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HEADTEACHER

GUIDANCE

SEPTEMBER 2023

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## **SCHOOL ATTENDANCE**

Missing 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 absent and severely absent pupils.
* Ensure every pupil has access to full-time education to which they are entitled; and act early to address patterns of absence.
* Support parents to perform their legal duty; to ensure their compulsory school aged children who are registered at school attend regularly.

We would like to take this opportunity to recognise the tremendous efforts made by our children, families, schools, and council teams to ensure pupils attend school regularly. We are aware of the daily work that goes on with all our families to achieve the best outcomes for every pupil in the Borough by all partners.

Our partnership work means that some of our most vulnerable children get the best opportunities to achieve the best outcomes for lifelong learning. We have had many challenges over the last few years but none more so than the Covid pandemic.

We know that school is the best place for our children and the lifelong benefits 100% attendance brings to them; we want to continue to work in partnership with all agencies to ensure our families and our schools have the right support they need to keep daily attendance at school a priority for all. Every parent and carer has a legal duty to ensure their child receives a suitable education and there is a range of powers that Local Authorities and schools must enforce attendance where there is no valid reason for the absence.

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

Guidance for maintained schools; academies; independent schools and Local Authorities (September 2018) can be found at: [School attendance guidance (publishing.service.gov.uk)](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1039223/School_attendance_guidance_for_2021_to_2022_academic_year.pdf)

The Department for Education (DfE) have introduced non statutory guidance. This has been produced to help schools, trusts, governing bodies, and Local Authorities maintain high levels of school attendance. Subject to Parliament approval, the Secretary of State has committed to this guidance becoming statutory when parliamentary time allows.

Working together to improve school attendance - GOV.UK (www.gov.uk)

Services in Tameside have been working together to ensure we are ready to implement the guidance in line with government recommendations. The guidance reinforces the need for improving attendance to be everybody’s business. The barriers to accessing education are wide and complex, both within and beyond the school gates and are often specific to individual pupils and families. The foundation of securing good attendance is that school is a calm, orderly, safe, and supportive environment where all pupils want to be and are keen and ready to learn. Some pupils find it harder than others to attend school and therefore at all stages of improving attendance, schools and partners should work with pupils and parents to remove any barriers to attendance by building strong and trusting relationships and working together to put the right support in place. Securing good attendance cannot therefore be seen in isolation. Effective practices for improvement will involve close interaction with school’s efforts on curriculum, behaviour, bullying, special educational needs support, pastoral and mental health and wellbeing, and effective use of resources, including pupil premium. It cannot solely be the responsibility of a single member of staff or organisation, it must be a concerted effort across all staff in school, the trust or governing body, the Local Authority, and other local partners.

Schools and academy trusts have a crucial role in raising attendance for all their pupils. They also have a protective role in being best placed to spot early patterns of poor attendance for persistent absentees. Individual pupil barriers to attendance, however, often go far beyond the school gates. Persistent absence is almost always a symptom of wider issues in a pupil’s life and barriers to attendance are often specific to local contexts. The Local Authority, statutory safeguarding partners and other local partners also have a crucial role in supporting pupils to overcome those barriers and ensuring all children can access the full-time education to which they are entitled. Local Authorities are facilitators of wider support needed by individual families and schools to overcome barriers in the short term. They are also strategic leaders that work across a geographical area to remove barriers in the longer term.

The attendance conference in June 2023 was the beginning of us all working together to support pupils to attend school. Tameside has an Attendance Strategy Group that is made up of several agencies including Children’s Social Care, Education Welfare, Early Help, Voluntary Sector, Complex Safeguarding and SEN to name a few. Schools are represented by headteachers from Primary, Secondary and Special schools. The group meet half termly to ensure there is a joined-up approach to ensuring good attendance in school and that communications are consistent and effective.

The group have devised an Attendance Strategy and Pledge to ensure there is a collaborative approach to promoting good attendance across Tameside so that all children and young people can fulfil their potential. The Attendance Strategy recognises that improvements in overall attendance rates can only be achieved through a partnership approach. This will involve a range of agencies working with our children and families.

The understanding that promoting positive attendance in learning is a responsibility that belongs to everyone is central to this work if we are to achieve an improvement in overall attendance rates and a significant reduction in persistent absenteeism.

School leaders and a range of agencies have signed up to the School Attendance Strategy and Pledge committing to principles and practices, which support improved school attendance.

All agencies agree to commit to multi-agency working to address underlying issues facing families and communities, including a commitment to active engagement with wider team around the child and whole family approaches to supporting children and families with more complex needs.









## **SCHOOL ATTENDANCE POLICIES**

Working Together to Improve School Attendance guidance states that all schools have an attendance policy.

Good attendance policies should:

* Be approved by Governors.
* Be available on the school website.
* Be shared with parents/carers.
* Be reviewed regularly.
* Be jargon free.

Headteachers may consider including the following:

* A school attendance target.
* Clear advice on roles and responsibilities for school, parents, and pupils.
* Procedures for reporting absences of pupils.
* Advice on when absences will be authorised and why some absences will not be authorised, including absences during term time.
* Explanation that schools may ask for medical evidence for school to authorise absences.
* Times when registers will be taken and differentiate between on time, late and late after the register closes.
* Advice to parents about, wherever possible, making appointments outside of the school day.
* Information about support that can be offered where families are struggling to ensure regular attendance.
* Arrangements which may be put in place when pupils with medical conditions are absent frequently or for long periods of time.
* Information on school’s use of penalty notices for holidays during term time.
* Information on school’s use of penalty notice warnings for irregular attendance.
* Information on school’s use of prosecutions.
* School’s escalation processes where pupils are identified as persistently absent.
* Occasions when home visits may be carried out.
* Reward system.
* Contact information for parents to obtain advice and guidance regarding pupil attendance.
* Details of when attendance will be shared with parents.
* A request form for leave of absence.

## **REDUCED TIMETABLES**

All children, regardless of their circumstances, are entitled to a full-time education which is suitable to their age, ability, aptitude, and any special educational needs they may have. It is unlawful for a school to impose a reduced or part-time timetable, and any reduced timetable may only be used as a short-term measure towards achieving full reintegration within a formal written agreement.

A reduced timetable may only be used with the informed consent of the parents/carers and in agreement with the agencies involved in supporting the family. The plan needs to have a specific purpose, be recorded, and signed by the child and the parent. The plan should always be reviewed regularly, and the goal should always be to return the child back to school full-time.

The threat of exclusion / suspension must not be used to influence parents to engage with a reduced timetable. A reduced timetable must not be treated as a long-term solution. Any agreement must have a time limit by which point the pupil is expected to attend full-time or be provided with alternative provision. A maximum of 6 weeks reduced timetable is advised for a first review period.

If, by implementing a reduced timetable, the pupil is absent for registration for the AM or PM session, the school must record the absence in the register as an authorised absence ‘C’ code.

The school also needs to:

* Ensure that where pupils have an Education, Health, and Care Plan (EHCP), the Local Authority is notified of this arrangement and its purpose. As specified above, this arrangement must be agreed with the parents and/or the young person, where appropriate and be reviewed in line with the timeframes specified above. Should the reduced timetable be required for longer than 6 weeks then the EHCP must reflect this and be amended where appropriate. A meeting should be convened with parents and the SEN team to make the proposal known. The Local Authority must agree to the intervention.
* Ensure that for all Cared for Children and any pupils subject to a Child in Need or Child Protection Plan, a risk assessment is completed, and the part time arrangement is discussed with the Virtual School or allocated Social Worker prior to implementation (for support with risk assessments please contact the Social Worker).
* Ensure reduced educational provision does not interfere with additional support given to a student due to his/her educational needs.
* Take action to ensure that the impact of a reduced educational provision on travelling and transport arrangements does not discriminate against the pupil or impede their access to education.
* Ensure that arrangements for a reduced educational provision do not discriminate against a pupil’s access to free school meals.

The school and Social Worker, where applicable, must be totally satisfied that suitable arrangements are in place to ensure the safeguarding and care of the pupil during the period when they would otherwise have been expected to be in school. They should secure a written agreement from the parents/carers about who is responsible for the welfare of the student for the sessions when the child is absent.

**MONITORING AND REVIEWING A REDUCED EDUCATIONAL PROVISION**

The school is required to:

* Record the pupil’s attendance, using the appropriate registration code.
* Establish robust arrangements for monitoring and regular review of the plan by a named member of senior staff ensuring that the Virtual School, for cared for pupils, and allocated Social Worker is notified of any extension to the arrangement if applicable.
* Ensure effective communication with parents/carers and key professionals regarding progress towards the pupil’s full re-integration to school.

