

Item: 4

Education, Leisure and Housing Committee: 29 March 2023.

Guidance for Monitoring and Tracking Attendance in Schools.

Report by Corporate Director for Education, Leisure and Housing.

1. Purpose of Report

To present Guidance for Monitoring and Tracking Attendance in Schools for consideration.

2. Recommendations

The Committee is invited to note:

2.1.

That the draft Guidance for Monitoring and Tracking Attendance in Schools, attached as Appendix 1 to this report, provides support for both schools and parents/carers to ensure each child's attendance at school is as regular as possible.

2.2.

That the draft Guidance for Monitoring and Tracking Attendance in Schools and the steps taken to support poor attendance at school do not apply to Early Learning and Childcare settings, as attendance is not statutory.

2.3.

That, should the draft Guidance for Monitoring and Tracking Attendance in Schools, be approved, the Corporate Director for Education, Leisure and Housing would arrange for communication to be issued regarding the benefits of regular attendance at school for all children and young people.

It is recommended:

2.4.

That the Guidance for Monitoring and Tracking Attendance in Schools, attached as Appendix 1 to this report, be approved.

3. Background

3.1.

The COVID-19 pandemic saw school closures in 2020/21. Following the recovery from the pandemic, schools have seen lower levels of attendance overall. In 2018/19 Orkney's attendance for the school year was 95.6%, just above the Scottish average. Currently, Orkney is sitting at 91% attendance. In the Winter months lower attendance figures are expected. The 91% is also the current Scottish average, so it is clear that the decline in attendance is apparent across the country.

3.2.

Whilst both the causes and the impact of poor attendance are known to be complex and multifaceted, research demonstrates the potential impact that poor attendance can have. Poor attendance has been linked to lower levels of attainment; peer relationships; emotional and behavioural difficulties and poorer employment opportunities. This was found to be the case even when prior attainment and pupil characteristics were taken into account as detailed in the Department for Education report 'The link between absence and attainment at Key Stages 2 and Key Stages 4, 2013/14 academic year'. Some initial studies have indicated that missing 10% of schooling, equivalent of 4 weeks over the course of a year, can impact on attainment. Low levels of attendance can also be linked to how connected children and young people feel to their school community. Lack of school connectedness has been linked to a range of poorer outcomes including attainment, wellbeing and involvement in offending behaviours. Attendance and participation with school can also be considered as protective factors for children and young people experiencing adversity or trauma and can support early intervention. While recognising that the links between attendance and these factors are not straightforward, there is still a clear case for demonstrating the importance of promoting good attendance in schools.

3.3.

The tracking of attendance across Orkney now forms a key pillar of the Inclusion and Wellbeing improvement priorities. For the reasons outlined above, having the ability to monitor attendance as it applies to large cohorts, smaller cohorts and individuals is a vital measure for overall wellbeing within schools.

4. Guidance for Monitoring and Tracking Attendance in Schools

4.1.

The draft Guidance for Monitoring and Tracking Attendance in Schools, attached as Appendix 1 to this report, provides support for both schools and parents/carers to ensure each child's attendance at school is as regular as possible. It is a positively framed document and written to promote regular attendance and states clearly the many benefits of good attendance at school, both socially and academically.

4.2.

The draft Guidance details:

- The legal responsibility of parents/carers as it relates to their child's attendance at school.
- Reasons for school absence and encourages parents/carers to work closely with schools during periods of absence.
- Clear information for schools and parents/carers regarding the new structure for monitoring attendance in school, steps schools should take to support children and young people and families to improve school attendance.
- Clear information for schools and parents/carers to monitor late arrivals and children who do not attend lessons during the school day as well as setting out supportive interventions when punctuality becomes an issue.
- How the Education Section will work with external partners to support children, young people and parents/carers through periods of poor attendance at school.

4.3.

It should be noted that the draft Guidance and the steps taken to support poor attendance at school do not apply to Early Learning and Childcare settings, as attendance is not statutory. Early Learning and Childcare settings still monitor attendance and support families to maintain healthy engagement for the benefit of the children.

4.4.

Should the draft Guidance be approved, the Corporate Director for Education, Leisure and Housing will arrange for communication to be issued regarding the benefits of regular attendance at school for all children and young people.

5. Equalities Impact

An Equality Impact Assessment has been undertaken and is attached as Appendix 2 to this report.

6. Links to the Council Plan

6.1.

