School attendance

Guidance for maintained schools, academies, independent schools and local authorities

July 2019

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Summary

About this guidance

This is guidance from the Department for Education. This guidance is non-statutory, and has been produced to help schools and local authorities maintain high levels of school attendance and plan the school day and year. It would be helpful to read this alongside the statutory guidance on parental measures for school attendance and behaviour.

Expiry or review date

This guidance will be kept under review and updated as necessary.

Who is this guidance for?

This guidance is for:

- Local authorities
- All school[1] staff, head teachers, governors, alternative provision providers
- Independent schools for pupil registers
- This guidance may also be useful for parents and carers

Key points

This document replaces previous guidance on pupils' registration, school day and year, and *Ensuring Children's Right to Education,* it outlines the government's approach to school attendance.

This guidance is made up of:

- Section one - pupil registers and attendance codes;
- Section two - school day and year.

[1] In all types of state funded schools, including state maintained nurseries, independent schools, schools with 6th forms, academies, free schools, pupil referral units and alternative provision providers.

Section One: Guidance on Pupil Registers and Attendance Codes

School Attendance

Central to raising standards in education and ensuring all pupils can fulfil their potential is an assumption so widely understood that it is insufficiently stated – pupils need to attend school regularly to benefit from their education. Missing out on lessons leaves children vulnerable to falling behind. Children with poor attendance tend to achieve less in both primary and secondary school.

The government expects:

- Schools and local authorities to:
  - Promote good attendance and reduce absence, including persistent absence;
  - Ensure every pupil has access to full-time education to which they are entitled; and,
  - act early to address patterns of absence.
- Parents to perform their legal duty by ensuring their children of compulsory school age who are registered at school attend regularly.
- All pupils to be punctual to their lessons.

What does the law say and what do I have to do?

This guidance summarises the legal powers and duties that govern school attendance and explains how they apply to local authorities, head teachers, school staff, governing bodies, pupils and parents.

These requirements are contained in:

- The Education Act 1996 - sections 434(1)(3)(4)&(6) and 458(4)&(5)
- The Education (Pupil Registration) (England) Regulations 2006
- The Education (Pupil Registration) (England) (Amendment) Regulations 2010
- The Education (Pupil Registration) (England) (Amendment) Regulations 2011
- The Education (Pupil Registration) (England) (Amendment) Regulations 2013
- The Education (Pupil Registration) (England) (Amendment) Regulations 2016

The Admission and Attendance Registers

The law requires all schools including independent schools to have an admission register and, with the exception of schools where all pupils are boarders, an attendance register. All pupils (regardless of their age) must be placed on both registers. The proprietor of a

school who fails to comply with these regulations is guilty of an offence and can be fined[2].

Contents of Admission Register

The admission register must contain the personal details of every pupil in the school, along with the date of admission or re-admission to the school, information regarding parents and carers and details of the school last attended.

Expected First Day of Attendance

Schools must enter pupils on the admission register and attendance register from the beginning of the first day on which the school has agreed, or been notified, that the pupil will attend the school. For most pupils the expected first day of attendance is the first day of the school year.

If a pupil fails to attend on the agreed or notified date, the school must establish the reason for the absence and mark the attendance register accordingly.

All schools must[3] notify the local authority within five days of adding a pupil's name to the admission register and must provide the local authority with all the information held within the admission register about the pupil. This duty does not apply to pupils who are added to the admission register at the start of the school's youngest year – for example pupils who are registered at a secondary school at the start of Year 7 - unless the local authority also requests for such information to be provided.

Pupils Moving to a New Address and/or School

Where the parent of a pupil notifies the school that the pupil will live at another address, schools must[4] record in the admission register: (a) the full name of the parent with whom the pupil will live, (b) the new address, and (c) the date from when it is expected the pupil will live at this address.

Where a parent notifies the school that the pupil is registered at another school or will be attending a different school, schools must[5] record in the admission register: (a) the name of the other school, and (b) the date of when the pupil first attended, or is due to start attending, that school.

[2] Section 434(6) of the Education Act 1996.

[3] Regulation 12 of the Education (Pupil Registration) (England) Regulations 2006 (as amended by the Education (Pupil Registration) (England) (Amendment) Regulations 2016).