Tameside Council recognise that alternative provision extends beyond catering for the needs of children who have been excluded / suspended; more and more students who find the traditional setting of a classroom overwhelming, problematic or have an on-going medical issue, are turning to alternative provision. The following are points that should always be considered by school before placing a student on alternative provision.

## **USE OF ALTERNATIVE PROVISION**

When considering alternative provision, the commissioner should always:

1. Check if a child is subject to a Child in Need or Child Protection Plan and discuss plans to utilise Alternative Provision with the allocated Social Worker at the earliest opportunity. If a child is cared for, the Virtual School and Social Worker must be consulted and a PEP review should take place before the plan is implemented.
2. Ensure the placement will enable pupils to achieve or exceed the standards of a good education. Any issues or barriers in setting up the transition to a placement (such as transport or alternative provision offer) should be identified as early as possible, and a thorough assessment of the pupil’s needs must be completed and shared at the point of referral.
3. Ensure the pupil will receive their full-time provision entitlement, whether in one setting or more, unless a pupil’s medical condition makes full-time provision inappropriate - see the DfE guidance document [Ensuring a good education for children who cannot attend school because of health needs, January 2013](https://www.gov.uk/government/publications/education-for-children-with-health-needs-who-cannot-attend-school). Where an intervention is part time or temporary, it should complement the pupil’s current curriculum, timetable, and qualification route.
4. Ensure that the provision is Ofsted registered if the pupil is attending full time. There is no statutory definition of full-time provision, the DfE advice to proprietors is that they consider an institution to be offering full time education if they provide more than 18 hours per week. Ofsted, however, consider at least 25 hours to be full time provision.
5. Seek information on alternative providers to be able to decide which provision is most appropriate for a pupil. Ensure a personalised plan for intervention is prepared, setting precise objectives for improvement and attainment. Plans must also be linked to other relevant information or activities, such as Education, Health, and Care Plans, Personal or Individual Education Plans, and current child protection plans.
6. Ensure that arrangements for alternative provision do not discriminate against a pupil’s access to free school meals.
7. Keep a record of placements made, including pupil progress, achievement, and attendance. In all cases, the home school has the ultimate responsibility for the welfare and academic progress of the child.

Link to Tameside’s Medical Policy<https://www.tameside.gov.uk/childrenwithmedicalneeds>

Responsibility for the alternative provision used rests with the commissioner (e.g., the school). The nature of the intervention, its objectives, the timeline and critically, safeguarding measures should be agreed before the alternative provision can commence. Where reintegration to the school is an objective, there should be agreement on how to assess a pupil’s readiness to return. The school and alternative provider should jointly provide an appropriate package of support to assist reintegration.

The following information should always be shared when commissioning alternative provision:

* Child protection / safeguarding issues and relevant documentation.
* Assessment data from all key stages.
* Any documentation related to a child’s EHCP.
* Attendance records.
* Any individual plans, Individual Education Plans, Personal Education Plans, Behaviour Support Plans, etc.
* Contact details of parents and carers.
* Any other agency working with the child, i.e., Social Workers, Youth Justice Service (YJS) or Family Support Worker (FSW) and key named staff. Information must be provided in accordance with data protection principles, but this should not discourage schools from providing information where they can do so. Parental consent should always be sought although maintained schools can direct education off site, academies should check their articles of association. To direct education off site without the agreement of parents is however not recommended as successful outcomes are dependent on close triangulation between the school, parent, and child.

Once a child is attending the provision, commissioners should:

* Maintain ongoing contact with the provider and pupil, with clear procedures in place to exchange information, monitor progress and provide pastoral support on a weekly basis. Non-attendance must be reported daily. For cared for children, progress reports should be shared regularly with the Virtual School and or recorded as part of the PEP process.
* Continue arrangements for working with other relevant services, such as social care, virtual school, special education needs assessment or placement team, educational psychology, child and adolescent mental health services, youth offending teams and drug support services.

The main (home) school, as the commissioner, needs to communicate and agree in partnership with the alternative provider how the following areas of responsibility will be met and maintained during the period of time the pupil attends a commissioned place.

**AREAS OF RESPONSIBILITY**

The home school maintains responsibility for:

1. Pupil welfare, safeguarding and child protection. Ensure that pupils and parents know how to raise any concerns they may have with regards to their child’s welfare.
2. Ensuring the pupil has a full-time education offer.
3. Attendance record of the child and follow-up of absence – this legal duty may be delegated to the alternative provider as agreed.
4. Meeting the needs identified within a child’s Child in Need or Child Protection Plan or EHCP.
5. Exclusion/suspension procedures: the home school needs to agree what happens if a child is excluded/suspended from a main school – should they also be excluded / suspended from the alternative provision and vice versa? Schools need to consider the motivation behind a pupil’s behaviour leading to the exclusion.
6. The curriculum and continuity, including the alternative provision.
7. Pupil outcomes – schools commissioning alternative provision must ensure it meets the child’s educational and personal needs.
8. Checking the alternative provider’s policies, such as safeguarding, attendance, special educational needs, behaviour, equal opportunities, whistle blowing.
9. Maintaining primary contact with parents, unless it has been agreed with the provider that this is delegated.
10. Ensuring the child remains a member of the school community, such as involvement with extra-curricular activities, social events, parents’ evenings, sending letters to parents or child, and rewards.

**SAFEGUARDING**

Schools must…

* Ensure DBS checks are in place (see [Keeping Children Safe In Education](https://www.gov.uk/government/publications/keeping-children-safe-in-education--2)) for all employees.
* Visit the premises; meet staff who will be teaching your pupil.
* Check policies – safeguarding, staff conduct, behaviour, whistle blowing policy.
* Be satisfied that the AP is in the best interests of the pupil.

Alternative providers’ responsibilities to the child and the commissioner are to:

* Maintain contact with the commissioning school and the pupil’s parent/carer, with regular updates on attendance, progress, and any other matters.
* Notify the school on attendance; good practice would determine this is weekly. Non-attendance should be reported to the school daily.
* Provide relevant policies and procedures that relate to the child’s welfare, education, and safety.
* Attend relevant multi-agency meetings around the child, including Personal Education Plan (PEP) or Individual Education Plan (IEP) reviews, Child in Need and Child Protection meetings.
* Have clear monitoring criteria to judge the quality of the teaching and learning, and report this to the commissioner at agreed intervals.
* Provide a named contact for all matters pertaining to the pupil.

**CARED FOR CHILDREN**

Cared for children should be afforded the same support, opportunities, and safeguards as their peers in relation to Alternative Provision.

The same protocols and checklists outlined above should be completed, and in addition, this should be agreed by parent/carer, Social Worker, Virtual School and reflected in the PEP document. Virtual School and allocated Social Worker should be invited to review meetings when AP is in place.

See [Tameside Virtual School Overview](https://www.tameside.gov.uk/tamesidevirtualschool) for more information.

**PUPILS WITH AN EHCP**

Alternative provision must be arranged in accordance with a child or young person’s EHC plan. Where a child or young person in alternative provision has SEN that are not specified in the EHC plan, then the provider should employ a graduated response to review the effectiveness and impact on the child/young person’s progress if alternative provision is required to be considered as part of a longer term arrangement A meeting should be convened with parents and the SEN team to make the proposal known. The Local Authority must agree to this and the EHCP amended to reflect this.

If the child or young person is no longer attending the institution named on the EHC plan, the Special Educational Needs Team should be notified, and consideration given as to whether the EHC plan needs to be reviewed to ensure that the child or young person’s provision outlined in their EHC plan is secured.

See [Tameside Local Offer](https://www.tameside.gov.uk/localoffer) for more information.

