NB: This is a mock-up of how the current guidance on keeping of registers would be changed to reflect the new regulations

Section 7: Contents of the admissions register ('the school roll')

The school admission register, sometimes known as the 'the school roll', must be kept in accordance with the School Attendance (Pupil Registration) (England) Regulations 2023. Regulation 8 sets out the contents of the admission register.

The names of all pupils (both compulsory and non-compulsory school age) must be entered on the admission register.

The definition of a pupil is set out in <u>section 3 of the Education Act 1996</u> – but includes anyone who is receiving an education at the school except a person who is 19 or over for whom further education is being provided, a person for whom part-time education suitable for people over compulsory school age is being provided, or (in the case of a maintained school) a person who is only being provided with education at the school as part of a community service or facility separate from the school itself.

Expected First Day of Attendance

Schools must enter pupils on the admission register before the beginning of the first session on the first day that the school and a person with control of the pupil's attendance have agreed that the pupil will attend the school or, if no date has been agreed, the first day when the pupil attends the school.

A 'person with control of the pupil's attendance' is defined in regulation 3(2). This includes the pupil's parent or carer, or the pupil if they are over compulsory school age or will be over compulsory school age on their starting day at the school. In a small number of cases, this may also be any other person with the authority to require the pupil to attend the school.

In the normal admissions round, when parents have accepted the school place offered, the local authority can inform schools on behalf of the parent and notify the school when the parent has agreed that the pupil will attend the school. This can also be the case where the local authority co-ordinate in-year applications for school places.

If a pupil fails to attend school on the agreed starting day, the school must follow this up and try to establish the reason for absence.

In accordance with regulation 13(1) and (2) of the School Attendance (Pupil Registration) (England) Regulations 2023, a school must make a return to the local authority within 5 days of adding a pupil's name to the admission register (a 'new pupil return') and must provide the local authority with all the information held within the admission register about the pupil. This does not apply to pupils who are added to the admission register at the start

of the school's most junior year (for example, pupils who are registered at secondary school at the start of Year 7) unless the local authority requests such information.

Pupil Information

Schools must record personal details of every pupil at the school in the admission register. The register must include the following information for every pupil:

- full name
- name used at school;
- sex;
- address;
- the full name and address of each of the pupil's parents;
- which of the pupil's parents, if any, the pupil normally lives with and at least one telephone number by which each such parent can be contacted in an emergency. The department's advice is that where reasonably practicable, schools should hold an emergency contact number for more than one person for each pupil;
- day, month and year of birth;
- day, month and year of the pupil's starting day at the school;
- name and address of the last school the pupil attended, if any.

Where the school has boarding pupils, the admission register must state whether each pupil of compulsory school age is a boarder or a day pupil.

Pupils with a new address and/or school

Where a parent of a pupil informs the school that the pupil will live at another address, whether in addition to or instead of the address at which the pupil currently lives, the school must ensure that the admission register contains:

- the address;
- the full name of each parent the pupil will normally live with;
- the date when the pupil will start normally living there.

Where a school is aware that the pupil is or will be attending another school, the school must ensure that the admission register contains:

- the name of the other school;
- the date when the pupil began or will begin attending that school.

Maintaining the Admission Register

It is vital that the admission register is kept up to date. Schools should encourage parents to inform them of any changes whenever they occur and must ensure the admission register is amended as soon as possible.

Deletion of names from Admission Register

A pupil's name can only be deleted from the admission register for a reason set out in regulation 9 of the School Attendance (Pupil Registration) (England) Regulations 2023. A pupil's name must not be removed for any other reason and doing so would constitute off-rolling.

In accordance with regulation 13(3) and (4) of the School Attendance (Pupil Registration) (England) Regulations 2023, a school must make a return to the local authority when a pupil's name is deleted from the admission register (a 'deletion return'). This does not apply where the pupil's name is deleted at the end of the school year when they are in the school's most senior class (for example, pupils who leave primary school at the end of Year 6), unless the local authority requests such information.

Where a school notifies the local authority that a pupil's name is deleted from the admission register, as set out in regulation 13(3), the school must provide the local authority with the following information about the pupil:

- full name;
- address;
- the full name and address of any parent the pupil normally lives with;
- at least one emergency telephone number of any parent the pupil normally lives with;
- if applicable, the full name and address of the parent who the pupil is going to live with, and the date the pupil will start living there;
- if applicable, the name of the pupil's other school and when the pupil began or will begin to attend the school;
- the reason set out in regulation 9 under which the pupil's name has been deleted from the admission register.

Deleting the name of a pupil of compulsory school age

The only reasons where a pupil's name shall be deleted are:

Ground A - a pupil has been registered at another school - regulation 9(1)(a)

Where a pupil has been registered at another school, unless:

• a school attendance order naming the school is in force in relation to the pupil;

- the pupil is a mobile child and the school is their main school (see further details below); or
- the school has agreed with a person with control of the pupil's attendance at the other school that the pupil should be a registered pupil at more than one school.