The proposals in this report support and contribute to improved outcomes for communities as outlined in the Council Plan strategic priority theme of Thriving Communities.

6.2.

The proposals in this report relate directly to Priority 3.6 – Review the policy and provision for staffing, curriculum and financial management of our schools to ensure resources are most effectively targeted at 'raising the bar and closing the gap'.

7. Links to Local Outcomes Improvement Plan

The proposals in this report support and contribute to improved outcomes for communities as outlined in the Local Outcomes Improvement Plan priority of Community Wellbeing.

8. Financial Implications

There are no financial implications for the Council arising from the recommendations contained within this report.

9. Legal Aspects

9.1.

Section 35 of the Education (Scotland) Act 1980 states that:

(1) Where a child of school age who has attended a public school on one or more occasions fails without reasonable excuse to attend regularly at the said school, then, unless the education authority have consented to the withdrawal of the child from the school (which consent shall not be unreasonably withheld), his parent shall be guilty of an offence against this section.

(2) For the purposes of this section, a child who has been required to discontinue for any period his attendance at a school on account of his parent's refusal or failure to comply with the rules, regulations or disciplinary requirements of the school, shall, unless the court otherwise determines, be deemed to have failed without reasonable excuse to attend regularly at the school.

9.2.

The education authority has a responsibility to provide children and young people with as much support as they can to help them attend school. The law would only be invoked if other measures had failed.

10. Contact Officers

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11. Appendices

Appendix 1: Guidance for Monitoring and Tracking Attendance in Schools.

Appendix 2: Equality Impact Assessment.



Orkney Islands Council

Education Leisure and Housing

**Guidance for Monitoring
and Tracking Attendance
in Schools**

Version Control

Document Reference.	Revision.	Issue Date.	Reason for Issue.	Reviewer.	Sign.
SLI/001	00.	3 May 2023.	New Policy.	Service Manager Support for Learning and Inclusion	

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1. Introduction and Aims

This guidance explains the responsibilities Education, Leisure and Housing Service have along with schools to monitor and track the attendance of children and young people in school and what actions can be taken if attendance is or becomes a cause for concern. It is important that schools and parents/carers work in partnership to support good attendance at school. If children/young people do not attend, their learning experience and wellbeing is compromised. Furthermore, good attendance promotes the best learning opportunities, punctuality and reliability; all valuable attributes for ongoing learning, life in general and for success within the world of work. Regular attendance at school also helps to build strong and positive relationships with students and staff alike which can act as protective factors when facing difficult times.

The aims of this policy are to:

- Promote the importance of good attendance and punctuality.
- Encourage good relationships between our schools and parents/carers.
- Ensure that attendance is monitored effectively, and absence followed up quickly on the day to ensure the safety of all children and young people.
- Raise awareness of attendance by making all staff, parents, carers, children and young people aware of its importance and their responsibilities.

2. Responsibility of parents/carers

Parents/carers are legally responsible for making sure that their child is educated. Most parents/carers choose to send their child to school, though some do educate their child at home. Children and young people should attend school regularly if they are registered at a local authority school and parents/carers have a responsibility to ensure that they do. We recognise that there is a need to establish strong school-home links and communication systems that can be utilised whenever there is a concern about attendance.

3. The law and school attendance

All children and young people enrolled at local authority schools should attend regularly and should not be absent without a valid reason from primary 1 onwards. Children in Early Learning and childcare do not have a statutory requirement to attend in the same way as children from primary 1 onwards. Schools are expected to monitor attendance and take action which should include contacting the parents/carers of any child or young person not attending regularly, to support and help overcome any difficulties related to attendance. If a child or young person continues to be regularly absent from school without adequate explanation, the law says that parents/carers may be guilty of an offence.

If communication breaks down between parents/carers and the local authority, and the problem of non-attendance remains, then the local authority can decide that they have done enough to support a child but a parent/carer is not doing what they can. In these circumstances the local authority can use the law to insist that a parent does more to get their child to school.

The legal avenues available include the following:

- making an attendance order.
- Pursuing non-attendance through the courts.
- Making a referral to the Children’s Reporter, where there are other worries about a child on top of not attending school.

Information about attendance orders and court procedures can be found in Appendix 1 of [Guidance to education authorities in Scotland on the promotion of good attendance and the management of attendance issued by the Scottish Government](#).

