

**Report of:** The Director of Children’s Services

**Report to:** The Scrutiny Board (Children and Families)

**Date:** 10<sup>th</sup> September 2015

**Subject:** Review of the School Attendance Inquiry Actions (2014) and general progress update on School Attendance.



Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

**Summary of main issues**

1. This report provides the Committee with an update on the outstanding actions from the School Attendance Inquiry published 26<sup>th</sup> April 2012. (appendix 1)
2. The report also provides an update on the School Attendance Obsession and changes that have taken place since the last report in February 2014.
3. A consultation process is currently taking place regarding the use of Penalty Notices for irregular school attendance and the report sets out proposals for the changes and seeks the view of the Committee as part of this process.

**Recommendations**

4. The Committee is asked to recommend that all the Inquiry Actions can now be closed as progress has either been made or the actions are no longer relevant due to change in legislation or practice.
5. The Committee are also asked to consider if they have a view on the proposal to change the number of Penalty Notices for unauthorised school attendance that can be issued per child per year from the current one per year to two per year.

## Purpose of this report

- 1.1 To provide an update on actions resulting from the Scrutiny Inquiry which were last reported to the Committee in February 2014.
- 1.2 To provide an update on progress against the Attendance Obsession.
- 1.3 To consult on the proposals to make changes to the Penalty Notice Code of Conduct regarding the issuing of Penalty Notices for irregular school attendance.

## 2 Background information

- 2.1 In 2012 the Scrutiny Board (Children and Families) was tasked by Council with carrying out a piece of work looking at the three Children and Young People's Plan (CYPP) obsessions. The second of these relates to school attendance.
- 2.2 The report was published in April 2012, and a tracking system was put in place to monitor progress against the recommendations.
- 2.3 The last report to the Scrutiny Board was in February 2014 at which point the committee agreed which recommendations no longer require monitoring; which were progressing satisfactorily and determined which actions the Board wished to take to continue monitoring.

## 3 Main issues

- 3.1 **Scrutiny Inquiry Tracking:** The tracking document (appendix 1) sets out the remaining recommendations from the Scrutiny Inquiry in 2012. The tracking document has been updated and sets out progress made since the last report in February 2014 with recommendations for action 2,6,11,12. The document recommends that these last remaining actions be closed as all actions have either been complete, are no longer relevant or are being progressed and monitored within Children's Services.
- 3.2 **Attendance Update:** in both primary and secondary schools attendance was at the highest levels ever recorded in Leeds in the 2013/14 academic year. These improvements have been the result of work in schools and across clusters to provide additional support to families, with enforcement work undertaken where appropriate. Data for 2014/15 to date shows performance remaining high but below 2013/14 figures. Comparative performance for the autumn term shows a slight decline in Leeds performance compared to largely static national performance. Illness is the main reason and comparisons based only on single-term data snapshots should be interpreted with caution.
- 3.3 Data from the first term of the 2014/15 academic year (when compared to the same period in previous years) show a slight decline in Leeds, compared to largely static performance nationally, although this remains the second best attendance in Leeds primary schools during an autumn term. Leeds remains just within the second quartile of all authorities nationally.

3.4 **Table 1: Percentage attendance in primary schools by academic year (half-terms 1-2)**

	2011/12	2012/13	2013/14	2014/15
Leeds	95.9	95.0	96.3	96.1
National	95.9	95.3	96.1	96.1
Statistical neighbour average	95.8	95.2	96.0	96.1
Core city average	95.4	94.9	95.8	95.8
Leeds LA rank (out of 152 LAs)	=61st	=109th	=40th	=57th

**Source: DfE Statistical First Releases. 2014/15 data: SFR12/2015**

3.5 Table 3 shows that in primary schools just under two thirds of absence is due to authorised leave for illness. Authorised family holidays make up less than 1% of primary absence. Unauthorised holidays make up 8% with a further 10.7% of absence being unauthorised 'other'. In secondary schools authorised illness accounts for just under half of absence. 3.8% of absence is for excluded pupils with no provision made. Consistently just over a quarter of secondary absence is unauthorised other. While levels have reduced in recent years Leeds continues to have comparatively high levels of secondary unauthorised absence. Secondary unauthorised absence is likely to be a symptom of a range or broader needs.