## **SAFEGUARDING PUPILS IN ALTERNATIVE PROVISION**

It is paramount that we ensure that all pupils feel safe and secure including where their education is provided by an alternative provider. This checklist should be referred to and completed prior to any pupil attending an alternative provision.

|  |  |
| --- | --- |
| I confirm that: | Staff Initial |
| All staff at the Alternative Provision are subject to enhanced DBS checks and safer recruitment practices. |  |
| The Alternative Provision has a robust safeguarding policy and a copy has been supplied to school. |  |
| The Designated Safeguarding Leads at the Alternative Provision are:  Their contact details and email addresses are:  Their DSL training certificates are enclosed. |  |
| The Alternative Provision will pass on any concerns or issues immediately to school immediately so that the pupil’s welfare and safety may be addressed. |  |
| The Alternative Provision will ensure that the conduct of all staff towards pupils is professional and that they will take actions that could be seen as a breach of safeguarding regarding their treatment of, and interaction with pupils in accordance with the Teachers’ Standards. |  |
| Staff at the Alternative Provision will make their Head of Service aware of any change in their circumstances, which may have arisen since their most recent enhanced DBS check, and which may affect their enhanced DBS status. |  |
| All staff at the Alternative Provision have read and understood Keeping Children Safe in Education , Working Together to Safeguard Children, The AP provider’s Staff Professional Conduct Policy (latest update) and Guidance for Safer Working Practice for Those Working with Children and Young People in Education Settings. |  |
| Information about holistic pupil progress will be provided 6 times per academic year. |  |
| Pupils are registered at the Alternative Provision, who will be expected to keep registers of attendance. The AP provider and the school need to be clear from the onset who will be responsible for first day contact and attendance challenge.  Non-attendance should be reported by the alternative provider to the school daily. School is expected to keep in weekly contact with the provider, to ensure the pupil is being marked appropriately in both registers.  Attendance challenge and support is provided by:  Their contact details and email addresses are: |  |
| In the event of a suspension, school will be notified immediately, and full details of the incident will be provided. The provision and the school need to consider the arrangements that will be made in terms of education if the pupil is suspended. |  |
| Pupil placements will only be terminated in consultation with school. |  |

|  |  |
| --- | --- |
| AP Staff Name: |  |
| AP Staff Signature: |  |
| School Staff Name: |  |
| School Staff Signature: |  |
| Date: |  |

**A copy of this form should be sent to the Virtual School for any cared for children and the allocated Social Worker for any pupils subject to a Child in Need or Child Protection Plan.**

## **REGISTER CODES**

**‘C’ CODE**

To be used when a pupil has a reduced educational provision that includes sessions which have been mutually agreed not to involve attendance at any other institution or supervised activity.

The sessions agreed not to involve attendance should be recorded as authorised absence.

The school should be satisfied that appropriate arrangements are in place for the care and welfare of the pupil during the time when they would otherwise be at school. This is particularly important for pupils in the Primary phase.

**‘B’ CODE**

To be used if the pupil is receiving off-site provision, approved by the school, including any work experience forming part of the alternative provision.

A pupil marked ‘B’ should be present at another institution or appropriately supervised activity agreed by the school. The school should establish robust arrangements with other providers to promote the effective and timely sharing of individual pupil attendance information, to ensure they fulfil their legal and safeguarding responsibilities and apply the correct registration codes.

**‘W’ CODE**

To be used if a pupil, in the final two years of compulsory education, is attending an approved work experience placement and is otherwise attending sessions at school.

Attendance monitoring arrangements should reflect those applied for off-site provisions as above.

**SUMMARY**

Schools have a statutory duty to provide full-time education for all pupils.

However, in very exceptional circumstances there may be a need for a temporary reduced educational provision to meet a pupil’s individual needs.

A reduced educational provision means by agreement with the pupil, parent/carer and school, the number of hours spent in education are reduced for a time limited period probably of no more than six weeks, and always with the goal being the child is back in full-time education.

The Headteacher must agree a reduced educational provision.

A risk assessment must be completed.

Headteachers are responsible for setting the standard of behaviour expected of pupils at the school and any sanctions and rewards in relation to the school rules must be set out in a School Behaviour Policy. The school behaviour policy must be shared with staff, parents and pupils at least once a year and must by law publish the policy on the school’s website. Schools can exclude / suspend pupils when their behaviour goes against the school's behaviour policy and meets the criteria for exclusion / suspension as set out in the policy. The government have set out these powers in statutory guidance - [Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement (publishing.service.gov.uk)](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1101498/Suspension_and_Permanent_Exclusion_from_maintained_schools__academies_and_pupil_referral_units_in_England__including_pupil_movement.pdf)

## **EXCLUSIONS AND SUSPENSIONS**

Guidance has been published by the Department for Education which comes into effect from September 2023 regarding the use of permanent exclusions and suspensions. The guidance has been updated to reflect specific changes to the legislation governing the disciplinary school suspension and permanent exclusion processes.

These changes include:

* Amended regulations about a headteacher’s ability to rescind an exclusion and the processes to be followed.
* Allowing a governing body reinstatement meeting to be held via the use of remote access if requested by parents providing given criteria are satisfied.

These changes come on top of those updates made in 2022 which require notification to parents and to the Social Worker or Virtual School Headteacher (VSH) and the Local Authority to be made without delay. Further guidance on managed moves and off-site direction was provided (see page 15) along with the rights of pupils to be included within the process appropriate to their age and ability to understand.

**TYPES OF EXCLUSIONS / SUSPENSIONS**

There are two types of exclusion: suspension and permanent exclusion. However, illegal unofficial exclusion / suspensions do sometimes take place.

**UNOFFICAL EXCLUSION / SUSPENSION**

Unofficial exclusions / suspensions are unlawful, but schools do sometimes use them. An unofficial exclusion / suspension occurs when a pupil is sent home from school without a formal suspension being recorded. Where critical situations have erupted during the school day, Headteachers may suggest that the pupil needs a 'cooling off' period and decide to send the pupil home for the remainder of the day without following the formal exclusion / suspensions process. This may be viewed as a suitable way to manage the pupil’s behaviour in the short-term and as a preferable alternative to formal exclusion / suspension. However, this is an unofficial exclusion / suspension and there is no legal basis for it. The parent does not receive any paperwork and is subsequently denied their right to make representation to the school governors.

Section 52(1) of the Education Act 2002 enables Headteachers of maintained schools to exclude a pupil from school for a fixed period or permanently. For suspensions, Regulation 3 of the Exclusion Regulations specifies a maximum of 45 school days in a school year but is silent on the minimum length of suspension. This means that there is no provision to send pupils home in response to a breach of discipline, other than through the exclusion / suspension process.

If a Headteacher decides to send a pupil home to ‘cool off’ for cumulatively five or more days in a term, be this on one or more than one occasion, there could be a legal challenge. A parent of a pupil formally suspended for such a period would have the legal right under Regulations 4 and 5 of the Exclusion Regulations to receive information and make representations to the school governors. Being unofficially suspended or sent home to ‘cool off’ may result in a breach to the pupil’s human right not to be denied education which could result in an order for damages against a school if a pupil were to be successful in such a claim.

Nevertheless, parents sometimes think that it is better to accept an unofficial exclusion / suspension than to insist on an official exclusion / suspension. This can be for various reasons, including:

* Not wanting an exclusion / suspension on the child's record.
* Worrying that not accepting the unofficial exclusion / suspension could have more serious consequences.
* Not wanting to make a fuss.
* Not knowing about the rules on exclusion / suspensions.

**WHY ALL EXCLUSION / SUSPENSIONS SHOULD BE OFFICIAL**

It is clear in law that schools must formally record every exclusion / suspension, even if it is only for a short period. This is because:

* Without formal records of the exclusion / suspensions, it may seem to others that the pupil is not having difficulties in school.
* Only formal exclusion / suspensions count towards the official record of the number of days of exclusion / suspension - by using unofficial exclusion / suspensions, a school may delay or prevent further action that may help the child.
* Formal exclusion / suspension gives the parent/s or carer/s the right to meet with the governors who will consider the exclusion / suspension and reinstatement of the pupil.
* Without formal disciplinary evidence it is harder to get advice and support from external agencies.
* There is no formal mechanism for parents to challenge unofficial exclusion / suspensions.
* Without paperwork, parent/s or carer/s may not know that they could get fined if their child is found in a public place when they should be in school.

Headteachers are responsible for the safeguarding of all pupils on roll during the school day. The only times they are not responsible are if the child is ill and has been kept at home or if they have been formally excluded / suspended and the responsibility passes back to the parents. Parental responsibility is defined in the Children Act 1989.

Paragraph 13 of the Statutory Guidance states that “informal or ‘unofficial’ exclusions are unlawful regardless of whether they occur with the agreement of parents or carers. Any exclusion / suspension of a pupil, even for a short period of time, must be formally recorded”.

**SUSPENSIONS**

A suspension happens when a child is not allowed on the school site for a defined period due to a breach of the school behaviour policy. Most suspensions are for short periods (usually less than 5 days). If the suspension is for more than 5 days, then the school must provide full time education from the sixth day at an alternative venue. Although schools may initially contact parents by telephone, details must be put in writing either by post or email (with prior agreement) informing them of the reasons for the suspension, when the suspension starts and ends and the reintegration meeting arrangements. The suspension cannot be extended if the parents do not agree to attend this meeting. The school must always provide work for an excluded / suspended pupil to do at home.

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**LUNCHTIME SUSPENSIONS**

Pupils who misbehave at lunchtime may be suspended just for the lunch period. This is a type of suspension, and each lunchtime suspension counts as half a day. Lunchtime suspensions should never continue indefinitely. Once the number of days of suspension reaches 45, the suspension automatically becomes a permanent exclusion. If a pupil is entitled to free school meals the school should offer to provide a packed lunch. A lunchtime suspension is recorded as a full session.