4. Reasons for absence

As long as the school has been informed of the reason for the absence, and the school is satisfied that this is a valid reason, then the absence would be called an authorised absence. The following are valid reasons for absence:

- The child or young person is ill or has ongoing/long term health issues.
- The child or young person is attending a doctor or other medical appointment.
- The child or young person is going to a meeting about a Children’s Hearing or court, or if they are going to a Children’s Hearing, care review or court.
- Someone close to the child or young person has died.
- There is a crisis or serious difficulty at home or in the family.
- The child or young person is going to a religious ceremony or a wedding of someone very close to them.
- The child or young person has extended leave with parental consent, for example: extended overseas educational trips not organised by the school; short-term parental placement abroad; parental leave (where they are members of armed forces or emergency services and periods of leave have previously been restricted) or family returning to its country of origin (to care for relative, or for cultural reasons).

There may be other reasons that a child or young person might be absent, such as bullying, feeling isolated or being unable to access the curriculum. If this is the case, schools will work with parents/carers and the child or young person to resolve the issues to support a return to school.

4.1. Representing Orkney

If children and young people are involved in an activity that means that they need time off school, e.g. representing Orkney in a sporting event, then the school will give consideration to the impact of this absence on the child or young person’s learning when making a decision as to whether or not this is authorised. Authorisation will usually only be considered where the child or young person’s attendance is above 90%.

4.2. Reporting an absence

Parents/carers must follow the school's procedures for reporting an absence by the agreed time on the first day of absence. For secondary-aged young people, this is 09:00 and 09:30 for primary children.

If your child has an infection or symptoms that require them to be off for a set amount of time, parents/carers are asked to make the school aware of this. Alternatively, parents/carers are asked to report the absence every day. Information about infections/symptoms that have set exclusion periods can be found on pages 20 and 21 on this document: [1_infection-prevention-control-childcare-2018-05.pdf](#). ([windows.net](#))

It is important that parents/carers remain in regular contact with the school for any prolonged period of illness. Schools have a legal obligation to know where pupils are at all times when they should be in school. There may be exceptions, e.g. prolonged periods of ill health but parents/carers should have a dialogue with their child's school on these occasions so plans can be made to support children and young people.

4.3. If absences are not reported

If schools have not received notification of an absence before the agreed time (for secondary-aged young people, this is 09:00 and 09:30 for primary children), parents/carers will be contacted through the agreed procedures involving texting/phoning between 10:00–11:00. If parents/carers cannot be contacted, then schools/nurseries will move to contacting the child's/young person's emergency contacts and, if Social Work are the lead professional, they will be notified too between 11:00–12:00. This is to ensure the safety of our children and young people. If contact cannot be made with either the parents/carers or the emergency contacts by 12:00, names will be given to the Education Service, who will pass on concerning cases to Police Scotland.

5. Term time family holidays

We strongly encourage parents not to take their children out of school for family holidays. Schools will not normally give a family permission to take children or young people out of school for holidays during term-time. This means that if children and young people are off school because they are away on holiday the school will record this as an unauthorised absence. Only in very exceptional circumstances can holidays be authorised; e.g. members of armed forces or emergency services where periods of annual leave have previously been restricted.

6. Monitoring attendance

Senior staff in schools will monitor the whole school attendance weekly to detect short but frequent absences and identify any emerging issues. This allows them to work with individual children and young people and their parents/carers to support improvement in attendance.

At the end of term 1, and each tracking period following this, where attendance has fallen between 90% and 95% schools will take a closer look at attendance and see if there are any patterns emerging. Often, at this level, there are clear authorised reasons for the absence – usually illness or other reasons from the list provided in section 4. Where attendance is at this level and the reasons for absence are not known, or not authorised, by the school, parents/carers will be contacted by the school as a proactive approach to avoid attendance dipping further. This will be through the distribution of a standard ‘notification’ letter highlighting the position and that the school is monitoring the attendance closely. A template letter is available in Appendix A.

6.1. Taking Action

If the child has 90% attendance, they will have the equivalent of:

- ½ a day off per week.
- 19 days off per year; almost 4 weeks.
- 247 days off over their school career of 13 academic years, equivalent to over 1 year of lost education.

Where attendance **falls below 90%**, schools will scrutinise absences closely and work in partnership with parents/carers on improving the attendance of the child or young person. (Note: Attendance statistics early in the school year can fluctuate significantly as each day’s attendance accounts for a high percentage. For example, when a child is off for two weeks in term 1, this would result in a 75% attendance. School staff will always consider this when deciding a proportionate action.) In a small number of cases, there may be a clear reason for attendance to fall below 90%, e.g. significant long-term illness, the family is returning to a country of origin for cultural reasons or to care for a relative, and where this information is known to the school, they will take a proportionate response.