Transfer between schools

Where a pupil is transferring to another school, the original school must delete a pupil's name from the admission register on the first day they are entered on the admission register of the new school. The new school must enter the pupil's name on the admission register on the first day that it has agreed the pupil will attend the school. For example, if a pupil is due to leave school A on 28 March and start at school B on 29 March they would added to the admission register of School B and deleted from that of School A on 29 March.

School A will:

- record the pupil's attendance and absence up to and including the 28 March;
- delete the pupil's name from the admission register on 29 March;
- transfer the appropriate pupil information via the <u>S2S system</u>.

School B will:

- enter the pupil's name on the admission register on 29 March;
- record the pupil's attendance and absence from 29 March;
- follow up any unexpected absence on or after the 29 March; and
- request the transfer of the pupil information.

There are a small number of exceptions, these are:

School Attendance Order (SAO)

If a school attendance order is in place for the pupil, and the name of the school has been replaced by the relevant local authority with that of another school, their name can be deleted from the admission register under the reason for deletion at ground E (regulation 9(1)(e)) but not under ground A.

Mobile child

Where a child of compulsory school age has no fixed abode because their parent's trade or business requires the parent to travel from place to place, they can temporarily attend another school without the need for their main school to remove their name.

'Main school' in this context means the school that, during the last 18 months, the child has attended during periods when their parent was not travelling in the course of their trade or business, or, if there is more than one school, the school that most recently fulfils those criteria.

Dual registration

In circumstances, where it has been agreed (between the first school and a person with control of the pupil's attendance at another school) that the pupil will be registered at more than one school, the pupil's name will remain on the admission register. The main examples of dual registration are pupils who are attending another school on a temporary basis, such as a pupil referral unit, a hospital school or a special school.

Ground B - a pupil has not continued at the school following completion of nursery - regulation 9(1)b)

Where a pupil has been admitted to the school to receive nursery education and on completing such education the school does not have reasonable grounds to believe the pupil will attend the school again.

Ground C – a pupil is also registered at one or more other schools and the other schools have agreed the deletion - regulation 9(1)(c)

Where a pupil is registered at one or more other schools, and:

- the school does not have reasonable grounds to believe that the pupil will attend the school again;
- each other school where the pupil is registered has given consent to the deletion; and
- none of the following apply:
 - a school attendance order naming the school is in force in relation to the pupil, and
 - the pupil is a mobile child and the school is their main school.

Ground D – a pupil is also registered at one or more other schools and the pupil's parent has told the school that they will no longer attend the school – regulation 9(1)(d)

Where a pupil is registered at one or more other schools, and:

- the pupil's parent has informed the school in writing that the pupil will not attend the school again, and
- none of the following apply:
 - a school attendance order naming the school is in force in relation to the pupil, and
 - the pupil is a mobile child and the school is their main school.

Ground E - a pupil has a School Attendance Order which has been changed to name another school- regulation 9(1)(e)

Where the pupil is registered at the school as a result of a school attendance order, but another school has now been named on that order.

Ground F - a pupil has a School Attendance Order which has been revoked - regulation 9(1)(f)

Where the pupil is registered at the school as a result of a school attendance order, but the order is revoked because arrangements have been made for the child to receive suitable full-time education for their age, ability and aptitude and special educational needs somewhere other than at a school.

Where a school attendance order remains in force, the pupil's name must not be deleted for other reasons until the order is revoked or the name of the school amended. This includes a request to electively home educate. If a parent has had their child registered at the school to comply with an order but the pupil does not attend, the school should discuss the case with the local authority and where appropriate take steps to secure the regular attendance of the child as they would with any other case of non-attendance.

Ground G - the parent of a pupil has notified the school in writing that the pupil will be leaving the school to be educated otherwise than at a school - regulation 9(1)(g)

Where the pupil's parent has informed the school in writing that the pupil will no longer attend the school after a certain day and will receive education otherwise than at a school and that day has passed, and there is no school attendance order naming the school in force in relation to the pupil.

School Attendance Order

If a SAO has been revoked because arrangements have been made for the child to receive suitable full-time education for their age, ability and aptitude somewhere other than at a school, the pupil's name can be deleted from the admission register under the reason for deletion at regulation 9(1)(f).

Ground H - a pupil no longer normally lives a reasonable distance from the school - regulation 9(1)(h)

Where a pupil no longer normally lives a reasonable distance from the school, the school does not have reasonable grounds to believe the pupil will attend the school again, and the pupil is not a boarder at the school.

In circumstances where parents are withdrawing their child but are unable to say how their child will continue with their education, for example, the family are relocating but have not been able to secure a place at a new school in advance, once the pupil has completed their final day at school and moved out of the area, the school must delete the pupil's

name from the admission register and the pupil's information should then be transferred to the Lost Pupil Database via the <u>S2S system</u>.

Ground I - a pupil has not returned following a leave of absence - regulation 9(1)(i)

Where a pupil has been granted a leave of absence and:

- the pupil has not attended school within the ten school days immediately after the end of the period granted,
- the school does not have reasonable grounds to believe that the pupil is unable to attend because of sickness or an unavoidable cause; and
- the school and the local authority have jointly made reasonable efforts to find out the pupil's location and circumstances, but:
 - they have not succeeded, or
 - they have succeeded but have no reasonable grounds to believe that the pupil will attend the school again.

