

# Frequently Asked Questions.

## **School Attendance**

Q. Is schooling compulsory?

A. No. Education is compulsory, but schooling is not.

Q. When do children have to be educated?

A. Children must be educated whilst they are of “compulsory school age”.

Q. What is “compulsory school age”?

A. A child becomes of compulsory school age from the start of the next term following his/her 5<sup>th</sup> birthday and ceases to be of compulsory school age on the last Friday in June of the school year in which he/she has his/her 16<sup>th</sup> birthday.

Q. If my child is on a school roll must he/she attend regularly?

A. Yes. If your child is registered on the roll of a school he/she must attend that school regularly.

Q. Why is regular attendance important?

A. Children with poor school attendance are much more likely to underachieve and leave school without any qualifications. Also, children who are not in school when they should be are much more likely to become involved in various forms of anti-social behaviour and to place themselves in vulnerable situations.

Q. If my child doesn't attend school regularly what will happen?

A. If your child is on roll at a school and he/she doesn't attend regularly and there is no reasonable explanation, such as illness, you could be taken to court. Or you could be issued with a fixed penalty notice (a £60 fine).

Q. If I'm taken to court what will happen?

A. If the court finds you guilty you could be fined up to £2,500 and/ or you could be sent to prison for up to three months.

Q. If my child has difficulty attending school regularly can I get any help?

A. Yes. Your child's school will want to help you. They may refer your child to a School Attendance Officer.

Q. What do School Attendance Officers do?

A. School Attendance Officers work with schools and parents to support children who are having difficulties attending school regularly. They work with other agencies which may also be able to help – such as Social Care or Health.

Q. What can I do to help ensure that my child attends school regularly?

A. There are many things you can do. Take an active interest in your child's school life, check how he/she is getting on with school work, make sure that proper bed-times are observed – and be alert to any signs that your child may be reluctant to attend school. If you have any worries talk to a teacher at your child's school. Do this sooner, rather than later.

Q. What should I do if my child is going to be absent from school?

A. You should contact your child's school on the first morning of any absence – either by phone or in person. You should tell the school the reason for your child's absence and indicate when you think he/she is likely to return. When your child does return to school you should ensure that you send in a dated note confirming the reason for the absence. You should also do this if you child is going to be late.

Q. What will happen if I don't contact the school or send in a note?

A. The school will probably try and contact you. The school may also decide to record your child's absence as unauthorised – that is, as truancy. The school may then involve a School Attendance Officer.

Q. Can I authorise my child's absence from school?

A. No. Only schools can authorise absence. Parents are required to provide an explanation for any absence. It is for the school to decide whether the reason for the absence is acceptable. If it thinks the reason is acceptable, it will authorise the absence. If it doesn't think the reason is acceptable it will record the absence as unauthorised.

Q. What sort of reasons for absence will schools authorise?

A. Schools will generally only authorise absence if a child misses school for unavoidable reasons, such as illness or a family bereavement.

Q. What sort of reasons for absence will schools not authorise?

A. Schools will not authorise absence for shopping trips, birthdays, and family days out.

### **Family Holidays During Term-Time**

Q. Can I take my child out of school for the purpose of a family holiday?

A. You do not have any right or entitlement to take your child out of school for a family holiday during term-time.

Q. If I do ask my child's school for leave for him/her to go on a family holiday what will happen?

A. You should not expect your child's school to grant leave of absence for a family holiday during term-time. Schools will not generally authorise absence for family holidays taken during term time unless there are exceptional circumstances.

Q. What are exceptional circumstances?

A. This is a decision which will be made by the headteacher of your child's school. The fact that a holiday is cheaper during term-time will not be considered as an exceptional circumstance.

Q. If I take my child out of school for a family holiday without authorisation what will happen?

A. The absence will be recorded as unauthorised and you may be issued with a fixed penalty notice (a £60 fine).

### **Home Education**

Q. If I don't want to educate my child at school what are my options?

A. If you don't want to educate your child at school you have the option of home education.

Q. What does home education mean?

A. Home education is when parents choose to educate their children at home, rather than to send them to school to be educated. (Home education is sometimes also known as Elective Home Education.)

Q. If I decide to home educate my child will I get any financial support from the council?

A. No. If you decide to home educate you take on all the financial responsibility, including the costs of any exams you may later wish to enter your child for.

Q. If I decide to home educate my child do I need to obtain the council's permission or agreement?

A. No, not unless your child is on roll at a special school.

Q. If I decide I want to home educate what do I need to do?

A. If your child is on roll at a school you should write to the school, inform the headteacher of your intention to home educate and ask that your child's name be removed from the school roll.