However, there may be gaps in attendance that the school cannot account for, and they then need to take action. Schools will offer support to the child/young person and their parents/carers, agreeing actions for improvement. These actions will be noted as a latest pastoral note with an agreed review date. Staff in schools are keen to resolve any issues and to work in partnership with parents/carers and possibly in a multi-agency way where needed to support children and young people’s attendance at school.

6.2. Summary of steps to monitor attendance

Stage	Percentage	Action(s)	
1	Notification	Below 95%	Notification letter sent to parents/carers. Record on SEEMiS (Education Management Information System).
2	Discussion	Below 90%	Telephone conversation with parents/carers and discussion with child / young person. Actions agreed and recorded as latest pastoral note with review date agreed. Record on SEEMiS – centrally recorded event.
3	Child's Plan	Below 85%	Child's Plan opened (or reviewed) with parents/carers. Record on SEEMiS – significant event. Alert Social Work.
4	Attendance Order	Below 80%	Local Authority Attendance Order. Record on SEEMiS – significant event. Update Social Work.
5	Social Work Referral	Below 75%	Referral to social work and alert Reporter. Record on SEEMiS – significant event. Update Education Service.
6	Reporter	Below 70%	Referral to Children's Reporter. Record on SEEMiS – significant event. Update Education Service.

7. What about children and young people arriving late for morning registration (and after break/lunch for secondary young people)

School staff will monitor late arrivals in the same way as attendance and will take action to work with parents/carers to improve the arrival times for children and young people. Children and young people are expected to be in school at the official opening time for the school so any child/young person arriving after this time will be marked late and parents/carers will be notified by text message. Where a child or young person has a pattern of lateness, parents/carers will be informed via text message and/or letter and, where needed, invited in for a meeting to agree an action plan. Templates of these text messages and letters are available in the Appendices A to F. It is important to reiterate to children and young people and their parents/carers the importance of developing positive habits, e.g. meeting deadlines and arriving on time, as essential skills for learning, life and work.

When a child or young person arrives late, this should be noted and added to SEEMiS. On occasions where a child or young person is late to arrive due to issues with school transport provision (e.g. transport break down) then the children and young people will be marked as present as long as they arrive in school and will not be marked as late on these occasions. More information for schools about dealing with late school transport can be found in Appendix F.

There may be exceptional cases e.g. chronic health needs or where the child or young person has caring responsibilities, where it is not possible for them to arrive at school on time. These cases will be discussed during a meeting between the child/young person, parents/carers and school staff and will be recorded as part of a Child's Plan.

7.1. Summary of steps to monitor punctuality

Stage	Incidents	Action(s)	
1	Notification	Any incident	<ul style="list-style-type: none"> Text sent to parents / carers (or contact made) informing them of the late arrival without prior known reason.
2	Warning	More than twice in a term	<ul style="list-style-type: none"> Telephone conversation with parents/carers. Actions agreed and noted on latest pastoral notes.
3	Child's Plan	Pattern of lateness	<ul style="list-style-type: none"> Invite to Child's Plan meeting sent to parents/carers. Actions agreed and monitored weekly.
4	Multi-agency	More than 15 in a term	<ul style="list-style-type: none"> Early discussions with Social Work – review Child's Plan.
5	Referral	More than 20 in a term	<ul style="list-style-type: none"> Consider multi-agency response including referral to Social Work.

8. What about young people who are past school leaving age?

Where young people choose to stay on at school to take further studies, the expectations for attendance and arriving on time remain the same as for all children and young people as per these guidelines.

All young people entering S5 and S6 sign a Learner Agreement confirming they will attend school and all timetabled classes, being punctual at all times. Young people who break this agreement, demonstrating a lack of commitment to their studies and school, will meet with the relevant senior leader to discuss the suitability of their current educational provision. Clear targets will be established and monitored.

9. Attendance Orders

The Council is committed to ensuring that efforts to improve outcomes for children in relation to attendance are progressed quickly and involve an appropriate and proportionate level of intervention. Measures for compulsion are expensive processes which are time consuming and can lead to further unnecessary interventions into family life. Measures for compulsion can be used when efforts to engage children and families in voluntary measures to improve attendance have failed.