[4] Regulation 5 of the Education (Pupil Registration) (England) Regulations 2006 (as amended by the Education (Pupil Registration) (England) (Amendment) Regulations 2016).

[5] Regulation 5 of the Education (Pupil Registration) (England) Regulations 2006 (as amended by the Education (Pupil Registration) (England) (Amendment) Regulations 2016).

Deletions from the Admission Register

A pupil can lawfully be deleted from the admission register on the grounds prescribed in regulation 8 of the Education (Pupil Registration) (England) Regulations 2006 as amended.

Deletions due to Unpaid Boarding Fees[6]

A maintained boarding school or boarding academy may, additionally, delete a pupil from its admission register where the boarding fees remain unpaid at the end of the school term for which they were due to be paid. Where fees are unpaid, the school or academy should, before the grounds for removing the pupil from the register are met, consider whether:

- The relevant local authority, in the case of a maintained school, has considered whether a case exists for paying some or all of the child's boarding fees7;
- Removing the child from school would have a significant negative effect on his or her education and whether it can be mitigated, for example by transferring to a school closer to home;
- Parents/carers have been informed of any charitable or other voluntary sector assistance or benefits that may be available to help meet the cost of boarding fees; and,
- The school has given timely notice to the relevant local authority and the parents/carers, to assist school transfer.

Amendments to the Admission Register and Attendance Register

Every amendment made to the admission register and the attendance register must include: the original entry; the amended entry; the reason for the amendment; the date on which the amendment was made; and the name and position of the person who made the amendment.

Preservation of the Admission Register and Attendance Register

Every entry in the admission register and attendance register must be preserved for a period of three years after the date on which the entry was made.

Children at Risk of Missing Education

School governing bodies, academy trusts, and other school proprietors must have regard to the statutory guidance ‘Keeping Children Safe in Education’ when making arrangements to safeguard and promote the welfare of children.

Schools should put in place appropriate safeguarding responses for children who go missing from school, particularly on repeat occasions. Where reasonably practicable, for

[6] The Education (Pupil Registration) (England) (Amendment) Regulations 2011.

[7] Under section 458(4) and (5) of the Education Act 1996.

every pupil, schools should hold an emergency contact number for more than one person. Emergency contact numbers should be provided and updated by the parent with whom the pupil normally resides. This goes beyond the legal requirement but is good practice. Doing so provides schools with additional options for making contact with a responsible adult when a child is missing school and is also identified as a welfare and/or safeguarding concern.

Where school staff have concerns about a child, they should use their professional judgement and knowledge of the individual pupil to inform their decision as to whether welfare concerns should be escalated.

Local authorities have a duty[8] to put in place arrangements for identifying (as far as it is possible) those children of compulsory school age in their area who are not school registered or receiving suitable education otherwise than at a school. Local authorities should trace those children and ensure that they receive full-time education.

All schools must notify the local authority when a pupil's name is to be deleted from the admission register under any of the grounds prescribed in regulation 8 of the Education (Pupil Registration) (England) Regulations 2006 as amended, as soon as the ground for removal is met and no later than the time at which the pupil's name is removed from the register. This duty does not apply where the pupil's name is removed after they have completed the school's final year, unless the local authority requests for such information to be provided.

Where a school notifies a local authority that a pupil's name is to be deleted from the admission register**,** the school must[9] provide the local authority with the following information:

- the full name of the pupil;
- the full name and address of any parent with whom the pupil lives;
- at least one telephone number of any parent with whom the pupil lives;
- the full name and address of the parent who the pupil is going to live with, and the date the pupil is expected to start living there, if applicable;
- the name of pupil's other or future school and the pupil's start date or expected start date there, if applicable; and
- the ground prescribed in regulation 8 under which the pupil's name is to be deleted from the admission register.

[8] Under section 436A of the Education Act 1996 (as inserted by section 4 of the Education and Inspections Act 2006). There is separate statutory guidance for local authorities on how to carry out this duty (including advice for schools) – at https://www.gov.uk/government/publications/children-missing-education.

[9] Under regulation 12 of the Education (Pupil Registration) (England) Regulations 2006 (as amended by the Education (Pupil Registration) (England) (Amendment) Regulations 2016).