Q Do I need to tell the council?

A. No, you don't have to but the council would encourage you to do so.

Q. If I want to home educate will the council want to inspect the education I am providing for my child?

A. The council will make informal enquiries about the education you are providing for your child, but you do not have to respond (although government guidance says that it would be "sensible" for you to do so.)

Q. If I don't respond to these informal enquiries what will happen?

A. If you persistently fail to respond to these informal enquiries the council may think that you are not providing a suitable education for your child and may consider serving a School Attendance Order.

Q. If the council serves a School Attendance Order what will happen?

A. You will have to either register your child at the school named or else demonstrate to a court that you are providing your child with a suitable education.

## Exclusion from School

Q. What is an exclusion?

A. An exclusion is when a headteacher decides that a child is not allowed to attend school. An exclusion may result from a series of incidents or from one very serious incident. If a child is excluded from school he/she may not go onto the school premises at any time during the period of exclusion, including breaks and lunchtimes and after school, and is not able to use school transport for that period if he/she is entitled to it.

Q. Who can exclude a child from school?

A. Usually, only the headteacher can exclude a child. If, however, the headteacher is absent, the most senior teacher, acting on the headteacher's behalf, can exclude a pupil.

Q. How will you know if your child has been excluded from school?

A. If your child is excluded from school the headteacher should inform you straightaway, usually by phone. The headteacher is also required to send you a letter telling you why your child has been excluded and for how long.

Q. Can a headteacher exclude a child on the same day an incident occurs?

A. Yes. Whilst parents are entitled to be given notice of their child's exclusion so that they can, if necessary, make arrangements for their child to be looked after during the period of exclusion, the headteacher may ask parents to remove their child from school straight away.

Q. What are the different types of exclusion a headteacher can impose?

A. A headteacher may exclude a child in three ways:

i) a lunchtime exclusion – a lunchtime exclusion is normally used when a child's behaviour is considered unacceptable in the playground /school grounds. Parents/carers have to take responsibility for their child during a lunchtime exclusion and return him/her to school at the start of the afternoon session. Lunchtime exclusions should only usually be used sparingly and only for a maximum of a one week period. If a child who is given a lunchtime exclusion is entitled to Free School Meals the school should provide him/her with a lunch to eat away from the school.

ii) a fixed term exclusion – a fixed term exclusion lasts for a specified number of days. Fixed term exclusions are usually used in response to serious breaches of a school's behaviour policy when these are not considered serious enough to warrant a permanent exclusion and lesser sanctions are considered inappropriate. Fixed term exclusions can be used for a maximum of 45 days in any school year.

iii) a permanent exclusion – a permanent exclusion will be used only in the most serious cases of bad behaviour and it is considered that allowing the child to remain in school would seriously harm the education or welfare of the child or others in the school.

Q. Can a headteacher send a child home without formally excluding him/her?

A. No. Informal exclusions are not legal and should not be used. A headteacher may, however, briefly send a child home to remedy a breach in the school's rules on uniform or appearance.

Q. What can you do if you are informed that your child has been excluded from school?

A. You should begin by calmly discussing with your child what has happened. You should try and understand what has happened from the perspective of the school as well as from the perspective of your child. You may wish to contact the school and ask to discuss the situation in order to sort out any problems. The school may choose to hold a reintegration meeting with you at the end of any fixed term exclusion, but you are not legally required to attend this meeting if you do not wish to do so. The school must allow your child to start back at school at the end of the exclusion period, even if you are unable or unwilling to attend the reintegration meeting.

Q. What happens to a child's education during the period of exclusion?

A. For the first 5 days of any exclusion the child's school must set and mark work for your child. A letter from the headteacher to the parent of the excluded child will explain how this is to be done. If the exclusion is for more than 5 days the school must provide full time, off-site education from the sixth day of the exclusion. If the exclusion is permanent the local authority will provide suitable full time provision off site from the sixth day of the exclusion.

Q. What responsibilities does the parent of an excluded child have during the period of an exclusion?

A. During the first 5 days of any exclusion parents are responsible for ensuring that their child is not found in a public place during school hours without reasonable justification. If a child is excluded for 6 days or more his/her parents are responsible for ensuring that, from the sixth day, once education is provided, the child attends that education.

Q. If you don't agree with the reasons for your child's exclusion what are your rights?

A. As a parent you have a number of rights.

- You must be informed as soon as possible, usually by phone, if your child is excluded.
- Within one day the headteacher must confirm by letter that your child has been excluded. You must be told what sort of exclusion it is, how long it is for and what were the reasons for it.
- The letter from the headteacher should tell you that you have the right to make representations to the Discipline Committee of the school's Governing Body about the decision to exclude your child.
  - i) if the exclusion is for 5 days or less in a term you have the right to make written representations;
  - ii) if the exclusion is for more than 5 days in a term you have the right to ask to meet with the Discipline Committee;
  - iii) if the exclusion is for a period in excess of 15 days in a term, or permanent then you should be invited to a meeting of the Discipline Committee.