10. Working with partners

Children's Hearings are always a last resort, but early help through close partnership-working with Social Work and the Children's Reporter ensures children, young people and their families receive all the support they need, when they need it.

Information about referrals to Children's Reporter can be found in Appendix H, along with information about Children's Hearings in Appendix I.

Where a young person is in the senior phase, early notification to the Pathway Planning group will allow Community Learning and Development, and associated partners, to implement early interventions.

11. Quality Assurance

The Education, Leisure and Housing (ELH) Directorate Management Team Quality Assurance calendar to include reporting (through the tracker toolkits) by Head Teacher to Service Manager at regular intervals by the submission date of the predicted Achievement of Curriculum for Excellence Levels (ACEL) data:

- September.
- November.
- February.
- May.
- When the August toolkit is set up for the next academic session, the final attendance rates for each child should be the overall June attendance for each individual.

This information will be reviewed by the ELH Directorate Management Team at the monthly Quality Assurance and Performance meeting following this date.

School attendance reports to include: Actions and impact for whole cohort and specific groups, including Free School Meals and Care Experienced Children and Young People. These will allow Service Managers to identify Orkney wide challenges and opportunities, ensuring additional resources are allocated efficiently and effectively. It is important that the toolkits are completed fully to allow this data to be captured accurately.

Authority totals and individual school attendance percentages will also be monitored by the Education Service team monthly.

Progress will be reported to elected members through the Education Quality and Standards Consultation Group three times per year.

12. Early learning and childcare settings (including nurseries and childminders)

Early Learning and childcare is non-statutory, which means there is no legal obligation for children to attend. Parents can decide how many of the funded 1140 hours they use. They can choose to keep their child at home if they are tired, or if they have visitors. They can also choose to take holidays during nursery time.

If a child is not going to attend on one of their expected sessions, parents/carers need to let their setting know. Parents/carers should do this by contacting the setting before their child is due to attend that day. After the initial phone call/contact, parents do not need to contact the setting daily unless there is a change in circumstances. If a child is poorly, parents/carers should also ensure that they follow any exclusion periods for childhood illnesses (for example, sick bugs), as per paragraph 4.3 above.

Settings will contact parents/carers the same day if they have not heard from them to check if all is well. If a child is not back when expected, for example, from a holiday, the setting will contact parents/carers to establish when the child will return.

If families are working with other services, the setting may work with them and the family to support the child's attendance at nursery. The early learning and childcare service would try to support parents/carers with barriers to attendance, for example, support with petrol money.

13. References

The guidance has been written with reference to the following:

[Included, Engaged and Involved Part 1: A Positive Approach to the Promotion and Management of Attendance in Scottish Schools \(www.gov.scot\)](http://www.gov.scot/Resource/0/4/04009/04009.pdf)

[School attendance: a guide for parents - gov.scot \(www.gov.scot\)](http://www.gov.scot/Resource/0/4/04009/04009.pdf)

APPENDICES

Appendix A – Attendance Notification Letter

Dear

As you will be aware, attendance in school is monitored closely. Not only is it imperative that we know where pupils are throughout the day, but research has proven that when attendance falls below 90%, attainment is directly affected.

We know, at times, there are extenuating circumstances which explain long term absences and, of course, accept that illnesses cannot be avoided. However, we want our pupils to have a positive approach to their education and show commitment to their learning, in the same way they will be expected to when they begin their working lives. We would ask that parents/carers support us in ensuring pupils come to school, as is legally required.

I am just writing to let you know, as we end term 1 that current rate of attendance is a cause for concern at We would hope to see this improve as we progress through the rest of the year.

Obviously, if there are any issues that you feel need to be addressed, please contact me to discuss them as soon as possible.

Dear

I am contacting you in relation to the meeting we had around’s school attendance on

Unfortunately, I have to report that there has been *no improvement / a decline* in’s attendance, which is now.....%. This is a serious concern for us. It is important that you are aware there is likely to be involvement from external agencies as we try to move forwards. I would like to arrange another meeting to look at how we best address this issue. Please contact me at the school, either by telephone or e-mail (.....) so we can arrange a mutually convenient time for this

Dear

I am writing to you in order to highlight that’s current rate of attendance is a cause for concern as it is still below 90%. However, we are pleased to see that over this term there has been an overall improvement and we wanted to thank you for encouraging your son/daughter to come to school more regularly; we hope to see this continue as we progress through the school year.