**PERMANENT EXCLUSIONS**

Permanent exclusion is the most serious punishment a school can give for infringement of the schools’ behaviour policy. It means the pupil cannot continue to attend the school unless the governors overturn the decision to exclude the child. Schools should only use permanent exclusion in response to a serious breach or persistent breaches of the school's behaviour policy and where either or both the following apply:

* The school has used all the available support and strategies to keep the pupil in school, but the pupil's behaviour is still not acceptable.
* Allowing the pupil to stay in school would seriously harm the education or welfare of the pupil or others in the school.
* Where a pupil is permanently excluded from school an amount is recovered from the excluding schools AWPU budget. The value recovered is pro-rated from the date of exclusion.

**OVERTURNING A DECISION TO EXCLUDE A CHILD**

In some circumstances, school governors can overturn an exclusion / suspension and allow a child back into school. This is called 'reinstatement'. Parents can 'make representations' to the governors. The governing body, after listening to everyone’s views can either:

* Uphold an exclusion / suspension (decline to reinstate the pupil); or
* Direct reinstatement of the pupil immediately or on a particular date

In the case of a permanent exclusion, if the governing body uphold the exclusion, parents have the right to request an independent review of the decision. If parents believe the exclusion has occurred because of discrimination, then they can make a claim under the Equality Act 2012 to the First-tier Tribunal (Special Educational Needs and Disability), in relation to disability, or County Court, for all other forms of discrimination, can be made up to six months after the discrimination is alleged to have occurred. Where practicable, schools should retain records and evidence relating to an exclusion for at least six months in case such a claim is made.

**PERMANENT EXCLUSIONS & SUSPENSIONS TOTALLING 15 DAYS OR MORE IN A TERM**

Headteachers must notify the LA of suspensions totalling 15 days or more in a term using the form Appendix 1. Governors must automatically consider reinstating a pupil when either of the following apply:

* The exclusion is permanent.
* A suspension has taken the total number of school days of suspension to more than 15 days in a term.

In these circumstances, governors must hold a meeting to consider reinstatement within 15 days of the permanent exclusion (or the 15th day of suspension) being issued.

**SUSPENSIONS BETWEEN 6 TO 14 DAYS IN A TERM**

If the pupil has been suspended from school for more than 5 days but less than 15 days in a term and the parent wants them to be reinstated, they must ask the governors to consider the case. The governors must then hold a meeting to consider reinstatement within 50 days of their request and invite the parents and their child to the meeting. It is likely that by the time of the meeting the suspension will have ended, and the pupil will be back in school. If the governors decide to direct reinstatement, this must be added to the pupil’s records.

**SUSPENSIONS UP TO AND INCLUDING 5 DAYS IN A TERM**

If the number of day’s suspension is no more than 5 days in a term, parents do not have the right to appeal but they can write to the governors to explain their child's case. They must consider what parents say, but do not have to meet them and cannot direct reinstatement.

**SUSPENSION AND PERMANENT EXCLUSIONS THAT MEAN A CHILD WILL MISS AN EXAM**

Where an exclusion or suspension means a pupil would miss a public exam or national curriculum test, governors must consider reinstating them and must do so before the date of the exam or test. Parents can write to the governors to make their child's case. If governors cannot meet, the chair of governors can make the decision independently.

## **PRINCIPLES OF EFFECTIVE PRACTICE**

Key principles which if applied consistently should make it clear that unofficial exclusions / suspensions are illegal:

* LA senior officer involvement at a strategic level within the inclusion agenda, making it clear that unofficial exclusion / suspension is illegal and reminding Headteachers of their obligations.
* Schools should give clear, positive messages to staff, governors, parents, and pupils. For example, a school’s behaviour policy could highlight the damaging effects of unofficial exclusion / suspension. There could also be positive messages in the school’s prospectus about the behaviour policy and reassurance that if it should become necessary to remove a child from school on disciplinary grounds, the school will always do this in accordance with the law.
* School to ensure the school workforce is given early training and support to manage difficult or disruptive pupil behaviour so that unofficial exclusion / suspension is never an option.
* Schools could also support each other through partnership.

**STOPPING THE PRACTICE WHERE IT HAPPENS**

If a pupil is suspended unofficially, they are unlikely to have educational provision made for them. Unofficial exclusions / suspensions need to be addressed because this issue has a direct impact on the Government’s aim to ensure that no child is missing from education.

We will support schools to tackle unofficial exclusions / suspensions through:

* Offering training for school governors and managers, and Education Welfare Officer meetings with all schools to remind them of their obligations.
* Formal feedback to all schools in the Local Authority on findings from data or register checks.
* Headteachers to challenge/support their peers.

## **PREVENTING EXCLUSIONS AND SUSPENSIONS**

**MANAGED MOVES & DIRECTION OFF-SITE FOR EDUCATION**

Updates to the statutory guidance on exclusions / suspensions has brought greater focus to preventative measures to school exclusion / suspension. Alongside initial intervention strategies, Headteachers are advised to consider off-site direction or managed moves as a preventative measure to exclusion / suspension. The use of these types of alternative provision should be based on an understanding of the support a child/young person needs, to improve their behaviour, as well as any SEND or health needs.

Section 29a Education Act 2002 states that: “The governing body of a maintained school in England may require any registered pupil to attend at any place outside the school premises for the purpose of receiving educational provision which is intended to improve the behaviour of the pupil.” This legislation applies to LA maintained schools and not academies. However, academies can direct pupils off-site for the improvement of behaviour if their funding agreement and/or articles of association make clear that they comply with the above legislation.

Off-site direction will often be used when the pupil is at risk of a long suspension or permanent exclusion. The Suspension and Permanent Exclusions Guidance 2022, para 32, states that this power to direct off-site:

* May only be used to improve behaviour and not as a sanction or punishment.
* Should only be used where in-school interventions and/or outreach have been unsuccessful or are deemed inappropriate.
* Should be based on an understanding of the support a child or young person needs to improve their behaviour, as well as any SEND/health needs.

Depending on the individual needs and circumstances of the pupil, off-site direction can be either:

* Alternative provision or as a
* Short-term education at another mainstream school

A proposed maximum period should be discussed and agreed upon as part of the planning phase for an offsite direction and outcomes set that relate to a successful return to the home school.

**SHORT-TERM EDUCATION AT ANOTHER MAINSTREAM SCHOOL**

This arrangement should be considered by a school if the usual academic and social expectations within a mainstream class are deemed to be appropriate and achievable for this pupil at the time of planning. The purpose of the arrangement at the outset is for the pupil to make progress and RETURN to the home school. As part of the planning, alternative options should be considered, once the time limit has been reached, which may include a managed move on a permanent basis (if a pupil is in a mainstream school) upon review of the time-limited placement.

**ALTERNATIVE PROVISION**

A placement at an off-site Alternative Provision will be more appropriate if the school considers that the pupil would be unlikely to make adequate progress for now full time within a mainstream setting. In addition, the governing board must show regard to the [Alternative Provision Statutory guidance for Local Authorities](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/942014/alternative_provision_statutory_guidance_accessible.pdf):

**MANAGED MOVES**

A managed move is a formal agreement between two schools, a pupil, and their parents. It allows a pupil at risk of long-term disengagement or permanent exclusion to permanently transfer to another mainstream school. The move requires the agreement of the parent/s, the Headteacher at the pupil’s current school, the Headteacher at the host school, and the admissions authority of the host school. The purpose of a managed move at the outset is for the learner to progress and STAY at the host school.

Law requires all Local Authorities to have a named person responsible for dealing with children deemed to be missing education.

## **CHILDREN MISSING EDUCATION**

The Education Welfare Service have an officer who can be contacted by emailing: [cme@tameside.gov.uk](mailto:cme@tameside.gov.uk).

CME Referral Form: [Children Missing Education Referral Form (tameside.gov.uk)](https://public.tameside.gov.uk/forms/f1324childmissingeducation.asp)

**The definition of a Child Missing Education (according to OFSTED) is:**

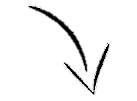
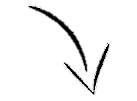
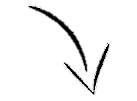
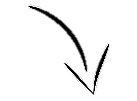
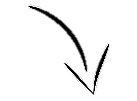
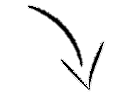
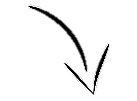
*“Children of compulsory school age who are NOT on a school roll and are not placed in alternative provision by a Local Authority and who are not receiving a suitable education at home”.*

The above definition does NOT apply to children who are registered at a school but are not attending regularly.

**The definition of a Child Missing Education (Whereabouts Known) is:**

*“Children and young people who are missing education but whose whereabouts are known to the Local Authority, they are also known to the Admissions Team who will be in the process of identifying school places”.*

The above definition does NOT apply to children who are subject to reduced timetables or suspension periods.



