

# **Keeping Pupil Registers**

## **Guidance on applying the Education Pupil Registration Regulations**

department for  
**children, schools and families**

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## Contents

<b>Introduction</b> .....	<b>3</b>
<b>School Roll</b> .....	<b>3</b>
<b>Pupils affected by the regulations</b> .....	<b>3</b>
<b>Schools affected by the regulations</b> .....	<b>4</b>
<b>School Day and School Year</b> .....	<b>4</b>
<b>Safeguarding Children’s Welfare</b> .....	<b>5</b>
<b>Expected First Day of Attendance</b> .....	<b>5</b>
<b>Admissions Register</b> .....	<b>6</b>
Pupils’ Information .....	6
Parents and Carers .....	6
Maintaining the register .....	7
<b>Attendance Register</b> .....	<b>7</b>
Illness .....	8
Transport not provided .....	8
Religious Observance .....	9
Absent (individual pupil) due to Unavoidable Cause .....	9
Unable to attend (group of pupils) due to school / LA transport not available .....	10
Excluded Pupils .....	10
Leave of Absence .....	11
Employment .....	12
Travellers .....	12
Family Holidays .....	12
Approved Educational Activity .....	13
Study Leave .....	14
Academic Review Days .....	14
Sport and Arts activities .....	15
Activities outside the normal school day .....	15
Verifying and following up attendance and absence .....	15
Approving off-site, supervised educational activities .....	15
Part-time timetables .....	16
Non-compulsory school-age pupils on part-time timetables .....	17
School Closure .....	17
<b>Phased Start to the Year</b> .....	<b>18</b>
Pupils in Custody .....	18
<b>Unexpected and unexplained absence</b> .....	<b>19</b>
<b>Dual Registration</b> .....	<b>19</b>
<b>Registration Period</b> .....	<b>20</b>
<b>Lesson monitoring</b> .....	<b>21</b>
<b>Boarders</b> .....	<b>21</b>
<b>Extended Schools</b> .....	<b>21</b>
<b>Flexi-schooling</b> .....	<b>22</b>
<b>Deletions from the Registers</b> .....	<b>22</b>
Completion of compulsory school age .....	23
Permanent exclusion .....	24
Pupil has died .....	24
Transfer between schools .....	24
Pupil leaving the school but future provision not known .....	25
Failure to return from an extended leave .....	25
Medical Conditions .....	26

In Custody .....	27
Long Term Absence .....	28
Home educated child .....	29
School Attendance Order .....	30
Children with Special Needs .....	30
Dual registered Pupils.....	30
Travellers' Children .....	30
Pupil Referral Units .....	31
Other Schools .....	31
<b>Providing information .....</b>	<b>31</b>
Data Returns .....	31
Self Assessments for School Inspections .....	31
School Profile .....	32
Common Transfer File .....	32
Register Inspections .....	32
Informing Local Authorities of deletions .....	32
Informing the local authority of absence .....	34
<b>Electronic and manual registers .....</b>	<b>35</b>
Amending the registers.....	35
Storing the registers.....	36
<b>Related Primary Legislation .....</b>	<b>37</b>
Education Act 1996.....	37
Data Protection Act 1988.....	38
Children Act 2004 .....	38
<b>Other Sources of Information .....</b>	<b>39</b>

## Introduction

1. All schools must keep two registers of pupils. The admissions register, which records the personal details of every pupil at the school, and the attendance register which records every pupil's attendance at every session the school is open to pupils.
2. The contents and maintenance of the school registers is governed by the Education (Pupil Registration) (England) Regulations 2006 (Statutory Instrument 2006/1751) and can be viewed on the Ministry of Justice database at [www.statutelaw.gov.uk](http://www.statutelaw.gov.uk) or on the Department for Children, Schools and Families (DCSF) website at [www.dcsf.gov.uk/schoolattendance](http://www.dcsf.gov.uk/schoolattendance). The regulations took effect on 1 September 2006.
3. This guidance is designed to help schools and local authorities apply the pupil registration regulations and make links between issues around school registers and wider education and children's services issues. It is also designed to help parents, pupils and others to understand the processes and legislation around pupil registration.
4. The guidance is not a substitute for the Education (Pupil Registration) (England) Regulations 2006 or other legislation; nor is it a substitute for guidance on other areas of attendance, education and child welfare. It should not be read in isolation from such legislation and guidance. Further information on the relationship between the Education Act 1996, Data Protection Act 1998 and Children Act 2004 is available in appendix 1. There is a list of some of the websites which contain guidance on other areas of attendance, education and welfare at appendix 2.
5. Links are embedded within this guidance to legislation and are identified by underlined blue print. However, following the link on the internet could take you away from this guidance.

## School Roll

6. "School roll" is a term that is frequently used to mean either the pupils at the school and/or the number of pupils at the school. However, it is not a term which is defined in law. For the purposes of the Pupil Registration regulations and this guidance a "school roll" consists of both the attendance and the admissions register.

## Pupils affected by the regulations

7. All children and young people (both of compulsory and non-compulsory school age) who are receiving an education at the school during the normal school day must be placed on both the admissions register and the attendance register.
8. People who attend other activities such as extended schools activities and services provided by other agencies are not pupils of the school for the purposes of the pupil registration regulations and are not entered on the admissions and attendance registers. However, schools should note that they have other duties, including health and safety responsibilities, which may entail them keeping additional records.

## Schools affected by the regulations

9. All schools must follow the regulations on the registers that must be kept including the maintained sector, independent schools, Academies, pupil referral units and special schools. The regulations do not apply to [alternative providers](#) such as further education colleges, work experience providers and specialist units. It is important that providers have the information that they need in case of emergencies and monitor pupils' attendance. Schools and authorities also need timely information to schools to maintain their own records and follow up any attendance issues. Explicit requirements in contracts and service level agreements will ensure this happens.

10. Only special schools and maintained schools are covered by the regulations on leave of absence. They do not affect the ability of other schools to grant such leave. However, some schools' funding agreements require them to follow the regulations in full.

## School Day and School Year

11. All schools are responsible for setting the hours of the school day but maintained schools must do so within the [Education \(School Day and School Year\) Regulations 1999](#) and the [Education Act 2002 \(s32\)](#). These state that the school day must be divided into two sessions with a break in the middle of the day. However, schools which operate a six day week (i.e. Monday to Saturday) may have up to 2 days which only have one session. The School Day and School Year regulations do not apply to Pupil Referral Units and schools that are not maintained by a local authority.

12. The legislation makes the local authority responsible for setting the term dates of maintained schools. Schools which act as their own admissions authority, such as independent schools and Academies, set their own term dates. In both cases, the school year is defined as "the period beginning with the first school term to begin after July and ending with the beginning of the first such term to begin after the following July". Maintained schools must be open to all pupils for at least 380 sessions a year.

13. Activities outside the normal school day, such as breakfast clubs, homework clubs, so-called "third sessions", detentions and extra-curricula activities are not recorded in the statutory attendance register. People who only attend extended schools activities are not recorded in either the attendance or the admissions register but schools may keep additional non-statutory registers to monitor these activities. Information from the non-statutory registers are not recorded in the attendance data returns to local authorities and the Department for Children, Schools and Families but can be used to demonstrate support given to pupils with poor attendance and/or other issues e.g. in [self assessments](#).

14. Schools can set different session times for different groups of pupils such as those referred to so-called internal or shared exclusion units and those undertaking public examinations.

## Safeguarding Children's Welfare

15. Pupils are absent for a variety of reasons which are personal to them and give no cause for concern. Some pupils absence, whether single days, part of a pattern or persistent, is an indicator of wider needs which must be addressed as part of the work to secure good attendance. It is vital that all staff in schools and local authorities are alert to this possibility and try to identify and address the underlying causes of pupils absence. Where appropriate, staff should refer pupils to other agencies and work with those agencies.

16. Further information is in guidance on children who are [forced into marriage](#), are [missing from education](#); have long [term illnesses and other medical conditions](#); "[Staying Safe: Action Plan](#)"; "[Working Together to Safeguard Children](#)", [multi-agency working](#) and [targeted youth support](#).