Table 3: Absence by reason (percentage of total) in 2014/15 Half Terms 1-4

	Primary %			Secondary %		
	2012/13 ht1-5	2013/14 ht1-5	2014/15 ht1-4	2012/13 ht1-5	2013/14 ht1-5	2014/15 ht1-4
<b>Authorised Absence Sessions</b>						
I - Illness (NOT medical or dental etc appointments)	61.4	59.8	65.1	49.0	47.7	49.6
M - medical / dental appointments	5.1	6.2	5.7	5.9	6.4	6.1
R - religious observance	1.5	2.7	1.1	0.9	1.3	0.6
S - study leave	0.0	0.0	0.0	0.6	0.5	0.0
T - traveller absence	0.2	0.1	0.2	0.1	0.0	0.0
H - agreed family holiday	8.6	2.1	0.9	1.6	0.5	0.3
F - agreed extended family holiday	0.2	0.0	0.0	0.0	0.0	0.0
E - pupil is excluded, with no alternative provision made	0.2	0.2	0.2	2.3	2.8	3.8
C - pupil is absent due to other authorised circumstances	4.6	4.6	3.9	6.2	6.2	5.8
<b>% Unauthorised Absence Session</b>						
G - pupil is on a family holiday, not agreed, or is taking days in excess of an agreed family holiday	6.0	9.2	8.0	3.9	4.1	3.3
U - pupil arrived after registers closed	1.5	2.2	2.3	1.1	1.2	1.2
O - pupil missed sessions not covered by any other code/description	8.9	10.5	10.7	26.7	27.3	27.2
N-pupil missed sessions for a reason that has not yet been provided	1.9	2.4	2.0	1.6	2.0	2.0

Source: Leeds School Census returns.

- 3.6 Secondary attendance in the autumn term of 2014/15 also fell slightly in both Leeds schools and nationally, although the rate rose for statistical neighbours. Although secondary attendance is still the second highest recorded in Leeds in an autumn term, when ranked by all local authorities nationally, the long-term trend for Leeds continues to be in the bottom quartile nationally.

Table 4: Percentage attendance in secondary schools by academic year (half-terms 1-2)

	2011/12	2012/13	2013/14	2014/15
Leeds	94.1	93.8	94.8	94.6
National	94.5	94.3	95.1	94.9
Statistical neighbour average	94.5	94.2	93.8	94.9
Core city average	93.9	93.7	94.7	94.6
Leeds LA rank (out of 152 LAs)	=118th	=118th	=111th	=117th

Source: DfE Statistical First Releases. 2013/14 data: SFR12/2015

- 3.7 **Changes to the School Attendance Service:** there have been a number of significant changes to the attendance service since the last update in February 2014 as set out below.
- 3.8 For many years the council maintained a non-statutory workforce of Attendance Improvement Officers (AIOs) who supported schools with casework and running initiatives to improve attendance. In recent years the size of the attendance service has reduced considerably, and there has been a shift towards the funding of this service increasingly coming from trading with schools and income from penalty notices. Income from penalty notices supports their administration and the costs of prosecuting parents who don't pay. Leeds City Council resources for the service are now at around a third of the level they were before 2010 and income to the service has increased significantly since the 2013/14 financial year. For the 2015/16 financial year we are currently estimating that over 30 per cent of the resources for the service will come from income. (The equivalent level was just 2 per cent in 2011/12).
- 3.9 The traded work with schools and/or clusters means they can now choose to buy a package of support from the Attendance service, while the local authority continues to carry out statutory interventions. The response from schools to the traded offer has been positive. The menu available includes a number of training packages schools and clusters can also choose to buy ready-made packages designed to give targeted support, or options can be tailored to individual school or cluster requirements. For example, the ARM (Alwoodley, Roundhay and Moortown) cluster has opted to buy the equivalent of a full-time Attendance Improvement Officer for their primary schools and support for school attendance panels run by LCC attendance advisers for the secondary schools.
- 3.10 The attendance service now has greater involvement in working with children missing education (CME). Attendance officers are now allocated as the lead officers for cases when a child's whereabouts become known, but they do not yet have a school place. This approach has proved very effective. Many of these families are new to Leeds, the country or have moved to a different part of Leeds. The attendance officers will support the family until they have a school place. The service supported over 800 pupils during the last academic year that didn't have a school place.

### 3.11 **Penalty notices for irregular school attendance**

In September 2013 the DfE changed the national pupil registration regulations around family holidays in term-time. The revised regulations made clear that head teachers may not grant any leave of absence during term time unless there are exceptional circumstances. Following legislation changes Leeds City Council published information which can be accessed on the Council website in the form of 'frequently asked questions', which is appended to this report.