All schools (including academies) must agree with the relevant local authority, the regular interval that the school will inform the local authority of any pupil who fails to attend school regularly, or has been absent without the school's permission for a continuous period of 10 days or more.

Home Educated Children

On receipt of written notification to home educate, schools must inform the pupil's local authority that the pupil is to be deleted from the admission register. Schools should not seek to persuade parents to educate their children at home as a way of avoiding excluding the pupil or because the pupil has a poor attendance record.

Schools and local authorities should not seek to prevent parents from educating their children outside the school system. There is no requirement for parents to obtain the school or local authority's agreement to educate their child at home.

Parents have a duty to ensure their child of compulsory school age receives suitable full time education but this does not have to be at a school[10].

Contents of Attendance Register

Schools must take the attendance register at the start of the first session of each school day and once during the second session. On each occasion they must record whether every pupil is:

- Present;
- Attending an approved educational activity;
- Absent; or,
- Unable to attend due to exceptional circumstances.

The school should follow up any absences to:

- Ascertain the reason;
- Ensure the proper safeguarding action is taken;
- Identify whether the absence is approved or not; and,
- Identify the correct code to use before entering it on to the school's electronic register, or management information system which is used to download data to the School Census.

Boarding Schools

Boarding schools without day-pupils are not required to keep an attendance register. Schools with a mixture of day-pupils and boarders must keep an attendance register for the day-pupils.

[10] Section 7 of the Education Act 1996.

Absence and Attendance Codes

The national codes enable schools to record and monitor attendance and absence in a consistent way which complies with the regulations. They are also used for collecting statistics through the School Census System. The data helps schools, local authorities and the Government to gain a greater understanding of the level of, and the reasons for, absence. The codes are:

Present at School

Pupils must not be marked present if they were not in school during registration. If a pupil were to leave the school premises after registration they would still be counted as present for statistical purposes.

> **Registration Code / \: Present in school / = am \ = pm**
> Present in school during registration.
>
> **Code L: Late arrival before the register has closed**

Schools should have a policy on how long registers should be kept open; this should be for a reasonable length of time but not that registers are to be kept open for the whole session. A pupil arriving after the register has closed should be marked absent with code U, or with another absence code if that is more appropriate.

Present at an Approved Off-Site Educational Activity

An approved educational activity is where a pupil is taking part in supervised educational activity such as field trips, educational visits, work experience or alternative provision. Pupils can only be recorded as receiving off-site educational activity if the activity meets the requirements prescribed in regulation 6(4) of the Education (Pupil Registration) (England) Regulations 2006. The activity must be of an educational nature approved by the school and supervised by someone authorised by the school. The activity must take place during the session for which the mark is recorded.

Attendance codes for when pupils are present at approved off-site educational activity are as follows:

Code B: Off-site educational activity

This code should be used when pupils are present at an off-site educational activity that has been approved by the school. Ultimately schools are responsible for the safeguarding and welfare of pupils educated off-site. Therefore by using code B, schools are certifying that the education is supervised and measures have been taken to safeguard pupils. This code should not be used for any unsupervised educational activity or where a pupil is at home doing school work. Schools should ensure that they have in place arrangements whereby the provider of the alternative activity notifies the school of

any absences by individual pupils. The school should record the pupil's absence using the relevant absence code.

Code D: Dual Registered - at another educational establishment

This code is not counted as a possible attendance in the School Census. The law allows for dual registration of pupils at more than one school. This code is used to indicate that the pupil was not expected to attend the session in question because they were scheduled to attend the other school at which they are registered.

The main examples of dual registration are pupils who are attending a pupil referral unit, a hospital school or a special school on a temporary basis. It can also be used when the pupil is known to be registered at another school during the session in question.

Each school should only record the pupil's attendance and absence for those sessions that the pupil is scheduled to attend their school. Schools should ensure that they have in place arrangements whereby all unexplained and unexpected absence is followed up in a timely manner.

Code J: At an interview with prospective employers, or another educational establishment

This code should be used to record time spent in interviews with prospective employers or another educational establishment. Schools should be satisfied that the interview is linked to employment prospects, further education or transfer to another educational establishment.