DfE's guidance on <u>Children Missing Education</u> sets out the expectations for schools and local authorities in respect of making reasonable enquiries.

Ground J - a pupil has been continually absent from school for 20 school days - regulation 9(1)(j)

Where a pupil has been continuously absent from the school for a period of 20 school days or more and:

- none of the circumstances for attending or absent (under regulation 10(2)(a) or (b)(i) to (x)) apply (i.e. the pupil has been absent for other unknown circumstances'),
- the school does not have reasonable grounds to believe that the pupil is unable to attend because of sickness or an unavoidable cause; and
- the school and the local authority have jointly made reasonable efforts to find out the pupil's location, but:
 - o they have not succeeded, or
 - they have succeeded but have no reasonable grounds to believe that the pupil will attend the school again.

DfE's guidance on <u>Children Missing Education</u> sets out the expectations for schools and local authorities in respect of making reasonable enquiries.

Ground K - a pupil is subject to a sentence of detention - regulation 9(1)(k)

Where a pupil is found guilty of a crime and sentenced to a period of detention, before the pupil's name can be deleted from the admission register the school must have reasonable grounds to believe the pupil will not return to the school once they are released.

Ground L - a pupil has died - regulation 9(1)(I)

Where a pupil has died.

A pupil's name should only be deleted from the admission register when the school is informed of the death. This would normally come from the pupil's parent but it is possible that notification comes from another source, such as relatives or the police.

Once the school receives the information, it is particularly important to delete the pupil's name as quickly as possible to prevent inadvertent and unnecessary contact with the family about the child.

Ground M - pupil will cease to be of compulsory school age and will not continue into the sixth form - regulation 9(1)(m)

Where a pupil will no longer be of compulsory school age by the next time the school meets, and:

- the school does not have reasonable grounds to believe the pupil will attend the school again; or
- the pupil does not meet the academic entry requirements to be transferred to the school's sixth form.

Compulsory school age

A pupil ceases to be of compulsory school age on the last Friday in June of the school year in which they reach the age of 16.

Ground N - a pupil is a boarder at a maintained school or academy and their boarding fees have not been paid - regulation 9(1)(n)

Where a pupil is a boarder at the school and:

- the school is maintained by a local authority or is an academy;
- charges for the pupil's board and lodgings are payable by the pupil's parent; and
- those charges remain unpaid by the pupil's parent at the end of the school term to which they relate.

Ground O - a pupil has ceased to be a pupil at an independent school or nonmaintained special school - regulation 9(1)(o)

Where a pupil has ceased to be a pupil at the school and the school is not maintained by a local authority or an academy,.

Ground P - a pupil has been permanently excluded from the school - regulation 9(1)(p)

Where a pupil has been permanently excluded from the school.

A pupil's name cannot be deleted from the admission register until the outcome of any consideration of reinstatement and independent review (in the case of a maintained school, pupil referral unit, or academy) or appeal (in the case of a city technology college or city college for the technology of the arts) is known.

Ground Q - a pupil's name has been entered in the admission register in error – regulation 9(1)(q)

Where a pupil's name has been entered in the admission register in error. This is when the pupil's name was entered in a circumstance that Regulation 8 does not permit and therefore should not have been entered.

Deleting the name of a pupil of compulsory school age for whom the local authority maintains a relevant plan

Regulation 9(2)

Where a pupil has an education health and care plan, a child in need plan, and/or a child protection plan the school must ensure that the pupil's name is not deleted from the school's admission register unless:

- a ground for deletion under regulation 9(1)(e), (f), (l), (p) or (q) applies,
- the local authority who maintains the relevant plan has given their consent to the deletion, or
- the local authority who maintains the relevant plan has refused their consent, but the Secretary of State has directed that the pupil's name be deleted.

The LA will be expected to not withhold consent unnecessarily, nor delay for an unreasonable period.

Deleting the name of a pupil not of compulsory school age

The only reasons where the name of a pupil not of compulsory school age shall be deleted are:

Ground A - a pupil who is not a boarder will not attend the school again - regulation 9(3)(a)

Where a pupil is not a boarder, and the school does not have reasonable grounds to believe the pupil will attend the school again.

Ground B – a pupil who is a boarder and has ceased to be a pupil at the school - regulation 9(3)(b)

Where a pupil is a boarder and has ceased to be a pupil at the school.

Ground C - a pupil has been continually absent from school for 20 school days - regulation 9(3)(c)

Where a pupil has been continuously absent from the school for a period of 20 school days or more and:

- the pupil did not have leave of absence during the period;
- the school does not have reasonable grounds to believe that the pupil is unable to attend because of sickness or an unavoidable cause; and
- the school has made reasonable efforts to find out the pupil's location and circumstances but:
 - has not succeeded, or
 - has succeeded and has no reasonable grounds to believe the pupil will attend the school again.

Ground D - a pupil has died - regulation 9(3)(d)

Where a pupil has died.