- 3.12 Term time holidays account for only a small proportion of all absence. In the autumn and spring terms of the 2014/15 academic year, absence due to agreed family holiday accounted for 0.04 per cent of all primary sessions (0.9% of primary absence) and 0.01 per cent of all secondary sessions (0.3% of secondary absence). Unauthorised absence due to unauthorised family holidays accounted for 0.31% of all primary sessions and 0.18 per cent of all secondary sessions.
- 3.13 Where parents take their child(ren) out of school during term-time for more than 10 sessions over 12 weeks and this leave is not authorised by head teachers, the local authority issues a penalty notice on behalf of the school. A fine can be issued for a block of continuous absence or 'broken weeks,' i.e., regularly missing a day or more per week.
- 3.14 The number of penalty notices issued has increased markedly since the changes were introduced in September 2013. In the 2011/12 academic year there were 197 penalty notices with 219 in 2012/13. During 2013/14 the local authority issued 2320 penalty notices and at the beginning of June this year 2793 had been issued (this number will increase the total for the academic year when schools return in September and penalty notices are issued for holidays taken in the weeks leading up to the summer holidays). Penalty notices are issued per child, per parent.
- 3.15 The Local Authority has to publish a Code of Conduct for the issuing of penalty notices for irregular school attendance. This document is currently being revised. The current code sets out that the Local Authority will only issue one penalty notice a year even if a parent takes multiple instances of term-time absence. The Council are seeking views on the proposal to bring its Code of Conduct in line with our neighbouring Local Authorities who all (with the exception of York) allows for 2 or more Penalty Notices to be issued per pupil per academic year. We have identified potential inequalities in the Penalty Notice process due to this difference in policy particularly for parents who have children in schools in more than one LEA.
- 3.16 We are also finding some parents are taking more than one period of unauthorised absence from school during the academic year. Where it would be more appropriate for us to issue a Penalty Notice rather than pursue a prosecution this is not possible under the current Code of Conduct.
- 3.17 Data will be shared with head teachers and chairs of governing bodies in September 2015 showing the number of penalty notices that have been issued to parents and carers at their schools. Sharing this information is part of the local authority's code of conduct that requires us to take steps to ensure the penalty notice scheme is applied fairly and consistently across the city.

## **4 Corporate Considerations**

### **4.1 Consultation and Engagement**

- 4.1.1 Head Teachers, Governing Bodies, and other key stakeholders will be consulted on the proposal to change the number of Penalty Notices issued per year as set out in 3.15 above from September 2015.

### **4.2 Equality and Diversity / Cohesion and Integration**

- 4.2.1 The Code of Conduct for the issuing of Penalty Notices for irregular school attendance is implemented to ensure a fair and equitable and consistent process is in place across the city. The Code is currently being reviewed and this report provides Scrutiny Committee the opportunity to consider a proposed amendment.

### **4.3 Council policies and the Best Council Plan**

- 4.3.1 Improving school attendance is a Children's Services Obsession.

### **4.4 Resources and value for money**

- 4.4.1 There are no resource implications in the report.

### **4.5 Legal Implications, Access to Information and Call In**

- 4.5.1 This report does not contain any legal implications and is not subject to call in.

### **4.6 Risk Management**

- 4.6.1 There are no significant risks identified in this report.

## **5 Conclusions**

- 5.1 The Scrutiny recommendation of a tracking system allows the Board to monitor progress and identify completed recommendations. Progress in responding to those recommendations arising from the Scrutiny review into Improving School Attendance is detailed within the table at Appendix 1 for the Boards consideration.
- 5.2 There have been significant changes to the School Attendance Service since the last report update. Changes to legislation and budget have impacted on the focus and priorities of the service. Despite a slight decrease the city continues to have some of the best school attendance figures recorded.
- 5.3 A review of the penalty notice Code of Conduct provides an opportunity to bring our policy in line with our neighbouring authorities.

## **6 Recommendations**

The Committee are asked to:

- 6.1 Agree that all the outstanding Inquiry Actions can now be closed as progress has either been made or the actions are no longer relevant due to change in legislation or practice.
- 6.2 Note the changes that have taken place in relation to the School Attendance Service since the last report.
- 6.3 As part of the consultation process for the review of the Penalty Notice Code of Conduct the Committee are asked to consider if they would like to express a view

on the proposal to change the number of Penalty Notices for unauthorised school attendance, from one per child per year to two per child per year.

## **7 Background documents<sup>1</sup>**

- 7.1 Report cards for the attendance obsession are produced every six months.
- 7.2 The DfE's national statistical first releases are published at: <https://www.gov.uk/government/collections/statistics-pupil-absence> The Children's Performance Service can support with any queries around analysis and interpretation ([chs.performance.and.intelligence@leeds.gov.uk](mailto:chs.performance.and.intelligence@leeds.gov.uk))
- 7.3 The DfE produce a guide to school absence statistics that was last updated in May 2015, this is available here: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/428446/Guide\\_to\\_absence\\_statistics.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/428446/Guide_to_absence_statistics.pdf)
- 7.4 Details of the traded offer to schools and clusters are available on the Leeds for Learning website here: <http://www.leedsforlearning.co.uk/Services/Details/2490>
- 7.5 One Minute Guide - Education Attendance, Statutory Responsibilities <http://www.leeds.gov.uk/docs/17%20-%20Education%20attendance%20-%20statutory%20responsibilities%20-%20January%202014.pdf>

---

<sup>1</sup> The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.