Code P: Participating in a supervised sporting activity

This code should be used to record the sessions when a pupil is taking part in a sporting activity that has been approved by the school and supervised by someone authorised by the school.

Code V: Educational visit or trip

This code should be used for attendance at an organised trip or visit, including residential trips organised by the school, or attendance at a supervised trip of a strictly educational nature arranged by an organisation approved by the school.

Code W: Work experience

Work experience is for pupils in the final two years of compulsory education. Schools should ensure that they have in place arrangements whereby the work experience placement provider notifies the school of any absences by individual pupils. Any absence should be recorded using the relevant code.

Authorised Absence from School

Authorised absence' means that the school has either given approval in advance for a pupil of compulsory school age to be away, or has accepted an explanation offered afterwards as justification for absence.

Absence codes when pupils are not present in school are as follows:

Code C: Leave of absence authorised by the school

Only exceptional circumstances warrant an authorised leave of absence. Schools should consider each application individually taking into account the specific facts and circumstances and relevant background context behind the request.

Code E: Excluded but no alternative provision made

If no alternative provision is made for a pupil to continue their education whilst they are excluded but still on the admission register, they should be marked absent in the attendance register using Code E. Alternative provision must be arranged for each excluded pupil from the sixth consecutive day of any fixed period or permanent exclusion. Where alternative provision is made they should be marked using the appropriate attendance code.

Code H: Holiday authorised by the school

Head teachers should not grant leave of absence unless there are exceptional circumstances. The application must be made in advance and the head teacher must be satisfied that there are exceptional circumstances based on the individual facts and circumstances of the case which warrant the leave. Where a leave of absence is granted, the head teacher will determine the number of days a pupil can be away from school. A leave of absence is granted entirely at the head teacher's discretion.

Code I: Illness (not medical or dental appointments)

Schools should advise parents to notify them on the first day the child is unable to attend due to illness. Schools should authorise absences due to illness unless they have genuine cause for concern about the veracity of an illness. If the authenticity of illness is in doubt, schools can request parents to provide medical evidence to support illness. Schools can record the absence as unauthorised if not satisfied of the authenticity of the illness but should advise parents of their intention. Schools are advised not to request medical evidence unnecessarily. Medical evidence can take the form of prescriptions, appointment cards, etc. rather than doctors' notes.

Code M: Medical or dental appointments

Missing registration for a medical or dental appointment is counted as an authorised absence. Schools should, however, encourage parents to make appointments out of

school hours. Where this is not possible, the pupil should only be out of school for the minimum amount of time necessary for the appointment.

Code R: Religious observance

Schools must treat absence as authorised when it is due to religious observance. The day must be exclusively set apart for religious observance by the religious body to which the parents belong. Where necessary, schools should seek advice from the parents' religious body about whether it has set the day apart for religious observance.

Code S: Study leave

Schools must record study leave as authorised absence. Study leave should be used sparingly and only granted to Year 11 pupils during public examinations. Provision should still be made available for those pupils who want to continue to come into school to revise.

Code T: Gypsy, Roma and Traveller absence

A number of different groups are covered by the generic term Traveller – Roma, English and Welsh Gypsies, Irish and Scottish Travellers, Showmen (fairground people) and Circus people, Bargees (occupational boat dwellers) and New Travellers.

This code should be used when Traveller families are known to be travelling for occupational purposes and have agreed this with the school but it is not known whether the pupil is attending educational provision. It should not be used for any other types of absence by these groups.

To help ensure continuity of education for Traveller children it is expected that the child should attend school elsewhere when their family is travelling and be dual registered at that school and the main school. Children from these groups whose families do not travel are expected to register at a school and attend as normal. They are subject to the same rules as other children in terms of the requirement to attend school regularly once registered at a school.

Unauthorised Absence from School

Unauthorised absence is where a school is not satisfied with the reasons given for the absence. Absence codes are as follows:

Code G: Holiday not authorised by the school or in excess of the period determined by the head teacher.

If a school does not authorise a leave of absence for the purpose of a holiday but the parents still take the child out of school, or the child is kept away for longer than was agreed, the absence is unauthorised. The regulations do not allow schools to give retrospective approval. If the parents did not apply for leave of absence in advance, the absence must be recorded as unauthorised.