A pupil's name should only be deleted from the admission register when the school is informed of the death. This would normally come from the pupil's parent but it is possible that notification comes from another source, such as relatives or the police.

Once the school receives the information, it is particularly important to delete the pupil's name as quickly as possible to prevent inadvertent and unnecessary contact with the family about the child.

Ground E - a pupil has been permanently excluded from the school - regulation 9(3)(e)

Where a pupil has been permanently excluded from the school.

A pupil's name cannot be deleted from the admission register until the outcome of any consideration of reinstatement and independent review (in the case of a maintained school, pupil referral unit, or academy) or appeal (in the case of a city technology college or city college for the technology of the arts) is known.

Ground F - a pupil's name has been entered in the admission register in error – regulation 9(3)(f)

Where a pupil's name has been entered in the admission register in error. This is when the pupil's name was entered in a circumstance that Regulation 8 does not permit and therefore should not have been entered.

Section 8: Contents of the attendance register

All schools, except those where all the pupils are boarders, must keep an attendance register in accordance with the School Attendance (Pupil Registration) (England) Regulations 2023. Regulation 10 sets out the contents of the attendance register.

Schools must take the attendance register at the beginning of each morning session and once during each afternoon session. On each occasion they must record whether every pupil (with the exception of a pupil who is a boarder) is:

- Attending:
 - o the school
 - o another school at which the pupil is a registered pupil,
 - o any other place for an approved educational activity, or
 - o any other place for relevant remote education, or
- Absent:
 - \circ with leave,
 - o on a day exclusively set apart for religious observance,
 - o because of sickness (or illness),
 - o unable to attend because of an unavoidable cause,
 - o unable to attend as excluded from the school (or suspended),
 - unable to attend because the school is not within walking distance of the pupil's home and the local authority have not made suitable arrangements for: the pupil's transport to and from the school; boarding accommodation for the pupil at or near the school; or enabling the pupil to become a registered pupil at a school nearer the pupil's home,
 - unable to attend because the school is not within walking distance of the pupil's home and transport to and from school that is normally provided for the pupil by the school or local authority is not available,
 - o unable to attend because part of the school premises is unavoidably out of use,
 - unable to attend because of widespread disruption to travel caused by a local, national or international emergency,
 - unable to attend because the pupil's travel to or attendance at school would be: contrary to guidance relating to the incidence or transmission of infection or disease published by the Department for Health and Social Care (or equivalent authority in Scotland, Wales or Northern Ireland), or prohibited by any legislation relating to the incidence or transmission of infection or disease, or
 - o in other or unknow circumstances.

More detail and explanation of each of these circumstances is given below under 'Attendance and Absence Codes'.

Schools must record the nature of the activity where a pupil is attending somewhere outside the school for an approved educational activity or relevant remote education.

Schools cannot delete a pupil's name from the attendance register unless they have a reason (as set out in regulation 9 of the School Attendance (Pupil Registration) (England) Regulations 2023), to delete the pupil's name from the admission register; the pupil's name must be deleted from both registers at the same time.

Attendance and Absence Codes

The national codes enable schools to record and monitor attendance and absence in a consistent way and are used to collect statistics through the School Census system. The data helps schools, local authorities and the government to gain a greater understanding of the level of, and the reason for, absence and the delivery of education.

Attending the school - regulation 10(2)(a)(i)

Code / \: Present in school / = am \ = pm

If a pupil were to leave the school premises after registration, they will still be counted as attending for statistical purposes.

Code L: Late arrival before the register is closed

Schools should actively discourage late arrival and be alert to patterns of late arrival. All schools are expected to set out in their attendance policy the length of time the register will be open, after which a pupil will be marked as absent. This should be the same for every session and depending on the structure of the school day not longer than either 30 minutes after the session begins, or the length of the form time or first lesson in which registration takes place. A pupil arriving after the register has closed should be recorded as absent using code U, or another absence code that it is more appropriate.

Attending another school at which the pupil is registered - regulation 10(2)(a)(ii)

Code D: Dual registered at another school

The law allows for a pupil to be registered at more than one school. This code is used to indicate that, the pupil was not expected to attend the school in question because they were scheduled to attend the other school at which they are registered. The main examples of dual registration are pupils who are attending a pupil referral unit, a hospital school or a special school on a temporary basis.

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

Attending any other place for an approved educational activity - regulation 10(2)(a)(iii), 10(3) and 10(8)

Code B: Off-site educational Activity

Attending somewhere other than the school (or any other school where the pupil is registered) for an off-site educational activity that has been approved by the school and supervised by someone authorised by and acting under the direction of the school.

Schools must also record the nature of the activity, examples are:

- attending taster days at other schools;
- attending courses at college;
- attending unregistered alternative provision arranged or agreed by the school.

The educational activity must take place during the session for which it is recorded.

Schools have responsibilities for the safeguarding and welfare of pupils educated off-site under their supervision. By using code B, schools are certifying that the education is supervised by someone who is acting under their direction. The school will need to be satisfied that appropriate measures have been taken to safeguard the pupil. Schools should ensure that they have in place arrangements whereby the provider of the educational activity notifies the school of any absences by the pupil. The school should record the pupil's absence using the relevant absence code.

