

Government consultation on school attendance: improving consistency of support

Response of the Association of School and College Leaders

A. Introduction

1. The Association of School and College Leaders (ASCL) represents over 21,500 education system leaders, heads, principals, deputies, vice-principals, assistant heads, business managers and other senior staff of state-funded and independent schools and colleges throughout the UK. ASCL members are responsible for the education of more than four million young people in more than 90 per cent of the secondary and tertiary phases, and in an increasing proportion of the primary phase. This places the association in a strong position to consider this issue from the viewpoint of the leaders of schools and colleges of all types.
2. ASCL welcomes the opportunity to contribute to this consultation.

B. General points

3. Persistent absence increased to 16.3% in secondary schools in autumn 2020, compared with 15.0% in 2019, not including non-attendance in Covid-related circumstances.
4. The scale of the persistent absence problem and poor attendance are 'post pandemic' concerns that ASCL is concerned about. We are pleased therefore that the government has made this a priority and the focus of a working group of national leaders who are advocating for improvement – the Attendance Action Alliance.
5. The consultation's stated aim is to improve attendance. ASCL supports government guidance that strengthens relationships between those who play an essential role in supporting children and young people to attend school – schools, parents and the Local Authority. ASCL believes it is crucial for both safeguarding and academic attainment that children and young people attend school.
6. ASCL also recognises that there are many children who are not able to attend or are struggling to attend school regularly due to anxiety and distress relating to wellbeing, poor mental health and/or special educational needs. Good attendance guidance can make a positive difference to the adoption of good principles and effective strategies. ASCL believes school leaders should have agency to make decisions based on their knowledge of locality and school community.
7. There is currently a lack of evidence to suggest that the use of, and emphasis on, legal powers and punitive fines to 'tackle' poor attendance is effective in improving attendance. The school and LA case studies included in this consultation are helpful. ASCL would encourage the government to further develop this bank of examples for sharing, and to work with schools and parent-led organisations to develop a wider range of case studies capturing effective collaborations between school, parents and Local Authorities.

C. Answers to specific questions

Proposal 1: Requiring schools to have an attendance policy, and have regard to statutory guidance on the expectations of schools, academy trusts and governing bodies of maintained schools on attendance management and improvement.

Question 1: Do you agree that all schools should be required to publish an attendance policy?

8. *Strongly agree*
9. ASCL agrees that having an attendance policy which explains the whole school approach adopted in each setting is important. In fact, the majority of our members already have this in place. Any such policy should align with other school policies such as those relating to SEND, safeguarding, wellbeing and behaviour.
10. Our members tell us their attendance policies reflect their school's ethos and are intended to provide clear communication of high expectations that build trust with families. Publishing an attendance policy on the school website is helpful, but more important is how that policy enacts the relationship building and co-working with parents and local professionals which is fundamental to successful attendance.
11. An effective attendance policy must include information signposting parents to the right school contact, and explain the importance of early communication when a child is starting to show signs of difficulty. ASCL believes the policy should also explain clearly what reasonable adjustments are available for pupils with SEND and those with emergent mental health difficulties.
12. This could include building knowledge and confidence among parents by defining in the policy key terms such as 'unauthorised absence', and explaining what good attendance percentages actually mean.
13. ASCL members have shared multiple examples of effective attendance policies which include unpicking difficult language guidance on how parents can contact the school when they have concerns about their child's health and wellbeing. We would be happy to liaise with the DfE around the possible use of these examples in case studies.
14. ASCL believes that additional guidance on attendance is useful and well-timed, and this consultation is an important opportunity to influence positively and improve the confidence of parents and professionals to help young people re-engage successfully with school as we begin to emerge from the pandemic. However, evidence tells us that success is dependent on collaboration with key stakeholders – school, parents, local services and the young people themselves.
15. While the case studies offered in the consultation provide examples of success based on multi-agency support, the consultation notes that 'schools are not currently required to do so, which means it is by no means universal'. The implication is that schools only adopt good practice when 'required'.
16. ASCL would suggest that guidance does not need to be statutory to have an impact and that rigid consistency can risk 'one-size-fits-all' expectations which restrict schools from using local knowledge. ASCL believes that schools do not require national consistency in policies or sanctions, as this would risk preventing headteachers from making sensible local decisions.

Question 2: Are the proposed principles to be covered in the school policies (outlined on page 8) sufficient to improve the consistency of attendance support that pupils and parents receive?