Code N: Reason for absence not yet provided

Schools should follow up all unexplained and unexpected absences in a timely manner. Every effort should be made to establish the reason for a pupil's absence. When the reason for the pupil's absence has been established the register should be amended. This code should not be left on a pupil's attendance record indefinitely; if no reason for absence is provided after a reasonable amount of time it should be replaced with code O (absent from school without authorisation).

Code O: Absent from school without authorisation

If the school is not satisfied with the reason given for absence they should record it as unauthorised.

Code U: Arrived in school after registration closed

Schools should actively discourage late arrival, be alert to patterns of late arrival and seek an explanation from the parent.

Administrative Codes

The following codes are not counted as a possible attendance in the School Census:

Code X: Not required to be in school

This code is used to record sessions that non-compulsory school age children are not expected to attend.

Code Y: Unable to attend due to exceptional circumstances

This code can be used where a pupil is unable to attend because:

- The school site, or part of it, is closed due to an unavoidable cause; or
- The transport provided by the school or a local authority is not available and where the pupil's home is not within walking distance; or
- A local or national emergency has resulted in widespread disruption to travel which has prevented the pupil from attending school.

This code can also be used where a pupil is unable to attend because:

- The pupil is in custody; detained for a period of less than four months. If the school has evidence from the place of custody that the pupil is attending educational activities then they can record those sessions as code B (present at approved educational activity).

This code is collected in the School Census for statistical purposes.

Code Z: Pupil not on admission register

This code is available to enable schools to set up registers in advance of pupils joining the school to ease administration burdens. Schools must put pupils on the admission register from the first day that the school has agreed, or been notified, that the pupil will attend the school.

Code #: Planned whole or partial school closure

This code should be used for whole or partial school closures that are known or planned in advance such as: between terms; half terms; occasional days (for example, bank holidays); weekends (where it is required by the management information system); up to five non-educational days to be used for curriculum planning/training; and use of schools as polling stations.

Different Term Dates for Different Pupils

Schools and local authorities can agree to set different term dates for different year groups – e.g. for ‘staggered starts’ or ‘induction days’. Code # can be used to record the year group(s) that is not due to attend. This is only acceptable where the school ensures that those pupils not attending on that day are still offered a full education over the school year.

Section Two: Guidance on School Day and School Year

Setting school term dates and holidays

School employers are required to set the term dates of their school year. Employers are: the local authority in community, voluntary controlled and community special schools and maintained nursery schools; the governing body in foundation and voluntary aided schools; the academy trust in academies and Free Schools.

School day and school year

The law regulating the school day and school year applies only to schools maintained by a local authority and special schools not maintained by a local authority. This law does not apply to academies and Free Schools.

School Day

Every school day must have two sessions divided by a break in the middle of the day. The length of each session, break and the school day is determined by the school's governing body.

School Year

Schools must meet for at least 380 sessions or 190 days during any school year to educate their pupils. If a school is prevented from meeting for one or more sessions because of an unavoidable event, it should find a practical way of holding extra sessions. If it cannot find a practical way of doing this then it is not required to make up the lost sessions.

Changes to school day and school week

The structure of the school day and school week should not be the cause of inconvenience to parents and it is unacceptable for schools to shorten their school day or school week unless it is a direct action to support and enhance their pupils' education.

Schools should organise the school day and school week in the best interest of their pupil cohort, to provide them with a full-time education suitable to their age, aptitude and ability.

In the event that a school decides to make changes to its school day or week, it is expected that schools will act reasonably when making such decisions; giving parents

notice and considering the impact on those affected, including pupils, teachers, and parents' work commitments and childcare options.

In particular, schools should consider the potential impact of a shorter week on parents' work commitments, their childcare options and their choice of school. When applying for a school place, parents may be more likely to choose a school with a traditional, full-time school week and to appeal against the offer of a place at a school with a shorter school week.

Schools should also consider the potential impact of a shorter school week on parental choice as part of admissions and admission appeals processes.

What legislation does the guidance in this section relate to?