This code must not be used for any unsupervised educational activity e.g., when a pupil is at home doing some schoolwork.

Code P: Participating in a supervised sporting activity

Attending somewhere other than the school (or any other school where the pupil is registered) to take part in a sporting activity that has been approved by the school. If schools have concerns about the appropriateness of an activity, they can seek advice from the sports' national governing body. However, the final decision on approving the activity rests with the school and they should take the effect on the pupil's general education into account.

The sporting activity must take place during the session for which it is recorded.

Approved educational activity must be supervised by a person authorised by and acting under the direction of the school. Schools should ensure that they have in place arrangements whereby the provider of the sporting activity notifies the school of any absence by the pupil. The school should record the pupil's absence using the relevant absence code.

Code V: Educational visit or trip

Attending an organised educational visit or trip, including residential trips organised by the school, or a supervised trip of a strictly educational nature arranged by an organisation approved by the school. The educational visit or trip must take place during the session for which it is recorded.

Approved educational activity must be supervised by a person authorised by and acting under the direction of the school. Schools should ensure that they have in place arrangements whereby the organiser of the visit or trip notifies the school of any absence by the pupil. The school should record the pupil's absence using the relevant absence code.

Code W: Work experience

Attending educational work experience.

Work experience is for pupils in the final 2 years of compulsory school age.

The work experience must take place during the session for which it is recorded.

Approved educational activity must be supervised by a person authorised by and acting under the direction of the school. Schools should ensure that they have in place arrangements whereby the provider of the work experience notifies the school of any absence by the pupil. The school should record the pupil's absence using the relevant absence code.

Attending any other place for approved remote education - regulation 10(2)(a)(iv), 10(3) and 10(9)

Code TBC: Attending approved remote education as unable to attend school due to transport normally provided not being available

Where remote education is being provided somewhere other than the school (or any other school where the pupil is registered) because the pupil is unable to attend the school as the school is not within walking distance of the pupil's home and the transport to and from the school that is normally provided for the pupil by the school or local authority is not available.

The remote education that the pupil is to receive must be specified by a teacher at the school and must take place during the session for which it is recorded. The nature of the approved remote education must be also recorded.

The school and the parent of the pupil must agree what supervision will be in place while the pupil is receiving remote education.

Walking distance

In relation to a child under the age of 8, means 2 miles, and for a child of 8 or above, means 3 miles. In each case measured by the nearest available safe route.

Code TBC: Attending approved remote education as unable to attend school due to part of the school premises being closed

Where remote education is being provided somewhere other than the school (or any other school where the pupil is registered) because the pupil is unable to attend the school due to part of the school premises being unavoidably closed and the school has decided that the pupil cannot be accommodated in any other parts of the premises that remain in use.

The remote education that the pupil is to receive must be specified by a teacher at the school and must take place during the session for which it is recorded. The nature of the approved remote education must be also recorded.

The school and the parent of the pupil must agree what supervision will be in place while the pupil is receiving remote education.

Code TBC: Attending approved remote education as unable to attend school due to whole school premises being closed

Where remote education is being provided somewhere other than the school (or any other school where the pupil is registered) because the pupil is unable to attend the school due to the whole of the school premises being closed. Unplanned school closures should only be in exceptional circumstances.

The remote education that the pupil is to receive must be specified by a teacher at the school and must take place during the session for which it is recorded. The nature of the approved remote education must be also recorded.

The school and the parent of the pupil must agree what supervision will be in place while the pupil is receiving remote education.

Code TBC: Attending approved remote education as unable to attend school due to widespread disruption to travel

Where remote education is being provided somewhere other than the school (or any other school where the pupil is registered) because the pupil is unable to attend school due to widespread disruption to travel caused by a local, national or international emergency.

The remote education that the pupil is to receive must be specified by a teacher at the school and must take place during the session for which it is recorded. The nature of the approved remote education must be also recorded.

The school and the parent of the pupil must agree what supervision will be in place while the pupil is receiving remote education.

Code TBC: Attending approved remote education as absent in accordance with public health guidance or law where remote education is being provided somewhere other than the school (or any other school where the pupil is registered) because the pupil's travel to or presence at school would be contrary to any public health guidance or legislation relating to the incidence or transmission of infection or disease.

The guidance must be guidance published by the Department for Health and Social Care or an equivalent public health authority in Scotland, Wales or Northern Ireland.

The remote education that the pupil is to receive must be specified by a teacher at the school and must take place during the session for which it is recorded. The nature of the approved remote education must be also recorded.

The school and the parent of the pupil must agree what supervision will be in place while the pupil is receiving remote education.