## Expected First Day of Attendance

17. Pupils join the school roll on the expected first day of attendance and must be listed in both admissions and the attendance registers from that day. Schools set this date after taking all of the circumstances into consideration. For most pupils the expected first day of attendance is the first day of the school year but some schools stagger the intake. However, there will be occasions, such as when a pupil is moving between schools when this is not appropriate and schools should aim to agree a suitable date with the parents.

18. If a child is the subject of a [School Attendance Order](#), he/she only becomes registered at the school if the parents enrol him/her at the school and agree the first day on which the child will attend. If this does not happen the parent(s) are in breach of the Order. If the parents agree the first day that their child will attend, any subsequent absence should be treated in the same way as any other pupil.

19. If a pupil has accepted a place at the school and fails to attend on the agreed date, the school must follow up the absence, [establish the reason and mark it in the normal way](#). This will ensure that the pupil does not lose his/her place and that any [Safeguarding Children's Welfare](#) and [missing from education](#) concerns are addressed

20. If the pupil has been delayed in joining the school then the school can agree a new first date of expected attendance. For example, a pupil might be relocating to the school from another part of the country and the relocation could be delayed. In this circumstance the school can agree to keep the pupil's place open and agree a new start date.

21. In some areas, pupils are allocated to a school but the parents do not accept the school place. Where this happens the pupil should not be put onto the school roll but the school may wish to keep the place open until he/she accepts a place at another school.

22. Many schools will want to place pupils on the admissions and attendance registers in advance of their first day of expected attendance rather than attempt to make the entries on the day. This will be particularly so when dealing with new intakes

at the start of the school year. It should be remembered that such entries are made at the end of the [admissions process](#). If electronic attendance registers require the school to make an entry for the days before the pupil joins the school, staff should use [Attendance Code Z \(Pupil not yet on roll\)](#). Code Z cannot be used once the pupil has joined the school.

## Admissions Register

23. The Admissions Register records valuable information about pupils at the school, including emergency contact details. The details that must be recorded in the Admissions Register are outlined below. It does not include details about the pupils' attendance, or the subjects that they are studying or other pupil information.

### Pupils' Information

24. Schools must record the details of every pupil at the school in the admissions register. This includes pupils who are attending the school on a temporary basis e.g. travellers' children, children who are accessing facilities not available at their normal school and "guest pupils".

25. The register must include the following [information](#) for every pupil:

- a. the pupil's full name;
- b. the pupil's gender;
- c. the pupil's date of birth;
- d. the date the pupil was admitted to the school;
- e. the name of the school the pupil last attended; and
- f. where applicable, a statement that the pupil is a boarder.

### Parents and Carers

26. In addition to the above information schools must also record the following for each pupil:

- a. the name and address of every parent and carer of the pupil that is known to the school;
- b. which of these parents and carers the pupil normally lives with; and
- c. emergency contact details of the parents and carers.

However, some schools record additional details such as dates of birth and mother's maiden name which they can use in security checks when parents contact the school.

27. Schools may also keep additional information about parents which will ease communications with them. For example, it is useful to know that parents have a hearing impairment which prevents them using a telephone or record email addresses.

### Maintaining the register

28. It is vital that the register is kept up to date and stored securely, particularly the emergency contact details. Schools should encourage parents to inform them of any changes whenever they occur.

## **Attendance Register**

29. There is a strong statistical link between attendance and attainment; schools with high attendance levels tend to have high levels of attainment at all key stages but those with low attendance levels tend to have low attainment levels. The attendance register is therefore an important tool in the work of schools to drive up standards and pupils' attainment. It helps them to identify pupils who might need extra support to catch up lessons they may have missed along with action to tackle poor attendance.

30. The most effective way of minimising the adverse effect that absence has on a pupil's attainment is to prevent all unnecessary absence and, where the absence is unavoidable, to help children catch up the work that they have missed. Schools have an important role in identifying pupils who might need additional support or who have poor attendance records. In many cases they can address the issues before they become serious but there will be cases when they will need the support of other agencies such as the local education welfare service. Further information on effective practice is available on the [school attendance website](#).

31. Schools must take the attendance register at the start of each morning session and during each afternoon session that they are open (see paragraph [11](#)). On each occasion they must record whether every pupil was:

- a. present;
- b. absent;
- c. present at approved educational activity; or
- d. unable to attend due to exceptional circumstances.

They must also record whether the absence of a compulsory school-age pupil was authorised or not. There is no requirement to authorise/unauthorised absence of non-compulsory school-age pupils but schools can still use the national attendance and absence codes to help them identify/monitor vulnerable children.

32. The only personal information in the attendance register about pupils is their names.

33. The [national attendance](#) codes enable school to record attendance and absence and help to ensure consistency in the treatment and recording of attendance and absence. It will also facilitate the successful collection of statistics through the School Census system, particularly where the system automatically downloads data from a school's electronic register. The data will help schools, local authorities and the Government to gain a greater understanding of absenteeism and the reasons for absence. Schools cannot add to the list of codes or use their own local codes such as

“not expected to attend”.

34. There is no legal requirement for parents to provide written confirmation of the reasons for their child’s absence. However, it is accepted practice that they will do so and many schools have attendance policies which require them to.

35. Schools cannot take pupils off the attendance register unless they remove them from the admissions register at the same time.

36. The [High Court](#) has confirmed that schools, not parents, authorise absence.

## Illness

37. Schools must not routinely ask parents to obtain doctors’ notes and there is no legal requirement for parents to provide them:

- a. in the majority of cases a parents’ note explaining that their child was ill can be accepted without question or concern;
  - b. it creates unnecessary administration for schools; and
  - c. it places additional pressure on doctors, their staff and their appointments system particularly if the illness was one which did not require treatment by the doctor (doctors’ organisations have advised that it is difficult to provide retrospective evidence of people’s illness, particularly where they did provide treatment).
- Where schools accept that a pupil was ill they must authorise the absence.

38. There is nothing in the regulations to prevent schools from challenging parents’ statements or seeking additional evidence if they have any concerns. This evidence could be a prescription or an appointment card rather than a Doctors’ Note. It is good practice to have clear systems in place to escalate any concerns about high levels of absence due to illness, including agreements about accessing additional services in order to provide [appropriate support](#) to pupils, particularly for long term illness.

39. Children with long [term illnesses and other medical conditions](#) may need additional support to continue their education, such as [home tuition](#) provided by the local authority.

## Transport not provided

40. Children under the age of 8 years are not expected to walk further than 3.219 kilometres (2 miles) whilst those who are 8 years or older not expected to walk further than 4.82 kilometres (3 miles). Where children live further than these distances from a maintained school, local authorities are normally expected to make arrangements for children’s transport between home and school, to board nearer to the school or to transfer to a school nearer to home.

41. If a child is absent because:

- the school is not within walking distance;
- the school and local authority are not required to arrange the pupil's transport; and
- the transport provide by the child's parents fails;

the absence must be recorded as authorised absence.

42. Children who live within walking distance but normally travel by other means, such as the local service bus or parents' car, are expected to walk if that transport is not available.

43. If the transport is provided by their school or LA, such as the school bus or a public transport pass, and is unavailable due to, for example, the roads being impassable the pupils may be marked as "school partially closed" (see paragraph [48](#)).

### **Religious Observance**

44. Under the regulations, schools must authorise absence that is due to religious observance but the day must be:

- exclusively set apart for religious observance; and
- set apart by the parents' religious body (not the parents).

45. If the religious body sets apart a single day for religious observance and the pupil applies for 4 days leave of absence the school is only required to allow one day; the rest is discretionary leave. All requests for discretionary leave must be made in advance by pupils' parents.

46. School 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:

- a. local authorities setting term dates around the major religious festivals;
- b. schools closing on religious festivals (whilst ensuring they are open for 380 sessions over the year);
- c. working with local faith groups to develop guidance on absence for religious observance;
- d. schools taking INSET days that coincide with religious festivals; and
- e. individual support for pupils who miss sessions.

### **Absent (individual pupil) due to Unavoidable Cause**

47. If schools decide that a single pupil's absence was unavoidable due to individual circumstances, e.g.

- a. a catastrophic event at their own home (e.g. parents car broke down – though a pupil who is able to walk to school must not be marked as “unavoidable cause” due to lack of own transport);
- b. flight delays when returning from abroad;
- c. other reasons given under the explanation for Code C (in “Absence and attendance codes: guidance...”);

it must authorise the leave (Code C). Reasons such as shopping, birthday treats and siblings’ birthdays are not unavoidable causes warranting authorised absence. ‘Absent due to Unavoidable cause’ affecting a single pupil should not be confused with ‘unable to attend due to exceptional circumstances’ affecting all or large groups of pupils (e.g. forced school closure, see paragraph [86](#) onwards; or transport not available, see paragraph [48](#)).