If a forwarding address is uncovered, then the CME Tracking Team will make direct contact with CME Team of destination LA.

Checks will be done to establish if the pupil is still at the last known address. If the child is found to be still at address, the case is referred back to school.

Schools should make reasonable steps to contact parents, including Home Visits. If contact has not been established, an online referral should be made.

If the child is not at the address, the CME Tracking Team will make enquires with Social Care and the Revenues Team to try and ascertain if the child is known to them, and whether they have a forwarding address.

If a forwarding address can be found, then contact to be made with CME Tracking Officer at destination LA and request made to engage with the family.

If no forwarding address is found, then a case file is opened and the child recorded as CME.

Further enquires to be carried out by the CME Tracking Team, these may include checks with Housing Associations, Refuges, Homeless Families Teams, Welfare Rights Teams, Police, Safeguarding Teams, Health Authorities, Border Agency, or Home Office.

After a period of 20 school days, if enquires have not uncovered a forwarding address or school, the allocated school can then be instructed to remove the child/ren from roll and backdate to the last date of attendance. The child will be recorded as CME - Whereabouts Unknown

The child’s details to be loaded on S2S National Database and request made for all LA’s to make enquires. Checks on Key2Success Database to ascertain whether any attainment results have been recorded anywhere.

Once the forwarding school is confirmed, the CME Tracking Team will update the Tameside school.

The case can then be closed.

If no forwarding address or school is confirmed by another LA, the child will remain recorded as CME - “Whereabouts Unknown” until they cease to become statutory school age.

Enquires must continue periodically.

## **CHILDREN MISSING EDUCATION PROCEDURE**

## **PUPILS NOT ON ROLL BY THE EXPECTED START DATE**

If pupils do not appear on the relevant school migration report by their expected start date, School Admissions Team staff will request the reason from the school.

If the child is not on roll at school because school cannot contact the family, school should make reasonable investigations including sending a letter and visiting the home address. If there is evidence that the family have moved address, school should complete an online application form to report the pupil as a child missing from education (CME).

If the child is not on roll due to a refusal by either the parent or the child to attend, school should add the pupil to the school roll and, to take steps to address the non-attendance in the usual manner. This can include legal action. Responsibility is deemed to have been passed to the new school once the expected start date has been notified to them (as stated in the offer letter) and the pupil should be placed on roll by this date. The Education Welfare Service can assist with preparing legal paperwork if necessary.

If the school has not contacted the parent to explain how the admission will be organised, the Education Welfare Officer will escalate the matter to a Senior Education Welfare Officer. If, following Senior Officer intervention, the pupil is not in school by day 25, formal steps to direct the school to admit the pupil can be taken.

## **PUPILS NOT ON ROLL BY THE EXPECTED START DATE PROCESS**

Pupil is offered a place and school is notified of the start date by which the pupil is expected to be on roll.

This is 15 days from the date of the offer letter.

The chart below details the actions for pupils not on roll by day 16.

The School Admissions Team will carry out initial investigation to establish the reason and notify the Education Welfare Service.

Pupil is provisionally offered a place subject to additional information being provided by the previous school. The receiving school is notified of the start date.

Schools to obtain background information from the previous school, where there are issues which mean the pupil’s needs cannot be met, schools may request that the pupil is heard at Fair Access panel. If appropriate and the admission will be delayed until the Friday following the next Fair Access meeting.

The chart below details the actions for pupils not on roll as expected: School admissions will carry out initial investigation to establish the reason and notify EWS.

NO ADMISSION MEETING

PUPIL REFUSES TO ATTEND

PUPIL’S WHEREABOUTS UNKNOWN

Education Welfare Officer investigates and pupil attends admission meeting

OR

Letter 1 issued, and case escalated to Senior Education Welfare Officer within 2 weeks.

Senior Education Welfare Officer investigates and an admission meeting is arranged

OR

Letter 3 issued which invites Headteacher to provide written reasons for not arranging the meeting.

Issue is escalated to Access Manager and an admission meeting is arranged

OR

Access Manager initiates Powers of Direction via Education Funding Agency or Secretary of State.



School put pupil on roll.

Letter 2 is sent to parent informing them that pupil has been admitted to school roll.

School takes steps to address non-attendance.

Pupil attends school.

Persistent refusal to attend.

LA will provide support to the school to pursue a prosecution as appropriate.

School conduct reasonable investigations, including a home visit to the last known address but cannot trace the pupil.

Children Missing Education referral is made.

Children Missing Education processes followed as discussed.



## **REMOVING A PUPIL FROM THE ATTENDANCE AND ADMISSIONS REGISTER REGULATIONS**

The Education (Pupil Registration) (England) Regulations 2006 outlines the circumstances when a pupil can be removed from the admissions and attendance register. Regulation 8(1) relates to compulsory school aged pupils.

This guidance has been produced to assist schools and academies in fulfilling their duties in relation to both removing a pupil from the attendance and admissions register and the actions required when children go missing (CME).

All pupils must be placed on the attendance register as soon as they go on the school admissions roll.

Any changes to the attendance register must be clearly marked with the original entry, dated amended entry, reason for the amendment and the name/title of the person making the amendment.

The School Admissions Team offer the pupil the school place and notify the school of the start date by which the pupil is expected to be on roll. This is 15 days from the date of the offer letter.

All maintained schools and academies should establish and record the onward destination of any pupil who is being deleted from the admission roll. It is not sufficient to leave a general or vague comment.

If the school cannot determine the destination, it should note the attendance and admissions register to this effect.

All maintained schools and academies must notify the Education Welfare Service by completing an online Children Missing Education referral at [Children Missing Education Referral Form (tameside.gov.uk)](https://public.tameside.gov.uk/forms/f1324childmissingeducation.asp) in respect of any pupil who has been removed from the school admissions.

Schools must be satisfied that they have complied with the Education (Pupil Registration) (England) Regulations 2006 the Headteacher must ensure the following steps have been taken:

* All internal school records have been checked to establish the whereabouts of the pupil.
* Emergency contacts have been contacted by phone calls, home visits and letters.
* Family/relatives have been contacted; these may not be on the emergency contact list.
* The school staff has been asked if they have any information.
* Any other agency with involvement has been contacted.

**CIRCUMSTANCES WHEN PUPILS SHOULD NOT BE REMOVED FROM A SCHOOL ROLL:**

These pupils must not be removed from the school roll unless confirmation of admission to an alternative school or alternative form of education is received.

|  |  |
| --- | --- |
| **CIRCUMSTANCE** | **ACTION** |
| The school has been informed that the pupil has moved from their current address but still resides in Tameside and a place at an alternative school has not been allocated. | The pupil must be kept on roll until the pupil has been placed on the roll of another school regardless of travel implications. |
| The pupil has had 20 days of consecutive unauthorised absence and the whereabouts of the pupil is known to be within Tameside. | School to follow their attendance and safeguarding procedures. The pupil must remain on the school roll whilst the school secures regular attendance. Parents of such pupils should NOT be advised/ instructed to educate at home as an alternative to legal action for poor attendance. This is not good practice and has significant safeguarding concerns. |

**CIRCUMSTANCES WHEN PUPILS MAY BE TAKEN OFF ROLL AND THE ASSOCIATED ACTIONS THAT MUST BE TAKEN:**

These pupils may be removed from school roll. schools must notify the Local Authority when pupils are removed from school roll using the migration report.

|  |  |
| --- | --- |
| **CIRCUMSTANCE** | **ACTION** |
| The school has been informed that the pupil has been allocated a place at an alternative school. | Once confirmation is received that the pupil has been added to the receiving school roll, the pupil can be deleted from the admissions and attendance register. The pupil’s records should be transferred using the S2S system. |
| The pupil was dual registered at another school and has ceased to attend your school. The other school is now the main school and the Headteacher has agreed to put the pupil on roll. | Remove the pupil from the admissions and attendance register and transfer the pupil’s records to the new school. |
| The school has received written notification from the parent/carer that they intend to EHE the pupil. Schools cannot persuade a parent/carer to EHE to avoid prosecution or exclusion / suspension. | Remove the pupil from the school roll on the day of notification from the parent. Schools must notify the Local Authority of parent’s intention using [ehe@tameside.gov.uk](mailto:ehe@tameside.gov.uk) |
| The pupil has been permanently excluded and 15 school days have passed since the parent/carer has been notified by the governing body to uphold the exclusion and no application has been made for an independent review. | Remove the pupil from the admissions and attendance register. Transfer the pupil’s records to the next provision. |
| A medical officer has certified that the pupil is unlikely to be in a fit state of health to attend school before the pupil ceases to be of compulsory school age. | Schools are asked to consider offering an alternative method of learning in the first instance (e.g.: online learning package) |