Authorised Absence from School

The codes set out below are classified for statistical purposes as authorised absence:

Leave of absence

All schools may grant a leave of absence to parents however schools maintained by a local authority, special schools not maintained by a local authority, any other academy school or alternative provision academy must only do so in line with regulation 11. All schools should use the following codes to record the reason:

Code C: Leave of absence for exceptional circumstance

A leave of absence, under regulation 11(4) must not be granted unless it has been applied for in advance by the parent who the pupil normally lives with and the school believes the absence is justified by exceptional circumstances. Schools must consider each application individually taking into account the specific facts and circumstances and relevant background context behind each request. Where a leave of absence is granted, the school will determine the number of days a pupil can be absent from school. A leave of absence is granted entirely at the school's discretion.

Schools that are not required to follow Regulation 11, should still use this code to record where a leave of absence has been granted that is not covered by another leave of absence code.

Specific leaves of absence may also be granted in exceptional circumstances where:

A pupil is subject to a temporary part-time timetable

All pupils of compulsory school age are entitled to a full-time education. In very exceptional circumstances, where it is in a pupil's best interests, there may be a need for a temporary

part-time timetable to meet their individual needs. For example, where a medical condition prevents a pupil from attending school full-time and a part-time timetable is considered as part of a re-integration package. A part-time timetable should not be used to manage a pupil's behaviour.

A part-time timetable must only be in place for the shortest time necessary and not be treated as a long-term solution. Any pastoral support programme or other agreement should have a time limit by which point the pupil is expected to attend full-time, either at school or alternative provision. There should also be formal arrangements in place for regularly reviewing it with the pupil and their parents. In agreeing to a part-time timetable, a school has agreed to a pupil being absent from school for part of the week or day.

<u>A pupil is pregnant</u>

Leave for maternity is treated like any other leave of absence. We would expect schools to act reasonably and grant a sufficient period of leave from school, taking into consideration the specific circumstances of each case. Ultimately it is at the school's discretion how much leave to grant.

Code H: Leave of absence for the purpose of a family holiday granted by the school

Parents should plan their holidays around school breaks and avoid seeking permission from schools to take their children out of school during term time unless it is absolutely unavoidable.

An application for leave of absence from a school maintained by a local authority, a special school not maintained by a local authority, any other academy school or alternative provision academy must not be granted unless it is made in advance by a parent the pupil normally lives with and the school is satisfied that there are exceptional circumstances based on the individual facts and circumstance of the case which justify the leave. Where a leave of absence is granted, the school will determine the number of days a pupil can be absent from school. A leave of absence is granted entirely at the school's discretion.

Code M: Leave of absence for the purpose of attending a medical or dental appointment

Schools should encourage parents to make appointments out of school hours. Where this is not possible, they should get the school's agreement in advance and the pupil should only be out of school for the minimum amount of time necessary for the appointment.

If the school is maintained by a local authority, or a special school not maintained by a local authority, or any other academy school or alternative provision academy, leave of absence for a medical appointment may only be given if it has been requested in advance by a parent who the pupil normally lives with and the school thinks it should be granted because of exceptional circumstances.

If a pupil is present at registration but has a medical appointment during the session in question, no absence needs be recorded for that session.

Code T: Leave of absence for the purpose of families travelling for occupational purposes

This code is to be used when the pupil's parent(s) is travelling for occupational purposes and the school has granted the pupil a leave of absence [so that they can travel with the parent(s)] following a request from the parent.

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

This code should not be used for general absences by those groups. It should only be used for the purpose described above. This code should not be used to record any other types of absence by these groups.

Pupils from these groups whose parent(s) do not travel for occupational purposes are expected to attend school as normal. They are subject to the same rules as other pupils in terms of the requirements to attend school regularly once registered at a school.

Where a pupil has no fixed abode and their parent(s) is engaged in a business or trade that requires them to travel, there is a legal expectation that any pupil aged 6 or older attends at least 200 sessions per year. The pupil must attend school as regularly as the business permits and therefore, if the business or trade permits the pupil to attend for more than 200 sessions per year, they should do so.

To help ensure continuity of education for pupils, when their parent(s) is travelling for occupational purposes, it is expected that the pupil should attend school elsewhere when their parent(s) is travelling and be dual registered at that school and their main school.

Code TBC: Leave of absence for the purpose of participating in a performance

A school maintained by a local authority, a special school not maintained by a local authority, or any other academy school or alternative provision academy can grant leave of absence, under regulation 11(2), for a pupil to undertake employment during school hours for the purpose of taking part in a performance, within the scope of section 37 of the Children and Young Persons Act 1963 if the local authority have given the pupil a licence for that performance or if the pupil is exempt from the need for a licence under section 37(3) of that Act.

Legislation sets out that a local authority licence must be obtained before a child can take part in a performance. There are some exemptions, including the granting of Body of Persons Approval (BOPA). BOPAs can be issued by the local authority where a performance is to take place, or by the Secretary of State (generally only if there are to be many children involved and a number of different locations, but legislation does not limit this to those situations).

Schools should be sympathetic to requests for leave of absence that are supported by a licence or a BOPA; as long as the school remains satisfied that this will not have a negative effect on a pupil's education. Where the licence specifies the dates that a pupil is to be away from school to perform, the school should record the absence for those days as if a leave of absence had been applied for and granted. However, where the terms of the licence or BOPA do not specify dates, it is at the discretion of the headteacher to grant leave of absence.