### **Unable to attend (group of pupils) due to school / LA transport not available**

48. If official transport arranged by the local authority (either dedicated transport or public transport) is unavailable, for example road conditions make some roads impassable with the result that the school bus or taxi can only collect some of the pupils, mark those pupils “unable to attend due to exceptional circumstances” (Code Y). Pupils who are able to walk to school must not be marked as “unable to attend” due to lack of transport.

### **Excluded Pupils**

49. Schools must follow the [statutory guidance](#) on exclusions when removing a pupil as a disciplinary penalty. They cannot send pupils home or to off-site provision for disciplinary reasons without following exclusions guidance. They can refer pupils to Pupil Referral Units and other provision after making the exclusion in order to ensure they continue their education. They can also refer pupils to such provision for non-disciplinary reasons.

50. Pupils who are excluded from school permanently are deleted from the registers once the appeal procedure is completed. Until then, the pupils must be treated in the same way as pupils who are excluded for a fixed term.

51. Schools and local authorities have a statutory duty to make provision for excluded pupils to continue their education whilst excluded. This provision must be in place from the 6th day of exclusion but many schools and authorities opt to make provision earlier. Once the provision is in place the pupil must be treated, for attendance purposes, in the same way as other pupils for whom alternative provision is made, i.e.

- a. marked as present at approved educational activity in those session that the pupil attends; and
- b. marked as absent in those sessions the pupil misses.

- c. Sessions where there is no full time provision in place are marked as authorised absence using [Attendance Code E](#).

## Leave of Absence

52. The regulation on leave of absence applies to all special schools and maintained schools. Whilst it does not apply to independent schools there is nothing that prevents them adopting the principles in both the legislation and this guidance. Some schools may have funding agreements that require them to comply with the regulation.

53. Schools have a discretionary power to grant a pupil time off school during the term and a number of examples are listed in the regulations. However, schools are not restricted to grant time off in those circumstances; they can also do so if they believe there are [extenuating or compassionate reasons](#) that justify the leave. For example, children who fall within the groups at particular risk may have needs that require the school to grant time off.

54. All applications for leave of absence must be made in advance by the parent(s), carer(s) or corporate parent that the pupil normally resides with.

55. With the exceptions of family holidays and employment, schools' discretion around leave of absence is far-reaching. They are able to refuse the whole period requested by a pupil's parents, grant part of the period and refuse the remainder, or grant the whole of the period requested. Any leave of absence granted by a school must be recorded as authorised using the [appropriate national code](#). Periods that are refused must be recorded as unauthorised.

56. All requests should be treated on a case by case basis within the school's published attendance policies which should give it the flexibility to respond to difficult circumstances whilst discouraging unnecessary absence. We recommend policies that, for example, neither ban all term-time holidays nor bestow a right to all families to time off for family holidays.

57. The issues that schools should take into account when considering a request for leave of absence include:

- a. the amount of time requested;
- b. age of the pupil;
- c. the pupil's general absence/attendance record;
- d. proximity of SATs and public examinations;
- e. length of the proposed leave;
- f. pupil's ability to catch up the work;
- g. pupil's educational needs;
- h. general welfare of the pupil;

- i. circumstances of the request;
- j. purpose of the leave;
- k. frequency of the activity; and
- l. when the request was made.

58. It is good practice for schools to respond to all requests for a leave of absence in writing giving the reasons for the decision. It is particularly important that letters approving a request clearly state:

- a. the expected date of return;
- b. that the parents are expected to contact the school if anything delays the pupil returning to school when expected; and
- c. what action will be taken if the pupil fails to return when expected.

59. Similarly, a letter refusing a request should explain the reasons for the refusal and what action will be taken if the parents ignore the refusal and keep their child away.

#### Employment

60. **Employment**, whether paid or unpaid, of children is strictly controlled by Acts of Parliament and regulations, including [Sections 558-560](#) of the Education Act 1996, the Children and Young Persons Act 1933 and the Children and Young Persons Act 1963. Schools should seek advice from their local authority on the legality of any employment when considering a request for leave of absence. [If the employment is illegal, the school cannot authorise the leave but if it is legal the school has the discretion to authorise the leave](#). Further advice is available at [www.parentscentre.gov.uk/foragegroup/11to14years/childemployment/](http://www.parentscentre.gov.uk/foragegroup/11to14years/childemployment/)

#### Travellers

61. **Travellers** move around as part of their trade or business and the children usually travel with them. People who are on extended holidays, including those on “world tours”, are not included in the definition of travellers. When travellers’ children are unable to attend school because they are travelling the absence should be marked authorised using [Attendance Code T](#). However, they should be encouraged to access education whilst they are travelling and, if they attend educational provision through registration at another school (see paragraph [98](#)) or specialist provision, they can be marked as “present at approved educational activity” (see paragraph [69](#)).

- a. [Travellers](#)’ children over the age of 6 years are expected to attend at least 200 sessions a year and the use of code T for more than 180 sessions could indicate that the pupil has failed to meet this requirement. Any concerns around this area should be addressed but may require specialist support from the [Traveller Education Service](#) (TES).

#### Family Holidays

62. Time off school for **family holidays** is not a right. Schools have discretion to allow up to 10 days absence in a school year for a family holiday if they believe that the circumstances warrant it.

63. Schools may agree up to 10 days “holiday leave” in special circumstances such as:
- a. for service personnel and other employees who are prevented from taking holidays outside term-time if the holiday will have minimal disruption to the pupil’s education; and
  - b. when a family needs to spend time together to support each other during or after a crisis.

Holidays which are taken for the following reasons should not be authorised:

- availability of cheap holidays;
- availability of the desired accommodation;
- poor weather experienced in school holiday periods; and
- overlap with beginning or end of term.

64. Whilst the application must be made by the parent(s) that the child normally resides with, there is no restriction on who the holiday is taken with. This is a matter for the parent(s) not the school.

65. If the local code of practice allows, parents can be given a [penalty notice or prosecuted](#) for periods of unauthorised holidays.

66. In exceptional circumstances, schools can approve more than 10 days holiday leave - called **extended leave of absence** or **extended holidays**. However, it is worth discussing with parents whether their plans could be changed to overlap with school holidays and thereby reduce the effect on their child’s education.

67. Leave of absence cannot be aggregated with days that the school is closed.

68. In a small number of cases schools could have concerns about a pupil’s welfare, such as that the pupil will be [forced into marriage](#) whilst abroad. In such cases, the school should seek support from their local authority. Further information is at <http://www.everychildmatters.gov.uk/socialcare/safeguarding/forcedmarriage/>

### Approved Educational Activity

69. Schools have the authority to arrange for pupils to undertake part of their education outside the school premises, including [alternative provision](#) arranged by local authorities. Whilst it would be inaccurate to record pupils as present at the school, it is also inaccurate to record those pupils who attend the arranged activities as absent. It is therefore possible to use the “present at approved educational activity” mark. The activity must be educational and meet the individual needs of the pupil in question and examples include:

- a. **Work experience** must take place within the legislative framework, including [Section 560](#) of the Education Act 1996 (as amended) which stipulates that work

experience can only take place in years 10 and 11.

- b. Pupils' participation in **sporting activities** can take a variety of forms including competing, attending training camps organised by national and regional governing bodies, acting as volunteers and representing the school. It can form a valuable part of a pupil's educational and personal development. Schools might have concerns that a sporting activity, particularly training sessions and camps, are appropriate for a pupil's physical development and age. The [national governing bodies](#) for the sport in question will be happy to advise schools on these and related issues.
- c. All pupils who are **dual registered** can be marked as present at approved educational activity when they attend another school. Similarly, pupils who attend **other educational provision** such as further education colleges and specialist providers can be marked in this way.
- d. **Electronic and distance learning** is often unsupervised or takes place outside the normal school day and therefore does not meet the regulatory requirements to be treated as approved educational activity. However, some systems are able to verify that the pupil has logged on at the agreed time and is doing the work set; for example one system identifies who is doing the work using the keystrokes on the computer. Where the school is given robust evidence that a pupil has done the work during the session in question, it may record the pupil as "present at approved educational activity".