17. Entirely insufficient

18. The list of principles on page 8 of the consultation is as follows:

- *How the school sets clear expectations for parents and pupils.*
- *The day-to-day processes around attendance management that parents can expect (for example, phoning the parent on the first day of an unauthorised absence).*
- *How the school is promoting good attendance (for example, through regular monitoring).*
- *The named member(s) of staff responsible for attendance (for example, the named senior leader and/or the pastoral staff).*
- *The specific strategies the school is using to address persistent absence (for example, how the school will use data to target improvement action on the pupils or pupil cohorts that need it most and how they will work with wider services to provide a whole family response).*
- *The clear escalation route in the event of a pupil's failure to attend regularly, including how pastoral staff will provide support and access wider services, clarity on when the LA/other agencies will be involved and what support they can provide, and ultimately the point at which sanctions will be sought if the support does not work or is not engaged with.*

19. ASCL does not recognise the above list to be principles, but rather a list of expected actions.

20. We believe that sharing a set of principles is useful. We would suggest the Attendance Alliance establishes a working group of parents, school leaders, attendance officers, virtual school leads, etc to support the DfE in finalising a strong, co-produced set of principles that all can ascribe to.

21. These principles could include:

- Working together with parents and the LA to ensure strong consistent attendance
- Flexibility and new ways of working (Daniels et al, 2020)
- Celebrating and modelling of good attendance
- Transparent use of monitoring and sharing of data with families, parents and carers
- Actively building strong and positive relationships between parents, pupils, LA and school which help to pre-empt and resolve difficulties
- Developing with partner organisations referral processes and support structures for young people who are experiencing difficulty accessing school, using the full scope of support on offer in the local area
- Clear communication which enables good parental understanding of the expectations laid out in the school policy
- Fostering inclusive school experiences for all children, particularly those with SEND
- Access to services that children need
- Proactive rather than reactive approaches, based on assessment not assumption
- Regular CPD which builds knowledge and staff confidence, e.g. trauma-informed practice, mental health first aid
- Clarity for parents and pupils about what we mean by good attendance and its impact on their academic and holistic life outcomes
- Explaining any reward and sanctions systems and how they relate to all pupils, including those who have protected characteristics

- Explaining how school will make reasonable adjustments for pupils with SEND and wellbeing concerns in collaboration with their parents
- Regular reviewing policies and approaches, based on research evidence, evidence of impact, and feedback from all stakeholders (parents, pupils, LA and governors)

Question 3: Do you agree that minimum attendance management expectations should be set for academy trusts and governing bodies of maintained schools?

22. *Somewhat agree*

23. ASCL supports the expectations set out on page 9, which outline systems and processes which many academy trusts are already employing to monitor and promote better attendance. As with any guidance, we would particularly like to see, within the examples and case studies, focused support for the most vulnerable children and young people, including modelling the reasonable adjustments which can and should be made.

24. Minimum attendance management expectations need to sit alongside more specific support for pupils with wellbeing and mental health challenges which have emerged during the pandemic, and a revitalised approach to recognising young people with SEND and their needs.

25. The 2021 Education Policy Institute report 'Identifying pupils with SEND' indicated that some academies were under-identifying needs of pupils with SEND. For example, if an attendance issue is identified and aligned to social care need, then effective partnership with social care will need to be provided.

26. We are also aware of positive work by trusts responding to the new strategic responsibilities of virtual school heads by introducing new systems and processes to support and track attendance of the most vulnerable students. These trusts work closely with the local virtual school leads to ensure accurate analysis of relevant data, and to look at what can be learnt at a whole trust level.

Question 4: Are the proposed expectations for academy trusts and governing bodies of maintained schools (outlined on pages 9 & 10) sufficient to improve the consistency of attendance support and challenge schools receive?

27. *Somewhat insufficient.*

28. Training and awareness work with governors is helpful but it is not sufficient to support structured provision.

Proposal 2: Introducing statutory guidance on the expectations of local authority attendance services.

Question 5: Do you agree that a minimum set of components for LA attendance services should be set?

29. *Strongly agree.*

30. ASCL recognises the value of these LA services. The government's commitment to an infrastructure to make sure families receive the support they need is crucial.

31. To achieve consistency nationwide it is vital that we agree a basic set of components as a standard with which every Local Authority should comply. These should include admissions criteria and transparent protocols for fair access.

32. However, it is also vital that these expectations are sufficient to administer, simple to navigate and enable parents to respond in as easy and effective a way as possible.
33. If Local Authorities are to be held to account for the quality of their attendance services, and for statutory guidance which is both clear and transparent, this needs to be shared and consulted upon and agreed. Only in this way we will be able to ensure consistency across Local Authorities.
34. ASCL would like to see the co-development of a fuller set of components with school leaders and families before finalising the guidance. We are concerned that LA support to schools may be limited to early help only. The involvement of social workers at all levels would help support families and schools.