For a school maintained by a local authority, special school not maintained by a local authority, or other academy school or alternative provision academy, the law does not require there to be exceptional circumstances before leave can be granted for a performance where there is a licence or an exemption.

Code J: Leave of absence for the purpose of attending an interview with prospective employers, or another educational establishment

A school maintained by a local authority, special schools not maintained by a local authority, or other academy school or alternative provision academy can grant leave of absence, under regulating 11(5), to allow a pupil to attend an interview with employers or another educational establishment. The application must be made in advance by the parent who the pupil normally lives with and the school should be satisfied that the interview is linked to employment prospects, further education, or transfer to another school.

Code S: Leave of absence for a pupil to study for a public examination (Study leave)

A school maintained by a local authority, special schools not maintained by a local authority, or other academy school or alternative provision academy can grant leave of absence, under regulation 11(6) for a pupil to study for a public examination if the pupil is in their last year of compulsory school age at the time when then leave begins and the leave has been agreed in advance with a parent who the pupil normally lives with. Study leave should not be granted by default once tuition of the exam syllabus is complete and should be used sparingly. If schools do decide to grant study leave, provision must still be made available for those pupils who want to continue to come into school to revise.

As study leave is unsupervised it must be recorded as absence.

Code E: Suspended or permanently excluded but no alternative provision made - regulation 10(2)(b)(v)

If no alternative provision is made for a pupil to continue their education whilst they are suspended from school or permanently excluded from school, but their name is still entered in the admission register.

When a pupil of compulsory school age is suspended or permanently excluded from a maintained school, pupil referral unit, academy, city technology college, or city college for the technology of the arts, alternative provision must be arranged from the sixth consecutive school day of any suspension or exclusion. Where alternative provision is made schools should record this using the appropriate code for attending an approved educational activity if the criteria in regulation 10(8) are satisfied.

Code I: Illness (not medical or dental appointment) - regulation 10(2)(b)(iii)

Schools should advise parents to notify them on the first day the child is unable to attend due to illness. This code applies where pupils cannot attend due to illness (both physical and mental health related).

In the majority of cases a parent's notification that their child is ill can be accepted without question or concern. Schools should not routinely request that parents provide medical evidence to support illness. Schools are advised not to request medical evidence unnecessarily as it places additional pressure on health professionals, their staff and their appointments system particularly if the illness is one that does not require treatment by a health professional. Only where the school has a genuine and reasonable doubt about the authenticity of the illness should medical evidence be requested to support the absence.

Schools must make a return to the local authority, providing the full name and address, of any pupil of compulsory school age who the school has reasonable grounds to believe will be unable to attend the school because of illness for at least 15 school days during the school year, whether consecutive or not (regulation 13(8)).

Pupils with long term illness or other health needs may need additional support to continue education, such as alternative provision arranged by the local authority. Local authorities are responsible for arranging suitable education for children of compulsory school age who, because of health reasons, would otherwise not receive suitable education. This applies whether or not the child is registered at a school and whatever type of school they attend. The education must be full-time or as close to full-time as the child's health allows. DfE's statutory guidance on ensuring a good education for children who cannot attend school because of health needs sets out that local authorities should provide education as soon as it is clear that the child will be away from school for 15 days or more, whether consecutive or cumulative. Local authorities should have a named officer responsible for the education of children with additional health needs.

Code R: Religious observance - regulation 10(2)(b)(ii)

This code applies when a pupil is absent on a day that is exclusively set apart for religious observance by the parents' religious body (not the parents).

As a general rule, we would interpret 'a day exclusively set apart for religious observance' as a day when the pupil's parents would be expected by the religious body to which they belong to stay away from their employment in order to mark the occasion. If in doubt,

schools should seek advice from the parent's religious body about whether it has set the day apart for religious observance.

If a religious body sets apart a single day for a religious observance and the parent applies for more than one day, the school may only record one day using this code; the rest of the request would be a leave of absence, and this is granted at the school's discretion as set out under Code C.

Schools and local authorities may seek to minimise the adverse effects of religious observance on a pupil's attendance and attainment by considering approaches such as:

- Setting term dates around days for religious observance;
- Working with local faith groups to develop guidance on absence for religious observance;
- Schools taking INSET days that coincide with religious observance days; and
- Providing individual support for pupils who miss sessions on days exclusively set apart for religious observance.

Code TBC: Unable to attend school due to the local authority not making suitable arrangements to attend the school – regulation 10(2)(b)(vi)

Where a pupil is unable to attend the school because it is not within walking distance of the pupil's home and the local authority have not made suitable arrangements for:

- the pupil's transport to and from the school,
- boarding accommodation for the pupil at or near the school, or
- enabling the pupil to become a registered pupil at a school nearer to the pupil's home.

Walking distance

In relation to a child under the age of 8, means 2 miles, and for a child of 8 or above, means 3 miles. In each case measured by the nearest available safe route.

Code TBC: Unable to attend school due to transport normally provided not being available – regulation 10(2)(b)(vii)

Where a pupil is unable to attend the school because it is not within walking distance of the pupil's home and the transport to and from the school that is normally provided for the pupil by the school or local authority is not available.