### Study Leave

70. **Study Leave** is invariably unsupervised and can often be wasted with pupils undertaking little or no educational activities. It is good practice to follow the principles laid out in "[Beyond Study Leave](#)" published by the Specialist Schools Trust and to tailor examination preparations to pupils' individual needs. Study leave must be treated as authorised absence and must not be given to pupils below Year 11.

### Academic Review Days

71. Academic Review Days are also known as Target Review Days or Pupil Planning Days. The Department understands from school staff unions that some schools have been closing for one such day in a year. This has enabled the form tutor or other staff to meet all parents with their children for a short time (usually no more than 15 minutes) to assess curricular progress and to set personalised targets instead of meeting parents with children in the evening. We understand the pupils then return home with their parents. *However, in reducing the teaching days to 189, this puts schools in breach of the regulations that require 190 days.* So we would wish schools to discontinue any such days as described above. We would prefer schools to consider alternative methods. Even if such a day involves a discrete group of pupils with the rest of the school attending lessons as normal, the academic review day cannot be counted as one of the 190 days (380) sessions for which schools must be open to **all** pupils (see paragraphs [11-13](#)).

72. If, however, the academic review is organised around a revised timetable, or so that pupils continue their lessons (and leave the lessons for the period of the meeting), then the school is open to all pupils, and the sessions affected can count towards the requirement to open for 190 days. The attendance register should then be marked as normal. We are reluctant to suggest what other methods schools could consider since schools are best placed to consider how to deploy staff and pupils, and work with

parents, within the regulations. However, schools may wish to ask themselves:

- can they continue to hold reviews with parents and pupils after hours?
- can they not separate personalised target-setting (with the pupil) from review with the parent with or without pupil?
- during a target-setting day, could pupils be kept in normal classes except for when each class has its own review? (Targets could be set though parents may not be present.)

73. Pupil planning days should not be confused with interviews during the normal school day with Connexions personal advisers. Meetings which are held outside the normal school day are not recorded in the attendance register (see paragraph 75).

#### Sport and Arts activities

74. Time off to attend sporting events, parades, arts sector activities, etc as a spectator (e.g. following the local football team), to take part in protests and to travel to such events cannot be regarded as approved educational activity.

#### Activities outside the normal school day

75. Educational activities outside the normal school day for that group of pupils or on a day the school is closed are not recorded in the school's statutory attendance register but schools may wish to keep a separate note on pupils' records.

#### Verifying and following up attendance and absence

76. Schools must not use the "present at approved educational activity" mark unless they have verified that the pupil in question was present at the activity during the session. Attendance could be verified through a letter, fax or email between schools at the end of each week, particularly where there is no unexplained or unexpected absence. Schools and providers must inform each other of any unexpected or unexplained absence as soon as it happens. Sessions in which the pupil does not attend supervised educational activity or where the organisation does not provide information are [recorded as absent in the normal way](#). For example, a pupil who misses a session due to illness is recorded as Code I (Illness) and one who misses a session because nothing was in place is recorded Code C (other authorised absence). Schools can also keep additional, non-statutory registers to record presence at activities outside the normal school day. Schools should have and use rigorous systems to monitor and follow up pupil's off-site attendance.

77. It is good practice for schools to agree with the other providers and schools who will follow up any concerns about a pupil's attendance record including unexplained and unexpected absence. They should also agree procedures for sharing attendance and absence information. For example, they could agree to share routine information, such as attendance and authorised absence, at the end of each week but immediately inform each other of any unexplained absence.

#### Approving off-site, supervised educational activities

78. Only schools can **approve** educational activities and authorise the use of the "present at approved educational activity". Clearly, this approval is implicit where the school has been involved in making the arrangements. Schools can approve activities

arranged by others, including parents, if they believe the activity satisfies the regulatory requirements. In considering any request to approve an activity, the school should consider

- a. the nature of the activity;
- b. the benefits to the pupil;
- c. the effect on the child's general education;
- d. the amount of time requested; and
- e. the timing of the activity.

Approving the activity does not imply agreement to pay for it.

79. The pupil must be **supervised** whilst undertaking the activity by someone authorised to do so by the school. When considering whether to authorise someone as a supervisor, schools must consider whether the person has the necessary skills, training, experience and knowledge to make the activity a successful, worthwhile and safe experience for the pupil. If they are concerned that the person is not suitable as a supervisor, they can decline to approve the activity.

80. It is helpful, particularly during truancy sweeps, if schools give pupils a "pass" which confirms that they have a legitimate reason to be out of school during normal school hours on a day that the school is open.

### **Part-time timetables**

81. Some compulsory school-age pupils are placed on a part-time table in order to meet their individual needs, for example when a [medical condition](#) prevents them from attending full-time, as part of a [re-integration package](#) or as part of a flexi-schooling agreement. Part-time timetable should not be treated as a long-term solution. Any pastoral support programme or other agreement must have time limit by which point the pupil is expected to attend full-time and be agreed by with the pupil's parents/carers.

82. Compulsory school-age pupils on a part-time timetable are, by definition, not present at school for part of the week or day. They are also not attending approved educational activity and must therefore be absent. In agreeing to the part-time timetable the school has agreed to the absence and must record it as authorised. Schools cannot record the pupil as "not required to attend" or that the school was closed to the pupil in question as this would contravene the regulations.

83. Doing this will ensure that the school has a record of the amount of education a pupil has missed and help it to identify pupils that might need additional support .

84. When analysing attendance data schools might wish to consider what attendance levels are if these pupils are removed from the statistics. This will enable them to assess their general level and benchmark that level against similar schools.

## Non-compulsory school-age pupils on part-time timetables

85. Non-compulsory school-age pupils can be recorded as Code X (Untimetabled sessions for non-compulsory school-age pupils) for those sessions they are not expected to attend. By using the other codes to record these pupils' absence from the sessions they are expected to attend, schools will be able to track whether pupils are missing lessons and, where necessary, provide additional support. It often pays dividends to establish good attendance habits when pupils are under compulsory school-age. The Department does not collect data for non-compulsory school children and such absence will not affect schools' attendance statistics in the performance tables.

## School Closure

86. On days other than the 380 half-day sessions when a school must by law open for all pupils (see paragraphs [11](#) - [13](#)), such as the a school is closed to all pupils for holidays, the up to 5 non-teaching work days for teachers (sometimes used as "INSET" days), and the school being used as a polling station then it does not have to record individual pupils' absence. This is known as a **planned closure** the school simply records that the school was closed using Code #. Sessions recorded using this code are not counted in attendance statistics. In contrast to planned closures (above), there are two other circumstances when a school might also close but unexpectedly or at short notice - either fully, or partially (to a discrete group of pupils):

- a) fully:
  - site failure of the whole site, so that it would be less than reasonably safe for pupils and/ or staff (for example, asbestos is found in the whole site, or heating in all buildings fails);
  - due to disruption of roads or public transport (e.g. by severe weather), the Local Authority, Governing Body or head teacher (depending on local arrangements) decides to close the school to all pupils due to their judgement of how likely it is that either not enough staff will be present to supervise the expected number of pupils, or pupils will not be able to get home after school at a decent hour.
- b) partially, so only a sub-group of pupils is affected by consequences similar to the above, e.g. "site failure" when part of the school's premises are closed but the rest remains open, for example asbestos is found in one site of a split-site school or the heating in one building fails.

Such a closure of part or all of a school site is known as **forced closure**. A **partial forced closure** is where a discrete group of pupils are affected.

87. Do not confuse partial forced closure with the following circumstances affecting only an individual pupil. Sessions which an individual pupil does not attend as:

- a. part of a part-time timetable;
- b. the result of any exclusion;

- c. being sent home for individual reasons (e.g. due to individual pupil falling ill);
- d. individual illness at the same time that many others are ill (e.g. infection disease outbreaks or epidemics); and
- e. “unavoidable causes” (see paragraph [47](#));

Must not be marked as “unable to attend due to exceptional circumstances” affecting all or a group of pupils (Code Y) and must be treated as absent due to individual circumstances.