We know, at times, there are extenuating circumstances which explain long term absences and, of course, accept that illnesses cannot be avoided. However, we want our pupils to have a positive approach to their education and show commitment to their learning, in the same way they will be expected to when they begin their working lives.

If there are any issues that you feel need to be addressed, please contact me to discuss them as soon as possible.

Appendix B – Attendance Child’s Plan Meeting Letter

Senior Phase

Dear

I am contacting you in relation to concerns that we have about’s attendance which is currently%.

S 4/5/6.... is a really important year for pupils preparing to sit National qualifications. We would like to request that you support us by encouraging to improve his/her attendance.

I would like to invite you into to meet with me, to look at how we can work together to address this issue.

Please contact me by telephone so that we can arrange a mutually convenient meeting time.

I look forward to hearing from you.

Broad General Education

Dear

I am contacting you in relation to ongoing concerns that we have about.....’s school attendance which is currently%.

We know there is a direct link between academic attainment and attendance in school and we also recognise that pupils with good attendance have better life skills. We are therefore keen to ensure’s attendance improves over the rest of the school year.

I would like to meet with you, your son/daughter and, the Head of Year, in order to discuss ways we could help support with any issues. Please contact the school so that we can arrange a mutually convenient time.

Appendix C – Child’s Plan Template

(The most recent version at the time of revising this policy is copied below. Please check the Growing up in Orkney website to confirm this remains the current version.)



Education Child’s Plan

Action Plan to address [child/young person’s name] needs in relation to the following Wellbeing Indicators:						Date agreed:	
<input type="checkbox"/> Safe <input type="checkbox"/> Healthy <input type="checkbox"/> Achieving <input type="checkbox"/> Nurtured <input type="checkbox"/> Active <input type="checkbox"/> Responsible <input type="checkbox"/> Respected <input type="checkbox"/> Included Please ‘check’ all Wellbeing Indicators which are relevant						School	
Purpose of the plan							
Desired outcome							
What do we want to happen? (Short term)	How will we know? (Measure of success)	What are we going to do?	By when?	By whom?	To be completed at review by:	Impact on desired outcome?	
					Change Recorded? Improved/No Change/ Deteriorated		
Parent/carer contribution							
Child/young person contribution							
Attendees/partners							

Appendix D – Punctuality Notification Text Message

Your child has been late returning from lunch break twice this term. They will now be required to complete a check-in on 1 day to help them be punctual. This will be on <<day and date>>.

Please ensure they can access food in school as check-in happens at beginning, middle and end of lunch.

Your child has been late for Registration twice this term. Please support us to ensure they arrive to school on time. If there are any issues we should be aware of please contact the school. Thanks

Your child has been late for Registration twice this week. They will now be required to complete a break time detention on <<day and date>. Please support us to ensure they arrive to school on time. If there are any issues we should be aware of please contact the school. Thanks

Appendix E – Punctuality Warning Letter

Dear ...

As you will be aware, attendance in school is monitored closely. Not only is it imperative that we know where students are throughout the day, but research has proven that when attendance falls below 90%, attainment is directly affected.

We know, at times, there are extenuating circumstances which explain arriving late to school, long term absences, and, of course, accept that illnesses cannot be avoided. However, we want our pupils to have a positive approach to their education and show commitment to their learning, in the same way they will be expected to when they begin their working lives. We would ask that parents/carers support us in ensuring pupils are in school, for 8.50 am.

I am writing to highlight that has been late to school of the ... days they have attended so far this term. As you will be aware we start the day with registration which allows us to share important information with pupils without taking up lesson time. It is therefore important for to arrive to school in time for this.

If there are any issues that you feel need to be addressed, please contact me so we can discuss them as soon as possible.

Appendix F – Late School Transport

Where a school transport provision shows a pattern of lateness, the school must report the matter to the Service Manager (Resources) with a clear note of the pattern of lateness.

The Service Manager (Resources), in collaboration with Legal Services, will make representation to the transport provider and monitor the situation closely with the school. Failure to meet the terms of the contract may constitute a breach leading to penalties.