Where remote education is being provided to the pupil this should be recorded as code TBC: Attending approved remote education as unable to attend school due to transport normally provided not being available.

Walking distance

In relation to a child under the age of 8, means 2 miles, and for a child of 8 or above, means 3 miles. In each case measured by the nearest available safe route.

Code TBC: Unable to attend school due to part of the school premises being closed - regulation 10(2)(b)(viii)

Where the pupil is unable to attend the school because part of the school premises is unavoidably out of use and the pupil is one of those that the school considers cannot practicably be accommodated in those part of the premises that remain in use.

This code should not be used for any planned partial closure.

Where remote education is being provided to the pupil this should be recorded as code TBC: Attending approved remote education as unable school due to part of the school premises being closed.

Code TBC: Unable to attend school due to whole school premises being closed

Where the pupil is unable to attend school because the whole school is closed when it was originally planned to be open.

This code should not be used for any planned closure such as weekends or holidays.

Where remote education is being provided to the pupil this should be recorded as code TBC: Attending approved remote education as unable to attend school due to whole school premises being closed.

Code TBC: Unable to attend school due to widespread disruption to travel – regulation 10(2)(b)(ix)

Where the pupil is unable to attend the school because of widespread disruption to travel caused by a local, national, or international emergency.

Where remote education is being provided to the pupil this should be recorded as code TBC: Attending relevant remote education as unable to attend due to widespread disruption to travel.

Code TBC: Absent from school in accordance with public health guidance or law - regulation 10(2)(b)(x)

Where the pupil's travel to or attendance at the school would be:

- contrary to any guidance relating to the incidence or transmission of infection or disease published by the Department for Health and Social Care (or the equivalent in Scotland, Wales and Northern Ireland), or
- prohibited by any legislation relating to the incidence or transmission of infection or disease

Where remote education is being provided to the pupil this should be recorded as code TBC: Attending approved remote education because the pupil's travel to or presence at school would be contrary to any public health guidance or legislation relating to the incidence or transmission of infection or disease

Code TBC: Unable to attend as pupil is subject to a sentence of detention – regulation 10(2)(b)(iv)

Where a pupil is unable to attend the school as they are subject to a sentence of detention and the school have reasonable grounds to believe the pupil will return to the school once they are released.

Other or unknown absence - regulation 10(2)(b)(xi)

These unauthorised absence codes apply where a pupil's absence does not meet the requirements to be recorded as one of the authorised absence categories above or where the reason for a pupil's absence has not been provided and cannot be established.

Code G: Holiday not granted by the school or in excess of the period determined by the school

Where the school has not granted a leave of absence for the purpose of a holiday but the parents still take the child out of school, or the child is kept away longer that the period of leave granted.

A school cannot grant a leave of absence retrospectively. If the parent did not apply in advance, leave of absence should not be granted.

Code N: Reason for absence not yet provided

Schools must follow up all unexplained and unexpected absence in a timely manner.

Every effort should be made to establish the reason for a pupil's absence. When the reason for absence has been established the school should record the pupil's absence using the relevant code.

Where absence is recorded as unexplained in the attendance register, the correct code should be inputted as soon as the reason is ascertained, but no more than 5 working days after the session. Code N should not therefore be left on the pupil's attendance record indefinitely; if a reason for absence cannot be established after 5 working days, schools should amend the pupil's record to Code O.

Code O: Absent in other unknown circumstances

Where no reason for absence is established or the school is not satisfied that the reason given is any of the ones listed above.

Code U: Arrived in school after registration closed

Where a pupil has arrived late after the register has closed and the school is not satisfied that the reason for lateness is any of the ones listed above.

Schools should actively discourage late arrival, be alert to patterns of late arrival and seek an explanation from the parent. All schools are expected to set out in their attendance policy the length of time the register will be open, after which a pupil will be marked as absent. This should be the same for every session and depending on the structure of the school day not longer than either 30 minutes after the session begins, or the length of the form time or first lesson in which registration takes place.

Administrative codes

Code X: Non-compulsory school age pupil not required to be in school

Where a pupil not of compulsory school age is attending school part-time.

For example, where parents have chosen for their 4 year-old child to attend part-time until later in the school year but not beyond the point at which the child reaches compulsory school age.

Code Z: Prospective pupil not on admission register

To enable schools to set up registers in advance of pupils joining the school to ease administration burdens.

Schools must enter a pupil's name on the admission register before the beginning of the first session on the pupil's starting day.

In the normal admissions round, when parents have accepted the school place offered, the local authority can inform schools on behalf of the parents and notify the school when the parent has agreed that the pupil will attend school. This can also be the case where the local authority co-ordinates in-year applications for school places.

If a pupil fails to attend on the agreed starting day, the school must follow this up and try to establish the reason for absence.

Code #: Planned whole school closure

Whole school closures that are known and planned in advance such as:

- days between terms;
- half terms;
- occasional days (for example, bank holidays);
- weekends (where it is required by the management information system);
- up to 5 non-educational days; and

• use of the whole school as a polling station.