88. Some schools have a forced total or partial closure during the day such as when the weather conditions significantly worsen during the afternoon and it is thought necessary to send pupils home whilst the roads are still passable. In this situation, if the register has not been taken the school should use the forced closure mark (Code Y) for those pupils affected. If the register has been taken it must not be altered.

89. Partial forced closure is recorded as Code Y (Enforced Closure) for those pupils affected with attendance for other pupils treated in the normal way. When recording a full or partial forced closure schools must record the reason for the closure e.g. “LA transport withdrawn”. They cannot simply state “school closed” or “partial closure”. Sessions recorded using this code are not counted in attendance statistics or towards meeting attendance targets.

90. The School Day and School Year regulations stipulate that the Governing Body or a school that is forced to close must make reasonable efforts to make up the lost time. If it is not reasonably practical for the school to make up the lost time, the regulations stipulate that the sessions affected can be counted towards meeting the requirement to open to all pupils for 380 sessions.

### **Phased Start to the Year**

91. Also known as ‘staggered start’ or ‘induction days’. Some schools operate a system whereby there is a **phased start to the year** with the Reception and Year 7 intakes, for example, starting on a different day to the rest of the school; so that, as a result, the school is closed to some pupils during the sessions affected. This becomes acceptable only when schools ensure that those pupils who start later than the new intake are still offered 380 sessions over the school year. For example, a school could meet for 191 days with induction groups and their staff present on day 1 and the other groups and their staff present on day 191. Another alternative might be to use no more staff to induct a year-group than would be normally teaching or supporting the group on that day.

### **Pupils in Custody**

92. Pupils who are in custody waiting trial or have a sentence of less than 4 months must be kept on both the admissions and the attendance registers. Pupils who have a sentence of longer than four months which includes a period in custody may remain on the school roll if the headteacher has “reasonable grounds” to believe the pupil will

return, such as an agreement with the Youth Offending Team. (see paragraph [147](#))

93. If pupils who are in custody for any reason are kept on the school roll, their attendance at any educational activities must be recorded by the place of custody and forwarded to the school at the end of each week. The place of custody also has responsibility for following up any unexpected failure to attend. The school can record those sessions in which the pupil attends supervised educational activity as “present at approved educational activity”. Educational activities outside the school’s normal day or on a day the school is closed are not recorded in the school’s attendance register but it may wish to keep a separate note on the pupil’s records. Sessions in which the pupil does not attend supervised educational activity, such as when they are in court, ill, or where the place of custody does not provide information are recorded as [absent in the normal way](#). For example, a pupil who misses a session due to illness is recorded as Code I (Illness) and one who misses a session because nothing was in place is recorded Code C (other authorised absence).

94. As with other forms of approved educational activity, schools cannot assume the pupil was in education or training. They must record the pupil as unauthorised absence until provider or the place of custody have confirmed the pupil’s attendance and absence during individual half-day sessions. For example, the school does not know whether a remand pupil was in education, too ill to attend educational activities or in court.

95. It is good practice for schools to ask their local authority to follow up any concerns about a pupil’s attendance record or access to their general entitlement to education with the place of custody and youth offending team. For example, significant levels of Code C could indicate that no provision or activities were available for the pupil and significant levels of Code I could indicate that the pupil will need specialist support when released. It is also good practice for local authorities to ensure information is exchanged between schools and places of custody.

## **Unexpected and unexplained absence**

96. Whenever pupils are absent and their parents have not told the school the reason for the absence, such as not contacting the school to advise it that the pupil is ill, the school must mark the pupil as unauthorised absence. It can change this mark at a later date if the parents provide a satisfactory reason for their child’s absence. However, the decision whether the reason is satisfactory rests with the school not with the parents.

97. It is good practice, particularly in terms of safeguarding pupils and encouraging good attendance, for schools to follow up any unexplained absence immediately through [First Day Calling](#) initiatives.

## **Dual Registration**

98. All pupils can register at more than one school if it is felt appropriate however very few need to do so. The main examples are pupils who are attending a pupil referral unit, a hospital school or a special school on a temporary basis. Children who

are attending alternative provision that is not established as a school are not dual registered but many of the principles are the same, particularly those relating to monitoring a pupils' attendance. For example,

- a. if a pupil is registered at two schools, both must have the pupil on their admissions and attendance registers and both must record the pupil's attendance and absence during that session; but
- b. if a pupil is registered at a school and attending the local further education college one morning a week, there should be an agreement whereby the college will monitor the pupil's attendance and pass the information to the school.

99. It is important that each of the establishments which a pupil attends is party to an agreement whereby they will share attendance information. The agreement should include which establishment has responsibility for following up unexplained absences, e.g. first day calling, and contacting the parents in an emergency. For example the agreement could be that they will exchange

- a. routine information such as presence and explained absences by fax, email or letter at the end of the week;
- b. information for unexplained absences immediately by phone so that they are followed up.

The onus is on both establishments to contact each other and establish these agreements when it becomes known that a pupil is dual registered.

100. Schools must not assume that a pupil is present at the "other school" just because he/she is expected to be. They must only use the "present at approved educational activity" when it is confirmed that the pupil was present.

101. Schools must remember that there are special rules which restrict their ability to delete dual registered pupils from their registers (See paragraph [121](#)).

## Registration Period

102. The **morning attendance register** must be taken at the start of the morning session but the regulations do not stipulate when the register should close. Schools are therefore free to close the registers immediately after they are taken or leave them open to allow for minor travel delays. We recommend that schools close the register 30 minutes after the start of the session. They should not leave the register open throughout the session.

103. Schools can take the **afternoon attendance register** at any point during the afternoon session. Some schools choose to take the register at the start of the session to ensure pupils have returned from the lunch break whilst others choose to take it at the end of the session to ensure children stay for the full day. Whenever the register is taken at the start of the session we recommend that it is left open for 30 minutes.

104. Any pupil arriving late but before the register is closed should be marked using [Attendance Code L](#) whilst a pupil arriving after the register is closed for that session

should be marked using [Attendance Code U](#).

## Lesson monitoring

105. Some schools, particularly those with [electronic registers](#), monitor attendance at individual lessons as well as the two sessions per day. This helps them to prevent post-registration and internal truancy. It also helps them to raise the alarm if children go missing and identify pupils who may need additional support.

106. Where lesson monitoring is used, schools may opt not to have formal registration sessions at the start of the morning session and use the register taken at the first lesson of the day as the “mandatory morning register”. Similarly, schools with lesson monitoring could designate the register taken in one of the afternoon lessons as the “mandatory afternoon register”.

## Boarders

107. Children who are boarding at the school must be listed in the admissions register.

108. Schools without day-pupils are not required to keep attendance registers. Those with a mixture of day-pupils and boarders must keep an attendance register for the day-pupils. However, they should also have systems in place to monitor the whereabouts of boarders.

## Extended Schools

109. A number of schools have introduced a range of [services and opportunities for children, young people, families and communities beyond the traditional school day and role](#). These [activities](#), which may be open to both pupils and ‘non-pupils’, can include community activities, breakfast clubs, homework clubs, ‘catch-up’ and ‘stretch’ opportunities and services provided by partner providers and other agencies. These activities are not compulsory and do not form part of the 380 sessions that schools are expected to be open to all pupils.

110. Attendance and absence at these sessions should not be recorded in the “statutory registers” that are required by the regulations. However schools can keep additional “non-statutory registers” to record the information. Indeed they may wish to do so as part of their systems to monitor the effectiveness and usage of these services.

111. Schools should note that there are additional requirements governing the records that must be kept for some [extended schools activities](#), some of which are statutory and some are in order to access funding for the activities.

112. Information from the non-statutory registers should not be included in the annual and termly attendance data that is sent to the Department via the School Census system. [Schools can use the information from the two registers to demonstrate that they are identifying and supporting pupils who need it.](#)

113. People who only attend activities outside normal school and/or extended schools activities are not regarded as pupils for the purposes of these regulations. They should not be entered in either the admissions or the attendance register.

## Flexi-schooling

114. “Flexi-schooling” is the term used for a system whereby children are partly educated at school and partly educated elsewhere, usually at home. The nature of home education is that it often does not follow strict timetables or the patterns of a normal school day. The families involved like the flexibility of having their children undertake educational activities in the evening and at weekends e.g. attending sports clubs as part of a physical education programme. Unlike full-time home education, any agreement between a pupil’s parents and a school for the child to be “flexi-schooled” is at the headteacher’s discretion.