Appendix G – Attendance Orders and Court Proceedings

[Included, Engaged and Involved Part 1: A Positive Approach to the Promotion and Management of Attendance in Scottish Schools \(www.gov.scot\)](http://www.gov.scot)

Appendix H – Referrals to Children’s Reporter

- An initial referral can just be a simple email outlining the concerns, with basic information about child (e.g. name, DOB and address), nature of the concerns and attendance summary.
- No Child's Plan is required to be submitted at this stage.
- This will generate a generic letter to parents/carers from the Reporter
- It's always preferable to inform parents that a referral is being made but there could be occasions when this isn't possible / preferable.
- The Reporter will check with Social Work to see if they are known.
- The Reporter assesses the referral and makes an initial decision to investigate or not – a final decision on referral should be made by the Reporter within 50 working days of receipt of initial referral.
- If an investigation will take place, reports from Social Work and Education and others (eg Health, Police information/statements etc) may be requested by the Reporter. A Child's Plan is commonly requested at this point.

Notes:

- Schools will need to demonstrate the work they have been doing to support the family, what supports have been put in place, and levels of engagement.
- All information provided could be used as evidence in court, example, staff may be called to give witness evidence and reports may be lodged.
- There are no specific attendance thresholds for referral – will depend on circumstances etc.
- Much less likely now that Education staff will be asked to attend Hearings, however, they may be asked to attend in part and provide a report for the hearing.
- When report writing, it is important to provide good evidence of what seen, heard, or told etc. The golden rules are to remember the who, what, where, when, why, how when thinking about narrating concerns.

Appendix I – Children’s Hearings: Briefing Note



Some changes in Children’s Hearings

Briefing Note for Education Staff

1. Children’s Hearings highly value the input they receive from education, and your involvement can be pivotal in Hearing’s decision making. Education staff will continue to receive invitations to attend Children’s Hearings, either face to face or virtually.
2. If you have been invited to attend a Children’s Hearing in person, but would prefer to attend virtually, then please let SCRA know. Ideally do this at least five working days before the hearing.
3. The chairing panel member of a Children’s Hearing may decide to allow someone who does not have a right to attend the hearing to attend (Section 78(2) of the Children (Scotland) Act 2011). The chairing panel member also has a duty to take all reasonable steps to ensure that the number of persons present at a Children’s Hearing at the same time is kept to a minimum (section 78(4)). In addition, there is consistent feedback from children and young people that there can be too many people at their Hearings. In order to support the chairing member to manage attendance at Hearings, the practical operation of attendance at the start has changed. Only those with a right to attend at the start, and one social worker for the child, will come into the Hearing at the beginning. This applies to face to face and virtual Hearings.
4. Any other people in attendance will join by invitation of the chairing panel member and will remain for as long as the chairing panel member determines. In reality this may mean that people join and leave the Hearing at various points throughout the entire discussion.
5. This change in practice is designed to improve participation by children, young people and families in Children Hearings. The Promise has told us that *‘Scotland must be aware of the power dynamics that can exist within decision making, where influential professional voices can dominate and drown out other perspectives. There must be a balanced approach to decision making that primarily listens to and focuses on children and their families’*. Our Hearings Our Voice are very clear in their 40 Calls to Action that *“There should be less professionals at my Hearing, and adults should leave my hearing when they don’t need to be there.”*
6. Children’s Hearings are not for multi-agency information sharing. It may be more appropriate to plan attendance for the right professionals and fully share information at any GIRFEC meeting for a child in advance of a Children’s Hearing. At the end of any Children’s Hearing the Reporter will notify the Locality Authority of the Hearing decision. In practice this means we notify the designated social work department electronic mailbox. It is then for the social work department to share the decision with education if appropriate.
7. The chairing panel member may allow a person, including education staff, to attend for much of the hearing, for example joining shortly after the start and remaining for the rest of the Hearing. The chairing panel member might consider this appropriate for example if the child or relevant person finds the education representative very supportive or the education representative has a significant contribution to make throughout the Hearing. This will be for the chairing panel member to decide, taking into account all the relevant circumstances.
8. If you come to a Hearing Centre in person, you will be asked to wait in a waiting room. If you attend a Hearing virtually you are likely to have to wait in the meeting ‘lobby’ where unfortunately there is no direct means of communication. The duration of the wait will vary from Hearing to Hearing.
9. If a further discussion, a question and answer session or some further information from SCRA would be helpful please get in touch with your Locality SCRA office to arrange a face to face or virtual meeting.

SCRA, March 2022



Equality Impact Assessment

The purpose of an Equality Impact Assessment (EqIA) is to improve the work of Orkney Islands Council by making sure it promotes equality and does not discriminate. This assessment records the likely impact of any changes to a function, policy or plan by anticipating the consequences, and making sure that any negative impacts are eliminated or minimised and positive impacts are maximised.