**CIRCUMSTANCES WHEN PUPILS SHOULD BE CLASSIFIED AS CHILDREN MISSING EDUCATION (CME):**

These children should remain on school roll until the Local Authority Tracking Officer has received a CME referral and completed initial investigations.

|  |  |
| --- | --- |
| **CIRCUMSTANCE** | **ACTION** |
| The school has been informed that the pupil has moved out of Tameside, and it is no longer a reasonable distance for the pupil to travel to the allocated school. | The school must follow their attendance and safeguarding procedures and fully satisfy themselves that the pupil no longer resides at their current address. A CME referral should be completed.  Once the CME Tracking Team have carried out initial checks to ensure the pupil no longer resides in Tameside schools will be notified that they can remove the pupil from roll and transfer the pupil’s records using the S2S system.  The date of leaving may be backdated to the date the pupil last attended. |
| The school has authorised leave of absence and determined the length of absence including the date of return.  1.The parent/carer has contacted the school explaining the delay and informed the school that they will not be able to return within a total of 20 days of absence from the 1st day of absence.  2.The pupil does not return to school on the agreed date and the school has made reasonable enquiries to ascertain the whereabouts of the pupil. The school has not received any contact from the parent explaining the delay.  For example, 10 days of authorised absence plus 10 days of unauthorised absence = 20 days of unauthorised absence. | Prior to the absence school should agree in writing the timescale for the authorised leave of absence including the agreed date of return. In addition to this, school should warn parent/carer that if they did not return on the agreed date, all the absence will be recorded as unauthorised.  If school is notified of a delay in returning, they should write to the parent/carer informing them that the pupil may be removed from the school roll on the 21st day from the 1st day of absence.  A CME referral form should be completed, and school should advise the parent/carer of the requirement to enrol their child in a school where they are residing as they are not within a reasonable distance to travel to the school at which they are currently registered.  Where possible the parent/carer should also be advised of the requirement to apply for a school place as soon as they return to Tameside via the School Admissions Team.  School should follow their safeguarding procedures if they have any concerns regarding the pupil’s whereabouts or safety. |
| The pupil has had 20 days of unauthorised absence and the whereabouts of the pupil is unknown. | School must follow their attendance and safeguarding procedures to determine the whereabouts of the pupil. If the pupil cannot be located after 10 school days, a CME referral form should be completed. The pupil should not be removed from roll until the CME Tracking Officer has provided feedback and this will not be before 20 consecutive days of absence. |
| The pupil has been allocated a place in Reception or Year 7 but fails to arrive.  The pupil is compulsory school age. | School should make every attempt to contact the parent/carer by telephone, letter and if possible, a home visit.  If there is no response after 10 school days, a CME referral should be completed. Pupils should not be removed from roll until advised to do so by the CME Tracking Officer. |
| The pupil has been allocated a place in Reception but fails to arrive.  The pupil is not compulsory school age. | School should make every attempt to contact the parent/carer by telephone, letter and if possible, a home visit.  If there is no response after 10 school days a CME referral form should be completed.  If the pupil has not been located after 20 days, school should send a letter advising parents/carers that the pupil will be removed from school roll. This letter should be sent to the last known address.  The CME Tracking Officer will hold details of the pupil until they reach compulsory school age whereupon enquiries regarding a school placement will commence. |

**TAMESIDE PROTOCOL ON CHILDREN MISSING EDUCATION:**

<https://www.tameside.gov.uk/ChildrenMissingEducation>

Elective Home Education (EHE) is the term used by the Department for Education (DfE) when a parent chooses not to send their child to school full-time and instead takes full responsibility for providing their child’s education other than at school, in this case at home.

## **ELECTIVE HOME EDUCATION**

Educating children at homework well when it is a positive choice and carried out with proper regard for the needs of the child. The reasons for deciding to home educate are many, as are the styles of education undertaken. For some families it is a decision on their philosophical, spiritual, or religious outlook, for others it is to meet the specific needs of their child. It may be because they are dissatisfied with “the system” or it can be used as a short-term intervention for another reason. Whatever the circumstances, the Local Authority aims to work closely with parents to support their choices.

When a parent first states that they wish to home educate their child, it is recommended that the school invites the parents to a meeting to discuss their reasons for doing so. The aim of the meeting should not be to dissuade parents from home education but to ensure that parents have all the information they need to take on such a huge commitment. Parents should be informed that elective home education requires them to take full responsibility for their child’s education including setting work, the costs of educational resources, identifying an exam centre and paying for public exam entry fees.

Where school has safeguarding concerns around a parent’s request to home educate their child, they should share their concerns with the parent and decide whether there are sufficient grounds to submit a referral to Children’s Social Care.

If the child has an Education, Health and Care Plan, the school should also notify the SEND Team by sending an email to [senteam@tameside.gov.uk](mailto:senteam@tameside.gov.uk) writing in the subject: “Request to Electively Home Educate”. The SEN Team will contact the family.

School must not put pressure on parents to educate their children at home as a way of avoiding exclusion / suspension due to challenging behaviour if the pupil has a poor attendance record or if the parent has requested a transfer to a different school. If, following the meeting, the parent still wishes to home educate their child the school can remove the pupil from the school register. School should forward the parent’s written request to home educate at this point along with a completed safeguarding form to the Local Authority by email to [ehe@tameside.gov.uk](mailto:ehe@tameside.gov.uk)

On receipt of school’s notification, the case will be allocated to an Education Welfare Officer who will aim to meet with the parent and child within 30 days and capture the child’s voice. Information from the school’s safeguarding form is an important part of the initial screening and so, schools should try to be as detailed and thorough as possible when completing the form.

Families do not have to accept visits from the Local Authority and can opt instead to submit an annual written report detailing the education they are providing. Families that choose to accept visits from the Local Authority will be visited up to twice a year.

If after making enquiries, the Local Authority are not satisfied that the education being provided is suitable, it will aim to return the child to school as soon as possible by issuing the parent with a School Attendance Order (SAO). This directs the parent to register the child at a school named in the order. Parents who fail to do so will be referred to the Magistrates Court for breach of the order.

**FLEXI SCHOOLING**

Flexi Schooling describes an arrangement between the parent and school where children are registered at school in the usual way but only attend school part time. There is no automatic right to Flexi Schooling. School and parents must come to a suitable written agreement, as they are responsible for the pupil on the days they do not attend school. Schools should mark the pupil with a ‘C’ code on the agreed days they are not in school. The Local Authority has no role with pupils who are Flexi Schooled.

For further information please visit [www.tameside.gov.uk/education/athome](http://www.tameside.gov.uk/education/athome)

Tameside Council is committed to providing a good education to all pupils regardless of circumstances or settings. Where a pupil is unable to attend school for medical reasons the Local Authority will work alongside schools, health professionals and parents to provide an alternative provision which will meet a pupil’s individual needs, including their social and emotional needs and enable them to thrive and prosper in the education system.

Wherever possible the local authority would look at education provision being provided by school to ensure continuity for pupils. However, it is recognised that in some circumstances that is not possible and provision for such cases will be considered by a case management panel on an individual basis. The authority has a protocol on supporting pupils at school with medical conditions. However, all schools should have their own medical protocol for supporting pupils with medical needs.

The Tameside protocol on Supporting Pupils at School with Medical Conditions can be found here [Children with Medical Needs (tameside.gov.uk)](https://www.tameside.gov.uk/childrenwithmedicalneeds)

To submit a medical referral please complete the online [Medical Referral Form](https://forms.office.com/e/VGh1Rynxsq)

For questions about referrals please email [medicalenquiries@tameside.gov.uk](mailto:medicalenquiries@tameside.gov.uk)

**In all cases, the aim is for the pupil to return to school as soon as they are medically able.**

Active monitoring in school by Education Welfare Officer

Medical Panel and LA support

Statutory Assessment Process for long term support

School to complete online [Medical Referral Form](https://forms.office.com/e/VGh1Rynxsq)and email supporting documents securely via Egress to [medicalenquiries@tameside.gov.uk](mailto:medicalenquiries@tameside.gov.uk)

Referral should state what the specific barriers are to attending school. Consideration should be given to adding the pupil to the SEND register.

Allocated to Education Welfare Officer for appropriate area to contact school.

Advice provided on managing medical conditions in school and help to overcome potential barriers to attending.

**MEDICAL PATHWAYS**

**SUPPORT FOR SCHOOLS**

Where the child is completely unable to attend school with adjustments the case will be discussed at medical panel.

Multi-Agency Partnership - Education, Health, SEN, EP  
Short to Medium term support

Alternative provision considered.

Continued support provided from pupil’s school.

**MEDICAL PANEL**

**REFERRAL PROCESS**

**CRITERIA: Pupil is absent from school for 15 school days AND the absence relates to the medical condition.**

Pupils should not be removed from roll unless the criteria on page 21 ‘removing pupils from roll’ is met.