115. Flexi-schooling should not be confused with part-time timetable. In the case of the former, the child must be in full-time education throughout the school-year.

116. Schools must not seek to persuade parents to educate their children in order to avoid exclusion or action for poor attendance. They must follow statutory exclusions guidance if they wish to remove a child from the school and, in the case of poor attendance, address the reasons for the absences.

117. Educational activities that take place outside the normal school day are not recorded in the statutory attendance register (see paragraph [109](#)). Off-site activities which take place during the school’s normal day (see paragraph [11](#)) can be recorded as approved educational activity (see paragraph [69](#)) but only if the activities meet the legislative requirements and the school has received confirmation that the activity took place during the session in question. Sessions which the child is expected to attend the school are marked in the normal way

118. If the child was not undertaking educational activity, he/she should be recorded as authorised absence using Code C. If the school is notified the child was ill, attending a medical or dental appointment, on a family holiday or was absent for some other reason then the appropriate [attendance code](#) should be used. Schools should therefore make arrangements to exchange attendance information with the family.

## Deletions from the Registers

119. The regulations enable schools to delete compulsory school-age children in the following circumstances:

- a. the school is replaced by another school on a School Attendance Order;
- b. the School Attendance Order is revoked by the local authority;
- c. completion of compulsory school age;
- d. permanent exclusion;

- e. death of the pupil;
- f. transfer between schools; and
- g. pupil withdrawn to be educated outside the school system.
- h. failure to return for an extended family holiday after both the school and the local authority have tried to locate the pupil;
- i. a medical condition prevents their attendance and return to the school before ending compulsory school-age;
- j. in custody for more than four months;
- k. 20 days continuous unauthorised absence and both the local authority on school have tried to locate the pupil; and
- l. left the school but not known where he/she has gone after both the school and the local authority have tried to locate the pupil.

120. Schools can only lawfully delete non-compulsory school-age children in the following circumstances:

- a. left the school;
- b. 20 school-days continuous absence without good reason;
- c. death of the pupil;
- d. permanent exclusion; or
- e. child who was admitted to the nursery is not transferring to the reception class.

121. In general, pupils can be deleted from the register of one school if they register at another (see below). However, it is possible for any pupil to register at more than one school (see paragraphs [98](#) and [167](#) to [172](#)) and, where this happens, there are restrictions on applying the power to delete pupils because they are registered at another school. Schools cannot delete pupils from the register if one of the circumstances in regulations does not apply.

122. [All other deletions are illegal and could result the court proceedings against the person responsible](#). With the exception of pupils who are subject to a school attendance order (see paragraph [166](#)) and pupils with special needs for whom the local authority has made arrangements (see paragraph [167](#)), there is no requirement for local authority approval of deletions from registers

### **Completion of compulsory school age**

123. Schools can delete pupils from the roll if they have:

- a. reached the end of their [compulsory school-age](#); and

- b. are not continuing their education at the school.

Deletions cannot be made until the children reach their school leaving date, which is the last Friday in June of the school year in which their 16<sup>th</sup> birthday falls.

124. Further guidance on compulsory school age is available on TeacherNet at [www.teachernet.gov.uk/management/atoz/c/compulsoryschoolage](http://www.teachernet.gov.uk/management/atoz/c/compulsoryschoolage).

125. Pupils who have indicated they intend to continue into the school's sixth form after completing their compulsory education should not be deleted from either register.

### **Permanent exclusion**

126. If a child is permanently excluded then he/she must be removed from the school roll. Deletion cannot take place until the outcome of any appeal is known. The school must inform the local authority of the permanent exclusion on the day of the exclusion. No deletion can be made until the conclusion of any appeal process.

127. Statutory guidance on [exclusions](#), including local authorities' duty to provide education for an excluded pupil, is available at [www.teachernet.gov.uk/wholeschool/behaviour/exclusion/guidance](http://www.teachernet.gov.uk/wholeschool/behaviour/exclusion/guidance). Maintained schools and local authorities must have regard to both the statutory guidance on exclusions and this guidance on pupil registration.

### **Pupil has died**

128. Pupils who have died can only be deleted from the registers when the school receives official notification of the death. This would normally come from the pupil's parents but it is possible that the notification comes from another source, such as relatives and the police.

129. Once the school receives the information it should immediately delete the pupil. There is no requirement to do so but the school should consider informing the local authority in order to prevent inadvertent and unnecessary contact with the family about the child.

### **Transfer between schools**

130. Schools must delete pupils from the school registers in this circumstance from the day they are expected to start at the new school. The new school should add them to the register from this date. For example, a pupil is due to leave School A on 28 March and start at School B on 29 March. In this situation, School A will:

- a. record the pupil's attendance and absence on 28 March in its registers;
  - b. delete the pupil from 29 March and record nothing for that day; and
  - c. transfer the appropriate pupil information [pupil information](#).
- School B will:

- d. record nothing for 28 March;
- e. add the pupil to the registers and record the pupil's attendance and absence for 29 March;
- f. follow up any unexpected or unexplained absence on or after the 29 March (e.g. First Day Calling); and
- g. request the [transfer of the pupil information](#).

131. Should the new school fail to contact the old school to request the transfer of the pupil's information, it is recommended effective practice for the old school to contact the new school and confirm that the pupil's first day of expected attendance at the new school. This will ensure that the pupil's attendance is recorded correctly and provide a safeguard against a pupil going missing from education. It is also good practice to retain any documents confirming the transfer with the registers.

### **Pupil leaving the school but future provision not known**

132. In some circumstances, parents tell a school that they are withdrawing the child but are unable or unwilling to say where or how their child will continue his/her education. For example, the family might be relocating but be unable to secure a new school-place for the child in advance.

133. It is important that families get the support they need to secure a child's education. Schools should therefore inform their local authority as soon as possible of the impending departure in order that [appropriate arrangements](#) are put in place. Where appropriate the authority will inform the pupils' home-authority.

134. Once the pupil has completed his/her final day, the pupil must be deleted from the register. The pupil's information should then be transferred to the Lost Pupil Database via the [s2s website](#). As a safeguard against the child missing his/her education the school must give advance, written notice of the deletion (see paragraph [187](#)) to its local authority.

### **Failure to return from an extended leave**

135. Schools should only grant a leave of absence for family holidays in special circumstances. They should only grant more than 10 days in any school year in exceptional circumstances; this is called extended leave. Further advice on leave of absence is available at paragraph [52](#).

136. Schools can only delete pupils who fail to return on the date they were expected back from extended leave if they fail to do so within 10 school days. However, the school must check that the pupils do not have a good reason for their absence, such as disrupted travel arrangements or illness, before deleting the pupil. The school and its local authority must make [reasonable enquiry](#) to locate the pupil before the deletion is made.

137. If the pupil has a good reason to be absent he/she should be marked authorised

absence using the relevant [Attendance Code](#). The pupil cannot be deleted. If, in the school's view, the pupil does not have a good reason, the parents should be reminded of:

- a. the date the school said it expected the pupil to return;
- b. the parents' responsibility to ensure that the child attends school regularly;
- c. the possibility of legal sanctions against the parents;
- d. the possibility of the school deleting the pupil from the school roll; and
- e. that the pupil must be marked [unauthorised absence](#).

138. If, after making reasonable enquiry, the school is unable to contact the parents or has any concerns about the pupil and his/her welfare, it should seek assistance from the local authority. Schools should not wait until they are about to delete a pupil to seek this assistance. Further guidance on reasonable enquiry and areas that might cause concern to schools is available on the [Every Child Matters](#) website

139. The outcome of both the school's and the authority's attempts to trace the pupil will dictate their next steps. If they are unable to find the pupil they must refer the cases to the [appropriate agencies](#). The school should delete the pupil from the school registers and, if it does so, it must transfer the pupil's information to the Lost Pupil Database via the [s2s website](#) as a safeguard against the child [missing](#) his/her education. If the pupil is located, the school should take steps to address the reasons for the pupil's failure to attend, accessing support for other agencies where appropriate.

