

## What are the effects of Persistent Absence?

There's a clear link between poor attendance at school and low levels of achievement. Poor attendance can disrupt a pupil's own learning and that of other pupils. It has a damaging effect on a child's education and most of the work missed while a child is off school is never made up.

Pupils who attend school regularly are likely to leave school with more qualifications and increased access to employment opportunities than children with persistent absence.

Children with persistent absence are at increased risk of involvement in crime, child exploitation and anti-social behaviour.

## What do DfES figures show:

- Only 10% of persistent absentees achieve 5 A\*-C GCSEs compared with 38% of occasional truants and 58% of regular attenders.
- 21% of persistent absentees had no qualifications, as opposed to only 3% of regular attenders.
- Truants are more likely to offend and, of the group of young people offending, 2/3 had truanted.

## What are the consequences of Persistent Absence?

If a parent or carer fails to secure their child's regular attendance at school, they could be found guilty of a criminal offence under section 444 of the Education Act 1996.

As part of the criminal investigation, parents or carers may be interviewed under caution. In accordance with the Police & Criminal Evidence Act 1984, this may be recorded and could be used as evidence in court.

The parents or carers may be subject to legal proceedings in the Magistrates Court.

## What are the outcomes of legal proceedings?

If you are found guilty, magistrates can impose a fine of up to £2,500 and/or three months imprisonment.

Parents or carers may also be ordered to pay substantial legal costs.

If convicted, parents and carers could get a criminal record.

The court also has the power to direct the child to be brought before a Family Proceedings Court.

### Statutory Defences include:

1. School grants leave of absence
2. Sickness/unavoidable cause
3. Day exclusively set apart for religious observance.

**We would like to emphasise the Local Authority only uses legal proceedings as a last resort.**

## Further information

If you have any questions regarding Fixed Penalty Notices, please contact the Attendance Team by emailing [attendanceteam@brighton-hove.gov.uk](mailto:attendanceteam@brighton-hove.gov.uk) or by calling 01273 291378.

# Every school day matters

## Persistent Absence

A guide for parents and carers

5399 Brighton & Hove City Council Communications Team

## Why is there a law about poor school attendance?

The law is there to protect children who have poor school attendance.

Unauthorised absence from school can be a cause for concern in relation to child welfare, safety and protection.

Under the Education Act 1996, parents and carers have a legal duty to secure their child's regular and punctual attendance at school.

As well as being a legal requirement, it also ensures your child has access to the best start in life and that they are able to benefit fully from the education they're entitled to receive.

Good attendance is vital in enabling pupils to maximise the opportunities available to them.

## What is 'Persistent Absence'?

A pupil is defined as a 'Persistent Absentee' if they miss approximately 10% or more of all possible school sessions, regardless of whether the absence is authorised or unauthorised.

## What does good school attendance look like?

We take absence seriously. We identify students whose attendance falls below 95% and provide supportive intervention to improve this.

- Please don't let your child miss out on the education they deserve.
- Every school day counts.
- It is vital that parents or carers work with schools when a child is near the 10% persistent absence threshold to prevent emerging patterns of absence.

## If your child does not attend school they will not achieve

We want all students to achieve high levels of attendance and give themselves the very best life chances and choices.

**There are 175 non-school days per year for holidays, shopping and appointments.**

There should be little need, except in **"exceptional" circumstances** for your child to miss a day's education.

90% Attendance may look impressive but it means they miss 19 days of education in a year and risk dropping one grade in their GCSEs.

**5 C grades become 5 D grades.**

<b>175 non school days a year</b>						
<b>175 days to spend on family time, visits, holidays, shopping, household jobs and other appointments</b>						
<b>365 days in each year</b>	<b>190</b> School days in each year	<b>10 days absence</b> <b>180</b> days of education	<b>19 days absence</b> <b>171</b> days of education	<b>29 days absence</b> Half a term missed <b>161</b> days of education	<b>38 days absence</b> <b>152</b> days of education	<b>47 days absence</b> <b>143</b> days of education
	<b>100%</b>	<b>95%</b>	<b>90%</b>	<b>85%</b>	<b>80%</b>	<b>75%</b>
	<b>GOOD</b> Best chance of success Gets your child off to a flying start		<b>WORRYING</b> Less chance of success Makes it harder to progress		<b>SERIOUS CONCERN</b> Not fair on your child Court action	