## **SUPPORTING CHILDREN WITH MEDICAL CONDITIONS**

**CHILD EMPLOYMENT**

## **CHILD EMPLOYMENT AND ENTERTAINMENT**

Employment of school age children is governed by law and local bylaws. The youngest age a child can work is 13yrs old, with the exception of modelling or theatre and television work (see Entertainment).

These laws and bylaws apply to all children of compulsory school age until they leave school at the end of June. Many employers can misunderstand this, as young people are issued with the national insurance card the moment they reach 16.

It is important to note that children are considered to be employed whether they are paid or unpaid, however school-based work experience is exempt.

There are limitations on the number of hours a child can work each day and week, as well as restrictions on the time of day they can work and the type of work a child can undertake.

More information about these restrictions can be found here [Child Employment Regulations (tameside.gov.uk)](https://www.tameside.gov.uk/childemployment)

Businesses intending to employ school-aged children should apply for a work permit from the Local Authority in the area their business is based. If a child is working without a work permit there is a risk that the employer will not be insured for accidents involving the child. It is free to apply for a work permit.

If you are concerned about a young person who you feel may be working without a permit, in a prohibited job role or outside of the permitted hours, please notify Education Welfare by emailing[cee@tameside.gov.uk](mailto:cee@tameside.gov.uk)

**CHILD ENTERTAINMENT**

The Local Authority has a statutory duty to protect the health, welfare and treatment of children and young people involved in the entertainment industry to ensure they are protected from exploitation. Part of this duty involves the issue of licences permitting their participation in such activities and performances. In Tameside, this duty is performed by the Education Welfare Service.

We are keen to give children in Tameside opportunities to perform and participate in entertainment. These experiences can improve children’s confidence and self-esteem and for some children, this may already be their chosen career. With this in mind, we would recommend that schools consider authorising up to 10 days absence in an academic year. For children involved in large, well-known television productions the commitment may be greater. In these cases, special arrangements are made to support education e.g., tutoring on set and the tutor would liaise directly with the school.

Absence in relation to performances must be coded using Con the register.

If you have any queries or concerns, please contact the Education Welfare Service by email at [cee@tameside.gov.uk](mailto:cee@tameside.gov.uk)

For further information:

[Guide to Licensing of Children's Performances (tameside.gov.uk)](https://www.tameside.gov.uk/Education/Guide-to-Licensing-of-Children-s-Performances-etc)

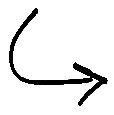
[NNCEE - National Network for Children in Employment & Entertainment](https://www.nncee.org.uk/)

Close Early Help Assessment & Monitor Attendance

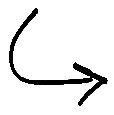
Possible step up to Children’s

Social Care

YES



NO



Monitor until there is a consistent improvement to pupil attendance.

Invite parents to a review of the Attendance

Improvement Plan

Submit a Penalty Notice request

Monitor until attendance reaches School target

Send Letter 1 - General Concern Letter

Holiday in term time of at least 10 sessions?

One period of absence?

Multiple periods of absence?

STAGE 1 - EARLY IDENTIFICATION

Further unauthorised absences within a 12-week period?

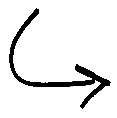
Consider issuing a Penalty Notice Warning.

Would a family benefit from an Early Help Assessment? – early intervention is key to providing families with appropriate support.

Monitor until attendance reaches School target

Is this a medical issue supported by evidence?

Send Letter 2 - Medical Evidence Letter



NO

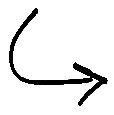
YES

NO

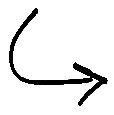
YES

\*See Supporting Pupils with Medical Conditions Protocol

NO



YES



IMPROVEMENT?

Monitor until attendance reaches School target

Complete an Attendance Improvement Plan in absence with actions and review timescales.

Send a copy of the plan to parents.

Consider taking the case to Team around the Setting meeting anonymously.

DID NOT ATTEND

ISSUES RESOLVED?

Consider taking case to Team Around the Setting meeting

Speak to your neighbourhood team

Establish barriers to attendance.

Consider Early Help Assessment and referral to outside agencies—consent from parents obtained.

Draft an Attendance Improvement Plan with actions and review timescales.

Provide parents with a copy.

ATTENDED

Invite parents to attendance meeting

STAGE 2 - INTERVENTION

Further unauthorised absences?

YES

WHERE ATTENDANCE IS BELOW SCHOOL ATTENDANCE TARGET

## **ATTENDANCE CASE MANAGEMENT FLOW CHART**

Stage 2 involves regular monitoring of pupil attendance, parents should be invited to review attendance plans until there is a consistent improvement in attendance or move onto Stage 3.

**ISSUES THAT CAN AFFECT PUPIL ATTENDANCE WHERE FAMILIES CAN BE SUPPORTED BY EARLY HELP ASSESSMENT:**

Support from Education Welfare Service

Where schools trade with the Education Welfare Service, actions within stage 2 & 3 can be undertaken by an Education Welfare Officer (depending on the amount of time purchased).

Prosecution drop-in sessions are held fortnightly to all schools to provide case reviews and advice on preparing witness statements.

A Senior Education Welfare Officer will present the case in the Magistrates’ Court.

Schools will be informed of the outcome of the Court proceedings and given advice on any further actions.

STAGE 3 - LEGAL INTERVENTION

Where there is no consistent improvement to pupil attendance, school should consider proceeding with legal action.

Send Letter 3 - Legal Warning Letter

Further unauthorised absences?

Proceed to Court Action

Support from Education Welfare Service is available.

* Pupil mental health including anxiety.
* Friendship issues including bullying.
* Parenting.
* Parental health including mental health.
* Domestic violence.
* Substance misuse.
* Pupil at risk of sexual or criminal exploitation.
* Difficulties with family finances.
* Housing issues.

**GOOD ATTENDANCE PRACTICES:**

* First day calls/text messages when pupils are absent without notification from parents.
* Home visits where pupils have not been seen by professionals.
* Clear all N codes from registers within 2 weeks.
* Monitoring for pupils who meet criteria for Penalty Notices & Penalty Notice Warnings.
* Regular monitoring of pupils with poor attendance patterns.
* Link with sibling’s schools where there are attendance concerns.
* Stages approach (flow chart).
* Links to outside agencies who can offer support to families.
* Have escalation processes which are followed robustly.

**EDUCATION WELFARE SERVICE OFFER TO ALL SCHOOLS:**

* Regular advice notices issued to all schools.
* Occasional Webinars to update schools on Legislation and good practices.
* Individual Link Officers to offer advice and guidance.
* Attendance networks for local schools (TAGs).
* Prosecution drop-in sessions for support with preparing cases for Court.
* Issuing Penalty Notices & Penalty Notice Warnings
* Presenting cases in the Magistrates’ Court.
* Training sessions for school staff: Good Practice, How to Write Effective Attendance Improvement Plans, Penalty Notices & Prosecutions.
* Traded service providing Consultations, Persistent Absence Reviews, Attendance Panels and Casework.
* Pathways for CME, EHE, Pupils with Medical Conditions and Asylum Seekers.
* Register Audits.

School Admissions Team: 0161 342 4004 - [schooladmissions@tameside.gov.uk](mailto:schooladmissions@tameside.gov.uk)

## **USEFUL CONTACTS**

Pupil Support Services: 0161 342 5503 - <https://www.tameside.gov.uk/Education/Pupil-Support-Service>

Pupil Referral Service: 0161 214 8484 (White Bridge College KS4) / 0161 336 7185 (Elmbridge School KS2/3)

Education Welfare Service: 0161 342 2112 - [education.welfare@tameside.gov.uk](mailto:education.welfare@tameside.gov.uk)

Special Educational Needs: 0161 342 4433 - [senteam@tameside.gov.uk](mailto:senteam@tameside.gov.uk)

Tameside Children's EHASH: 0161 342 4101

* Monday to Wednesday (8:30am to 5pm)
* Thursday (8:30am to 4:30pm)
* Friday (8:30am to 4pm)

Tameside Children's EHASH (Outside the above hours, weekends, and public holidays): 0161 342 2222

Safeguarding Advisor for Education: 0161 342 4398

Educational Psychologists: 0161 342 2218

Early Help Advisors:

* North Family Hub (Ashton): 0161 342 2255
* East Family Hub (Stalybridge, Dukinfield & Mossley): 0161 342 5533
* South Family Hub (Hyde, Hattersley & Longdendale): 0161 342 5353
* West Family Hub (Denton, Droylsden & Audenshaw): 0161 342 5197

**FURTHER SOURCES OF INFORMATION 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 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:**

[www.gov.uk/government/publications/children-missing-education](http://www.gov.uk/government/publications/children-missing-education)