140. When making the deletion, the school should transfer the pupil's information to the Lost Pupil Database via the s2s website. It must also provide advance, written notice of the deletion to its local authority which will pass the information to the child's home-authority if necessary. The child's home authority then has responsibility for ensuring the child is receiving a full-time, suitable, efficient education. Further information on [transferring pupil information](#) and [children missing from education](#) is available by following these links.

## Medical Conditions

141. Schools automatically treat illness as authorised absence and should, with their local authorities' help, support pupils' education throughout their illnesses. Further information on the statutory duty for school and local authorities to provide this support is available in "Access to Education for children and young people with Medical needs" [sic] ([DfES 0732/2001](#)). The provision of this support should not be reliant on the child having a school place as authorities have a duty under education legislation to make provision for the education of children who do not have a school-place.

142. In practice, schools, local authorities and [other agencies](#) will be [working together](#) to support many of these children long before the issue of deletions is raised. However, it is possible that a case is raised unexpectedly. When this happens, the school should inform the local authority immediately and delay deletion until the authority has support measures in place.

143. Schools can only delete these children from the school roll if the school medical officer certifies that the pupil is:

- a. too ill to attend school; and
- b. unlikely to be well enough to return to school before completing his/her compulsory school-age.

144. These deletions are not mandatory and schools should try to work with the local authority and other agencies to support the pupil's education through, for example, alternative provision, dual registration at specialist schools and home tuition. However, schools should be aware of the special rules that apply to deleting dual registered children (see paragraph [98](#)) and the treatment of such provision in the attendance register.

145. As with other deletions from the register where the child's destination school is not known the pupil information must be transferred to the Lost Pupil Database via the [s2s website](#) as a safeguard against the child missing his/her education. The local authority then has responsibility for monitoring and ensuring that the child is receiving a suitable education.

### **In Custody**

146. Children who are detained purely for medical reasons, e.g. under mental health legislation, should not be treated or regarded as children who are in custody. They must be treated in the same way as other children who are unable to attend school for medical reasons.

147. Schools cannot delete pupils who are in custody awaiting their trial, i.e. "on remand" or are given sentences which exclude a custodial element. They can delete pupils who are serving a sentence of 4 months or longer which includes a custodial element if they are satisfied that the pupil will not return when released.

148. Whilst the decision to delete a pupil must be in line with the school's policy, each pupil should be treated on a case-by-case basis. It is good practice for a school to consult its local authority, the local youth offending team and other agencies before making the decision to delete a pupil in these circumstances from the roll. For example, it is not good practice to delete a pupil who has an imminent release date. The relevant youth offending team can provide this information; therefore it is good practice to have effective links in place between schools and the local youth offending team. However, the decision to delete rests solely with the school.

149. Youth Offending Teams and other agencies must remember that schools will be unwilling to keep a place for pupils who are unlikely to return, for example those who will complete their compulsory school-age before being released. Schools will be under particular pressure to release places for new pupils if they have a waiting list. They and local authority children's services should have strategies in place to support the continuing education, support and reintegration of all pupils returning from custody.

150. In some situations, pupils, schools, youth offending teams and the other

agencies involved may agree that the pupil would benefit from a change of school - often referred to as a “fresh start”. Where this is agreed, the deletion should only take place under the procedures for a “[transfer between schools](#)” and the pupil should not be deleted until a new school or alternative provision is established.

151. The prohibitions on deleting children who are in custody because they are awaiting trial or are serving a sentence of less than 3 months does not prevent schools from excluding pupils. However, any exclusion must be in accordance with current legislation and [statutory guidance](#).

152. If a pupil is deleted from the school roll because they have a custodial sentence of more than 4 months, the school should pass the pupil’s information to their local authority which should pass it to the pupil’s home local authority, including electronic transfer of information to the Lost Pupil Database via the [s2s website](#) as a safeguard against the pupil missing his/her education. The local authority then has long-term responsibility for the pupil’s education until a new school-place is found. In the meantime, it should work with the place of custody, youth offending teams and other agencies to ensure that a new school or other educational provision is in place before the pupil’s release from custody.

153. Regardless of whether the pupil is deleted or not, the school, the place of custody, the youth offending team and other appropriate agencies should [work together](#) and share information in order to maintain the continuity of the pupil’s education. The transition from custody to community presents many challenges to the young person involved, therefore it is vital that the school which the pupil joins/re-joins upon leaving custody, and the other agencies, should also have strategies to ensure the pupil’s effective [reintegration](#) to school-life and the community. These strategies will ultimately play a significant part in local efforts to keep communities safe.

154. Further information on dealing with young offenders and how schools and education can more generally play a part in this area is available from the Youth Justice Board website at [www.yjb.gov.uk/en-gb](http://www.yjb.gov.uk/en-gb)

## **Long Term Absence**

155. Unless one of the other circumstances in the regulations applies, schools cannot delete pupils if their absence is authorised. They can delete pupils who have at least 20 continuous school-days of unauthorised absence but it is not mandatory. Both the school and the local authority must try to [trace the pupil](#) before the deletion is made. It is good practice to for schools and local authorities to begin their enquiries after 10 days absence unless there are concerns about the pupil’s well-being in which case the enquiries should start earlier. The pupil must remain on the school-roll until all reasonable enquiries are completed even if this means that pupil will amass more than 20 days absence.

156. Periods when the school is closed, e.g. holidays and INSET days, do not count towards the 20 days of unauthorised absence.

157. The outcome of both the school’s and the authority’s attempts to trace the pupil will dictate their next steps. If they are unable to find the pupil they must refer the cases

to the [appropriate agencies](#). The school should delete the pupil from the school registers and, if it does so, it must transfer the pupil's information to the Lost Pupil Database via the [s2s website](#) as a safeguard against the child [missing](#) his/her education.

158. If either body's enquiries locate the pupil, they should both act according to the pupil's circumstances at the time. This could mean, for example, accessing specialist services, [dealing with a transfer between schools](#), keeping the pupil on the roll and treating the case as one of [persistent truancy](#), and [multi-agency working](#). Deletion should only be made if it is in the pupil's interests.

159. Schools should note that they are required to advise their local authority of any pupil who has 10 days or more continuous absence in order that it can invoke its procedures for dealing with children missing from education.

### **Home educated child**

160. Under section 7 of the Education Act 1996, which can be viewed at [www.opsi.gov.uk/legislation](http://www.opsi.gov.uk/legislation), parents have the right to educate their children outside the school system. Where this happens, the child should not appear on either the admissions register or the attendance register of any school (see also paragraph [114](#)). However, the local authority where the child lives has a responsibility for providing the appropriate help and support to parents in their efforts to educate their child. They are not expected to provide financial support to home educators but must ensure that the child is receiving a suitable, efficient full-time education. Authorities are also responsible for the child's [welfare](#) (see paragraph [222](#)).

161. Schools must not seek to persuade parents to educate their children at home as a way of avoiding the school excluding the pupil or because the child has a poor attendance record. In the case of exclusion, they must follow the [statutory guidance](#). If the pupil has a [poor attendance record, the school and local authority must address the issues behind the absenteeism](#) and use the other remedies available to them.

162. Where a pupil's parents express an interest in, or desire to, home education, it is good practice to encourage them to find out all they can before taking the final decision and signpost them to this information, for example a number of organisations provide information on the internet. Schools should also advise parents that they must notify the school in writing if they decide to withdraw their children and educate them at home.

163. School and local authorities should not seek to prevent parents from educating their children outside the school system. There is no requirement for parents to obtain schools and local authorities agreement to educate their children at home. Further information on local authorities' role in home education is available on teachernet.

164. On receipt of such written notification, schools must inform the pupil's local authority before deleting the pupil in order to allow the authority to put the appropriate systems in place. Schools should pass the information to their local authority when they receive verbal notification rather than wait for the written confirmation. Further information on this process is in the section on Providing Information.

165. When the pupil is deleted from the register, the school should [transfer the pupil's information to the local authority](#) in order to avoid the pupil being recorded as "[missing from education](#)".

### **School Attendance Order**

166. If the pupil is the subject of a **School Attendance Order** the school named in the Order can only delete the pupil from the roll if the name of the school on the Order is changed or the Order is revoked.

### **Children with Special Needs**

167. If a local authority has made arrangements for a pupil to be registered at a special school the pupil cannot be deleted from the register without the local authority's permission unless the pupil:

- a. has died; or
- b. been excluded.