1. Identification of Function, Policy or Plan	
Name of function / policy / plan to be assessed.	Guidance for Monitoring and Tracking Attendance in Schools
Service / service area responsible.	Education
Name of person carrying out the assessment and contact details.	Steve Arnold
Date of assessment.	09/03/2023
Is the function / policy / plan new or existing? (Please indicate also if the service is to be deleted, reduced or changed significantly).	Updated existing guidance

2. Initial Screening	
What are the intended outcomes of the function / policy / plan?	Provide schools and nurseries with clear guidance and strategies for monitoring attendance and implementing interventions
Is the function / policy / plan strategically important?	No
State who is, or may be affected by this function / policy / plan, and how.	All children and young people in Education
How have stakeholders been involved in the development of this function / policy / plan?	Head Teachers and Nursery Managers
Is there any existing data and /	

<p>or research relating to equalities issues in this policy area? Please summarise.</p> <p>E.g. consultations, national surveys, performance data, complaints, service user feedback, academic / consultants' reports, benchmarking (see equalities resources on OIC information portal).</p>	<p>Attendance data is tracked on a monthly basis in Orkney. We break this down into school types, individual schools, specific cohorts (care experienced children and free school meals) as well as year groups.</p> <p>National attendance is captured on a monthly basis, so we can compare our attendance rates to other local authorities.</p> <p>In 2016, the Department for Education (England) conducted research in to the impact of attendance on attainment levels. This research has informed the guidance.</p>
<p>Is there any existing evidence relating to socio-economic disadvantage and inequalities of outcome in this policy area? Please summarise.</p> <p>E.g. For people living in poverty or for people of low income. See The Fairer Scotland Duty Guidance for Public Bodies for further information.</p>	<p>Yes. We know that care-experienced children and young people and those on free school meals experience poorer attendance compared to their peers.</p>
<p>Could the function / policy have a differential impact on any of the following equality areas?</p>	<p>Within the context of this policy it is acknowledged that bullying behaviour as a result of prejudice linked to any of the protected characteristics listed below may impact attendance. Where this is the case, the education setting will work with parents/carers and the child or young person to resolve the issues and support a return.</p>
<p>1. Race: this includes ethnic or national groups, colour and nationality.</p>	<p>No</p>
<p>2. Sex: a man or a woman.</p>	<p>No</p>
<p>3. Sexual Orientation: whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes.</p>	<p>No</p>
<p>4. Gender Reassignment: the process of transitioning from one gender to another.</p>	<p>No</p>
<p>5. Pregnancy and maternity.</p>	<p>No</p>
<p>6. Age: people of different ages.</p>	<p>There is a focus on addressing the attendance of secondary pupils, who show poorer attendance</p>

	overall when compared to primary age pupils.
7. Religion or beliefs or none (atheists).	No
8. Caring responsibilities.	The needs of children and young people with caring responsibilities is acknowledged within the context of this policy. Specific provision is made to address any impact of caring responsibilities on non-attendance and / or late attendance on a case-by-case basis.
9. Care experienced.	Yes, focused on addressing attendance and engagement for this group of children and young people
10. Marriage and Civil Partnerships.	No
11. Disability: people with disabilities (whether registered or not).	The needs of children and young people with chronic health needs and disabilities is acknowledged within the context of this policy. Specific provision is made to address any impact of a disability on non-attendance and / or late attendance on a case-by-case basis.
12. Socio-economic disadvantage.	Yes, there is a focus on improving attendance for those on free school meals.

3. Impact Assessment

Does the analysis above identify any differential impacts which need to be addressed?	No
How could you minimise or remove any potential negative impacts?	N/A
Do you have enough information to make a judgement? If no, what information do you require?	

4. Conclusions and Planned Action

Is further work required?	No.
What action is to be taken?	Guidance to be presented to committee
Who will undertake it?	SA
When will it be done?	29 March 2023
How will it be monitored? (e.g.	Monthly monitoring by the service manager team

through service plans).	
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Signature:



Date: 08/03/2023

Name: STEVE ARNOLD

(BLOCK CAPITALS).

Please sign and date this form, keep one copy and send a copy to HR and Performance. A Word version should also be emailed to HR and Performance at hrsupport@orkney.gov.uk