[www.gov.uk/government/publications/keeping-children-safe-in-education--2](http://www.gov.uk/government/publications/keeping-children-safe-in-education--2)

[www.gov.uk/government/publications/parental-responsibility-measures-for-behaviour-and-attendance](http://www.gov.uk/government/publications/parental-responsibility-measures-for-behaviour-and-attendance)

**WORKING TOGETHER TO SAFEGUARD CHILDREN (2022):**

[www.gov.uk/government/publications/working-together-to-safeguard-children--2](http://www.gov.uk/government/publications/working-together-to-safeguard-children--2)

**APPENDIX 1 - EXCLUSION / SUSPENSION NOTIFICATION FORM**

## **APPENDICES**

|  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **PERMANENT exclusions & SUSPENSION of 16 days and over** | | | | | | | | | | | | |
| **PUPIL Information** | | | | | | | | | | | | |
| **Name:** |  | | | | | | | | | | | |
| **Date of Birth:** |  | | **Age:** | |  | | | **Year Group:** | |  | | |
| **Address:** |  | | | | | | | | | | | |
|  | | | | | | | | **Post Code:** | |  | | |
| **Cared for Child?** |  | | | | | | | | | | | |
| **PARENT Information** | | | | | | | | | | | | |
| **Parent’s Name:** |  | | | | | | | **Relationship to Child?** | | |  | |
| **Parent’s address:** |  | | | | | | | | | | | |
|  | | | | | | | | **Post Code:** | | |  | |
| **Phone:** |  | | **Email:** | | | |  | | | | | |
| **CARER INFORMATION** | | | | | | | | | | | | |
| **Name of Carer / Foster Parent:** |  | | | | | | | | | | | |
| **Address:** |  | | | | | | | | | | | |
|  | | | | | | | | **Post Code:** | | | |  |
| **Phone:** |  | | **Email:** | | |  | | | | | | |
| **EXCLUSION / SUSPENSION DETAILS** | | | | | | | | | | | | |
| **Circle (or highlight):** | **PERMANENT** | | | **SUSPENSION**  **No. of Days:** | | | | | **LUNCH TIME**  **No. of Days:** | | | |
| **Date Exclusion Commenced:** |  | | | | | | | | | | | |
| **Date of Return to School:** |  | | | | | | | | | | | |
| **Date Parents Informed:** |  | | | | | | | | | | | |
| **Date Governing Body (or Chair of Governors) informed:** |  | | | | | | | | | | | |
| **PREVIOUS EXCLUSION / SUSPENSIONS.** Please give details of any previous exclusion / suspensions (dates, number of days suspended and reasons) continue overleaf if required: | | | | | | | | | | | | |
|  | | | | | | | | | | | | |
| **REASON FOR EXCLUSION / SUSPENSION** | | | | | | | | | | | | |
| **Circle (or highlight) main reason for exclusion / suspension:** | | | | | | | | | | | | |
| **Physical assault against a pupil** | | **Racist Abuse** | | | | | | **Damage** | | | | |
| **Physical assault against an adult** | | **Sexual Misconduct** | | | | | | **Theft** | | | | |
| **Bullying** | | **Drug and Alcohol Related** | | | | | | **Persistent Disruptive Behaviour** | | | | |
| **Verbal abuse/threatening behaviour**  **against a pupil** | | **Verbal abuse/threatening behaviour against an adult** | | | | | | **Other – please specify:** | | | | |

|  |  |  |  |
| --- | --- | --- | --- |
| **SPECIAL EDUCATIONAL NEEDS** | | | |
| **Please Circle (or highlight) Level of support:** | **No Special Provision** | **SEN Support** | **EHCP (Education, Health Care Plan)** |
| **Other:** |  | | |

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **PUPIL ETHNIC GROUP – Please circle (or highlight) relevant box to indicate pupil’s ethnic origin:** | | | | | | |
| **White** | English | Welsh | Scottish | N. Irish | Irish | British |
| Gypsy or Irish Traveler | | Other: | | | |

|  |  |  |  |
| --- | --- | --- | --- |
| **Mixed / Multiple Ethnic Groups** | White & Black Caribbean | White & Black African | White & Asian |
| Any other mixed / multiple ethnic background: | | |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Asian / Asian British** | Indian | Pakistani | Bangladeshi | Chinese |
| Any other Asian background: | | | |

|  |  |  |
| --- | --- | --- |
| **Black / African / Caribbean / Black British** | African | Caribbean |
| Any other Black / African / Caribbean background: | |

|  |  |  |
| --- | --- | --- |
| **Other** | Arab | Any other ethnic group: |

|  |  |
| --- | --- |
| **OTHER RELEVANT INFORMATION** | |
|  | |
| **Head Teacher’s Signature:** |  |
| **School Name:** |  |
| **Date:** |  |

**APPENDIX 2 - REDUCED TIMETABLE AGREEMENT FORM**

It is good practice for the Headteacher to oversee the completion of this ‘agreement’ to show evidence that the necessary decisions have taken place to ensure the child is safe and that the reduced timetable is being offered in exceptional circumstances.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **REDUCED TIMETABLE AGREEMENT FORM** | | | | | |
| **PUPIL Information** | | | | | |
| **Name:** |  | | | | |
| **Date of Birth:** |  | **Age:** |  | **Year Group:** |  |
| **School:** |  | | | | |
| **SEN Status:** |  | | | | |
| **Cared for Child?** |  | **Child Protection?** |  | **Child in Need?** |  |
| **Date of Early Help Assessment:** |  | | | | |
| **Risk Assessment Completion Date:** |  | | | | |

|  |  |
| --- | --- |
| **Plan under which the reduced timetable is monitored/reviewed (attach plan):** |  |
| **Describe where education is taking place:** |  |

|  |  |
| --- | --- |
| **REASON FOR TEMPORARY REDUCED TIMETABLE** | |
| **Medical - Physical Health (supported by medical professionals)** | **Reintegration Plan** |
| **Medical - Mental Health (supported by medical professionals)** | **Emotional/Social Needs** |
| **Other:** | |
| **Purpose of Reduced Timetable:** | |

|  |  |
| --- | --- |
| **Total hours per week in school or off-site supervised education activity:** |  |
| **Planned start date of reduced timetable:** |  |
| **Planned review date (within 2 weeks of the start date):** |  |
| **Planned end date when the pupil will return to full-time provision (within 6 weeks of start):** |  |

|  |
| --- |
| **A reduced timetable can only proceed with parents’ signed consent to the plan and cannot be enforced by a school or insisted upon under threat of exclusion / suspension.** |
| **Parent/carer agreement to this plan:** |
| **Dated:** |

|  |
| --- |
| **Please retain a copy of the reduced timetable for your records at school.**  **A copy of the formal agreement made with parent/carer’s signature**  **SHOULD be kept at school and a copy sent to the parent/CARER.** |
| **Headteachers Signature:** |
| **Dated:** |

**A copy of this form should be sent to the Virtual School for any cared for children and the allocated Social Worker for any pupils subject to a Child in Need or Child Protection Plan.**

**APPENDIX 3 - REDUCED TIMETABLE CLOSURE FORM**

it is good practice for the Headteacher to oversee the completion of this ‘agreement’ to show evidence that the necessary decisions have taken place to ensure the child is safe and that the reduced timetable is being offered in exceptional circumstances.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **REDUCED TIMETABLE CLOSURE FORM** | | | | | |
| **PUPIL Information** | | | | | |
| **Name:** |  | | | | |
| **Date of Birth:** |  | **Age:** |  | **Year Group:** |  |
| **School:** |  | | | | |
| **SEN Status:** |  | | | | |
| **Cared for Child?** |  | **Child Protection?** |  | **Child in Need?** |  |

|  |  |  |
| --- | --- | --- |
| **REASON FOR CLOSURE** | **STATUS** | **DATE OF CLOSURE** |
| Return to full time provision? | Yes/No |  |
| Alternative provision full time? | Yes/No |  |
| School Leaver? | Yes/No |  |
| Transferred (within County)? | Yes/No |  |
| Transferred (out of County)? | Yes/No |  |
| Permanently excluded? | Yes/No |  |
| Elective Home Educated? | Yes/No |  |
| Other | Yes/No |  |

|  |
| --- |
| **SCHOOL AGREEMENT** |
| **Name:** |
| **Position:** |
| **Signature:** |
| **Dated:** |

|  |
| --- |
| **Date parent/carer has been informed of closure:** |

**A copy of this form should be sent to the Virtual School for any cared for children and the allocated Social Worker for any pupils subject to a Child in Need or Child Protection Plan.**

**A copy of this form should be sent to the Virtual School for any cared for children and the allocated Social Worker for any pupils subject to a Child in Need or Child Protection Plan.**