Question 6: Are the proposed components for LA attendance services (outlined on pages 13 and 14) sufficient to improve the consistency of attendance support which pupils, parents and schools receive?

35. *Somewhat insufficient*

36. ASCL believes that there needs to be more clarification about what is meant by 'retaining attendance' and 'access to education experts'. We would like to understand what determines the qualification of these experts.

Proposal 3: A clearer more consistent national framework for the use of attendance legal intervention, including a new regulatory framework for issuing fixed penalty notices for absence.

Question 7: Do you agree that a national framework for the use of attendance legal intervention, including a new regulatory framework for using fixed penalty notices for absence should be set?

37. *Strongly disagree*

38. ASCL has been unable to find evidence to suggest that fixed penalty notices issued by Local Authorities improve pupil engagement with school. In fact, feedback from members suggests that fines can cause tensions between the school, parent and LA. Parent organisations have also told us that this has led to a breakdown in collaboration, and in some instances has led to a decision for elective home education to be adopted.

Question 8: Are the proposed areas for inclusion in the new regulatory framework for fixed penalty notices (pg 18) sufficient to improve the consistency of them being issued?

39. *Somewhat agree*

40. ASCL believes that consistency is good as long as attendance support is contextualised. Fixed penalty notices need to be seen as one strategy to encourage good attendance. Poor attendance is often connected to a range of other issues such as poverty, health, and socioeconomic conditions. Any strategy adopted to improve inclusion and attendance needs to address these issues as well as considering any punitive penalty notice regime. We reassert that such punitive schemes are not a replacement for insight into why attendance is declining.

Proposal 4: Bringing the rules for granting leaves of absence in academies in line with other state funded schools.

Question 9: Do you agree there should be consistency in rules around granting leaves of absence across all state funded schools?

41. *Somewhat agree*

42. ASCL believes that a shared national expectation of school attendance is important. Clear guidance and high expectations from government will be extremely helpful, but school leaders must retain the agency to make decisions about granting leaves of absence based on context and knowledge of the school community.

43. Any national guidance needs to reflect inclusive practices and acknowledge that families benefit from spending time away together whilst at the same time acknowledging attendance at school is absolutely vital.

Public sector equality duty

Question 10: What do you consider to be the equalities impact of these proposals on protected characteristics?

44. ASCL believes that, whilst articulating a minimum expectation may have a role in clarifying a national picture for government, the more important step is to provide guidance which actively supports schools and families to re-establish parental and pupil confidence.

45. NHS evidence tells us that the rates of probable mental disorders among children and young people have significantly increased since 2017; in 6 to 16 years olds from one in nine (11.6%) to one in six (17.4%), and in 17 to 19 year olds from one in ten (10.1%) to one in six (17.4%). Rates in both age groups remained similar between 2020 and 2021.

46. Recent evidence shows that school attendance of children and young people who experience socioeconomic disadvantage and those with protected characteristics are particularly affected. For example, Mind's 'Not making the grade' (June 2021) research conducted with secondary age pupils told us that:

- nearly seven in ten (68%) young people reported being absent from school due to their mental health
- having difficulties attending school was a very common experience for young people from Gypsy, Roma and Traveller communities
- less than a fifth (18%) of school staff said that their school always authorised absences if a young person was unable to attend school due to their mental health problems
- almost nine in ten parents (88%) reported that their child had been absent from school because of their mental health

47. Schools and Local Authorities must be able to follow good national guidance whilst using their discretion to respond to unique circumstances. Schools must be able to call on strong local services.

48. Boundaries are helpful to young people. However, sanctions need to be appropriate. Blanket strategies can lead to greater problems of pushing children out of the system rather than bringing them back in.

49. Research into the efficacy of making reasonable adjustments to support vulnerable children and young people is urgently needed.
50. Recent research from the Education Policy Institute (Hutchinson J, 2021) includes evidence-based policy recommendations for helping children with additional needs to stay in school. These are:
- specialist SEND training for every school leader
 - better access to specialists such as educational psychologists
 - curriculum and pedagogies to foster social and emotional wellbeing
 - a national framework of reasonable adjustments to be offered by all schools
 - piloting smaller class sizes in early primary to evaluate benefits
 - adjusting the system to engage with children outside of school
 - SEND assessment and support available in the family home

D. Conclusion

51. Good attendance is built on effective relationships. Any guidance must emphasise the importance of working together for schools, parents and the local community. The guidance should adopt a place-based, contextual approach in line with other relevant policies relating to safeguarding, behaviour, positive mental health and wellbeing.
52. I hope that this response is of value to your consultation. ASCL is willing to be further consulted and to assist in any way that it can.

Margaret Mulholland
SEND and Inclusion Specialist
Association of School and College Leaders
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