- The Education Act 2002 - section 32
- The Education Act 1996 – section 551(1)
- The Education (School Day and School Year) (England) Regulations 1999
- The Changing of School Session Times (England) (Revocation) Regulations 2011

Frequently Asked Questions

Can a school place a pupil on a part-time timetable?

As a rule, no. All pupils of compulsory school age are entitled to a full-time education. In very exceptional circumstances there may be a need for a temporary part-time timetable to meet a pupil's individual needs. For example where a medical condition prevents a pupil from attending full-time education and a part-time timetable is considered as part of a re-integration package. A part-time timetable must not be treated as a long-term solution. Any pastoral support programme or other agreement must have a time limit by which point the pupil is expected to attend full-time or be provided with alternative provision.

In agreeing to a part-time timetable a school has agreed to a pupil being absent from school for part of the week or day and therefore must record it as authorised absence.

Are pupils entitled to study leave?

No. Study leave should not be granted by default once tuition of the exam syllabus is complete, and study leave should only ever be granted to pupils in year 11. If schools do decide to grant study leave, provision should still be made available for those pupils who want to continue to come into school to revise.

All pupils are different and have different requirements and preferences when preparing for examinations. Some schools do seek alternatives to study leave as they recognise that some pupils do not have the skills, or are not inclined, to make the best use of unsupervised and unstructured revision time. However, many schools also recognise that study leave is a chance for pupils to develop their independent study which will help them when they move to post-16 provision, where a self-study approach is commonly used.

How should schools record the attendance of pupils on study leave?

Y11 pupils granted study leave should be marked on the attendance register as authorised absence using code S. No other attendance code is suitable for the purpose of study leave. Y11 pupils who are 16 years old are of compulsory school age (up to the last Friday in June) and must be marked on the attendance register accordingly.

Can a school use a designated school day as an academic review day for parents?

No. Academic reviews day should not be used as part of the school day. Schools should endeavour to hold these reviews out of school hours.

Do schools need to consult parents if making changes to the school day?

It is expected that schools will act reasonably when making such decisions; giving parents notice and considering the impact on those affected, including pupils, teachers, and parents' work commitments and childcare options.

Can a parent take their child on holiday during term time?

Head teachers should only authorise leave of absence in exceptional circumstances. If a head teacher grants a leave request, it will be for the head teacher to determine the length of time that the child can be away from school. Leave is unlikely, however, to be granted for the purposes of a family holiday as a norm.

Does the change to the regulation on leave of absence affect Child performers?

The amendments made to regulation 7 of the Education (Pupil Registration) (England) Regulations 2006 on leave of absence do not affect the section that allows the parent of a child performer to seek leave of absence from school for their child to take part in a performance. The amendments affect section 3 and 4 of regulation 7, which relate to leave of absence for the purpose of a family holiday.

Section 2 of Regulation 7 (which has not been amended) still enables a head teacher to grant leave of absence for a pupil to undertake employment during school hours for the purpose of taking part in a performance within the meaning of section 37 of the Children and Young Persons Act 1963.

Legislation sets out that a local authority licence must be obtained before a child can take part in a performance. Where the license specifies the dates that a child is to be away from school to perform, then the head teacher should authorise those days. However, where the terms of the license do not specify dates it is at the discretion of the head teacher to authorise leave of absence. However, where the terms of the license do not specify dates it is at the discretion of the head teacher to authorise leave of absence. Head teachers should be sympathetic to requests that are supported by a licence, as long as the school remains satisfied that this will not have a negative effect on a child's education

Further sources of information

Relevant legislation on www.legislation.gov.uk

- The Education (Pupil Registration) (England) Regulations 2006
- The Education (Pupil Registration) (England) (Amendment) Regulations 2010
- The Education (Pupil Registration) (England) (Amendment) Regulations 2011
- The Education (Pupil Registration) (England) (Amendment) Regulations 2013
- The Education (Pupil Registration) (England) (Amendment) Regulations 2016
- The Education Act 2002
- The Education (School Day and School Year) (England) Regulations 1999
- The Changing of School Session Times (England) (Revocation) Regulations 2011
- The Education and Inspections Act 2006

Other departmental guidance you may be interested in

- Parental responsibility measures for school attendance and behaviour
- Children missing education
- Keeping children safe in education

Department for Education

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