- Before any meeting of the Discipline Committee you should receive 5 days beforehand a copy of any report or other papers that are given to the Discipline Committee. You are also entitled to send to the Discipline Committee a written statement or any other evidence you wish to present.

Q. What is the Discipline Committee?

A. The Discipline Committee is a panel made up of 3 governors who have been appointed by the full governing body to consider cases of exclusion. The headteacher, together with other school staff, will attend the meeting of the Discipline Committee to present the case for exclusion. If the circumstances of the case are complex or if there has been a series of fixed term exclusions a representative of the local authority may attend to offer procedural advice. (A local authority representative will not usually attend to consider a fixed term exclusion, but will always attend in the case of a permanent exclusion). The parent can ask a friend/advocate to accompany them.

The Discipline Committee will look at the evidence and decide whether to uphold the headteacher's decision to exclude. If the Discipline Committee does not uphold the headteacher's decision to exclude it will direct the headteacher to reinstate the child. (The Discipline Committee has no power to direct reinstatement if the exclusion is for 5 days or less or the exclusion has already been served. It can, however, place a copy of its findings on the child's school record). If the Discipline Committee does uphold the headteacher's decision to exclude you will be advised of this in writing.

Q. Can an excluded child attend the meeting of the Discipline Committee?

A. An excluded child can usually attend the Discipline Committee, subject to his/her age and understanding, as he/she may wish to give his/her own explanation of what happened. There are, however, circumstances when it may be inappropriate for the child to attend – if for example, he/she may become distressed or unable to concentrate on what is happening. The child's parents may wish the child not to be present.

Q. What happens at the Discipline Committee meeting?

A. All the evidence will be heard and everyone will be given an opportunity to speak. The local authority's Inclusion Support Officer will present a statement of advice to the Committee. When the Discipline Committee has heard from everyone and considered all the evidence, the headteacher will be asked to summarise the case for the exclusion. The parent of the excluded child will then be given the opportunity to have the final word. The Discipline Committee will then meet in private and make its decision. The Discipline Committee will then write to the parent informing him/her of its decision.

Q. What happens if the Discipline Committee decides against the reinstatement of a permanently excluded child?

A. If the Discipline Committee decides that a permanently excluded child should not be reinstated the parent is entitled to appeal to an Independent Review Panel (but he/she must do this within 15 school days). The local authority will write to the parent to notify them of this entitlement.

Q. If you are the parent of a child who has been/may be excluded where can you get help and advice?

A. If you are the parent of a child who has been/may be excluded you can obtain help and advice from an Inclusion Officer (Central Bedfordshire Access and Inclusion Service). 0300 300 6924.

### **Child Employment**

Q. Can my child do a part-time job?

A. Yes, providing he/she is over 13, has a work permit and the work is not likely to be harmful to your child's health, welfare and ability to do his/her school work.

Q. How can I get a work permit for my child?

A. You should contact the Child Employment officer in the Access and Inclusion Service. (If your child is working outside of Central Bedfordshire you will need to contact the council which covers that area.)

Q. Are there restrictions on the sorts of work my child can do?

A. Yes, there a number of types of work your child cannot do – for example, working in a factory, or in a commercial kitchen, or telephone sales. The Access and Inclusion Service can provide you with a full list of prohibited jobs.

Q. Are there restrictions on the hours my child can work?

A. Yes. Children can only work at certain times and for certain hours. For example, children cannot work before 7 in the morning or after 7 at night. The Access and Inclusion Service can provide you with a list of the restrictions on hours.

Q. If my child works without a work permit what will happen?

A. If your child works without a work permit he/she will be working illegally. His/her employer will be committing a criminal offence and your child will not be covered by any employers' liability insurance. If you knowingly allow your child to work illegally you could also be liable to prosecution.

Q. If my child is working in the family business does he/she still need a work permit?

A. Yes. Even if you child is not being paid.

### **Children who perform**

Q. Can my child take part in performances or do modelling?

A. Yes. Provided that the council has issued a licence.

Q. Do I have to apply for the licence?

A. No. The producer of the performance must apply for the licence, not the parent.

Q. Must a child always have a licence to perform?

A. No. Not if the performance is for 4 days or less and there has not been another performance in the last 6 months, not if the child is not paid, and not if the child will not be absent from school.