### **Dual registered Pupils**

168. Pupils register at more than one school (often referred to as dual registration) for a variety of reasons. How deletions of these pupils are handled varies according to the individual circumstances but the basic principle in the regulations is that no pupil should be left without at least one school-place at the end of the process. Where appropriate, and subject to the regulatory restrictions described below, schools can delete a dual registered pupil but it is not mandatory.

169. It is good practice to confer with other schools and educational establishments which the pupil attends to:

- a. share attendance information;
- b. establish which is the base or main school; and
- c. avoid inadvertently deleting the pupil from all of the schools' rolls.

### **Travellers' Children**

170. Travellers' children cannot be deleted from the roll of the school which they normally attend when their parents are not travelling. This school is referred to as the "school of ordinary attendance" or, more commonly, as the "base school" and the pupil must have attended it in the last 18 months. If two schools meet the definition of the base school, the most recent school to do so is regarded as the "school of ordinary attendance".

171. Travellers' children can be deleted from the roll of other schools if they are not currently attending that school. They cannot be deleted if they are simply absent, for example, due to illness. Any such deletion must be in accordance with the regulations

on deleting pupils (see paragraph 119) from the school roll.

172. Travellers' children who are only registered at one school can be deleted in the same way as other such pupils. For example, the pupils cannot be deleted if the school has authorised the leave of absence for the purposes of travelling. But if they were on unauthorised absence for 4 weeks and both neither the school nor the local authority managed to locate them then they could be deleted.

#### Pupil Referral Units

173. Children who attend [pupil referral units](#) must be registered as pupils at the unit. It is possible for pupils to be solely registered at a pupil referral unit or dual registered at a pupil referral unit and another school.

174. If the two schools, the pupil and his/her family, and the local education authority agree, pupil can be deleted from the registers of one of the schools but not both.

#### Other Schools

175. Children can be registered at:

- a. a special school and a mainstream school;
- b. a hospital school and a mainstream school;
- c. a hospital school and a special school; or
- d. two special schools.

176. In these circumstances a pupil can only be deleted from one of the schools' rolls and only if both schools agree.

177. Schools cannot delete pupils from the registers of special schools without either the local authority's agreement or a directive to do so from the Secretary of State. Where such a deletion takes place, the school making the deletion should ensure that all of the pupil's information is transferred to the other school.

## **Providing information**

### **Data Returns**

178. Whilst it is not covered by the [Education \(Pupil Registration\)\(England\) Regulations 2006](#), schools must provide attendance data 3 times a year. Most schools use their management information systems (MIS) to send their data via the School Census system. Many find it helpful to be able to link their electronic registers to the MIS system as the electronic transfer removes the need to count and input data.

### **Self Assessments for School Inspections**

179. [Self assessments](#) are not covered by the Pupil Registration regulations but schools should be aware that they are required to make these assessments and that

they must contain a section on attendance. Further information on self assessments is available at the hyperlink highlighted above.

### **School Profile**

180. Schools are also required to produce a [school profile](#) which provides parents with attendance information.

### **Common Transfer File**

181. Schools are required to transfer pupils' educational records to their "new" school under the [Pupil Information](#) regulations ([as amended](#)).

### **Register Inspections**

182. Schools Inspectors may choose not to examine a school's registers but schools must allow them access to both electronic and manual registers. They cannot use the provisions of data protection legislation to prevent access. Further guidance of school inspections is available at [www.ofsted.gov.uk/publications](http://www.ofsted.gov.uk/publications) and [www.isi.net/](http://www.isi.net/)

183. Local authorities can also authorise their staff to inspect school registers and, as with inspectors, all schools in the authority's area must allow the authority's staff full access to the registers.

184. Inspections of the register are carried out for a variety of reasons including the need to ensure that a school has good systems which meet legislative and good practice requirements. Education Welfare Officers will routinely look at registers of maintained schools to help them identify patterns of absence and [concerns](#) about [pupils' attendance levels](#).

185. There is no limit to the size of an extract that a Schools' Inspector or local authority officer can take. However, they are bound by a duty of confidentiality and legislation not to share the information improperly or with inappropriate people. Some of the extracts will be used as evidence in a [prosecution](#).

186. A breach in the regulations is an offence but, as with a parent's failure to ensure their child's regular attendance at school, it should not automatically lead to prosecution. Those who discover the breach should consider the individual circumstances and use the most appropriate approach to address the problem. In many cases, the breach will be inadvertent or result from lack of training and knowledge of the regulations. In such cases, it may be more appropriate to ensure that the breach is corrected.

### **Informing Local Authorities of deletions**

187. The regulations require schools to notify local authorities of deletions in the following circumstances:

- a. the pupil has been permanently excluded;
  - b. the pupil is moving away from the area and is not known to have registered at another school;
  - c. the school medical officer has certified that the pupil has a medical condition and is unlikely to return;
  - d. the pupil is leaving a non-maintained school and is not known to have registered at another school; and
  - e. the school has received written notification that the pupil will be educated outside the school system.
- The local authority should pass the information on immediately if the pupil lives in another local authority's area.

188. The requirement to inform local authorities of deletions in these 5 circumstances before making the deletion is in addition to all other statutory requirements to share information, such as the [Education \(Pupil Information\) Regulations](#) (as amended) and statutory guidance on [exclusions](#) and [children with medical needs](#). Schools do not wait for the local authority to acknowledge the notice.

189. Schools should inform their local authority of these deletions immediately they become aware that they may be made; they should not, for example wait for the completion of an appeal against permanent exclusion or for written confirmation that the parents intend to home educate. It should be recognised that the authority may have other involvement with pupils and therefore be aware of the possible deletion such as providing the school medical officer service for maintained schools and handling appeals against exclusion from maintained schools. However, schools should consider whether the information has reached all of the relevant services in their authority.

190. Schools should consider informing the local authority of other deletions. For example, informing the local authority of the death of a pupil (and subsequent deletion) could prevent inadvertent and unnecessary contact with the family about the child. Local authorities should consider sharing with other agencies where they believe it is in the pupil's best interests. However, this must be balanced with the need to maintain confidentiality and privacy.

191. The majority of deletions from the roll are made on a "planned" basis. The school knows in advance that a pupil is leaving the school and the date on which he/she will leave. Informing the local authority of these deletions when they become known allows the local authority to make appropriate arrangements, where necessary, to support the pupil's future education and welfare. It also means that there is no delay between the pupil leaving the school and the formal deletion from the roll. For example, a school might be aware that a pupil is moving to a new area on a particular date and that the pupil has not registered at a new school. It can advise its local authority of the date that the pupil is leaving in the weeks before they leave and make the deletion the day after they leave. This allows the local authority to contact the authority for the area that the child is moving to and ensure that the pupil is moving there. In turn, the new authority can offer support to the parents in finding a new school.

192. There are a small number of deletions that are “unplanned” and a pupil is withdrawn from a school without warning. In this situation, the school should inform the local authority immediately that the parents have withdrawn the child and that the school will delete the child from the register on a given date in the future. They must not back-date the deletion.

193. If the school receives verbal notification that parents are withdrawing their children to home educate them the school should not wait for the written confirmation before informing its local authority. However, the deletion can only be made once the school has received the letter from the parents and its notification has had time to reach the local authority. Schools must neither wait until the local authority acknowledges the notice of the deletion nor seek its approval of the deletion.

194. Any delay in de-registration due to informing the local authority should be treated as authorised absence (if the pupil is absent). For example, if a pupil leaves a school on 31 January and a letter informing the local authority of the impending deletion from the roll is sent the same day, the school should not delete the child from the roll until 2 February (thereby allowing two days for the letter to arrive). It should treat the absence on 1 February as [authorised absence](#) (unless the school is closed). Schools must not unreasonably delay sending the information to the local authority and should only allow the minimum time necessary for the notice to arrive.

195. If however a school is advised on the 26 January that a pupil is leaving on the 31 January it should inform the local authority immediately of the impending deletion. It should continue to mark the pupil’s attendance in the normal way until the 31 January then delete the pupil on 1 February.

196. In some cases, the parents’ decision is made in the heat of the moment and is regretted later. The short delay in deletion, which can only happen if one of the circumstances set out in the regulations applies, will provide time for the parents to reflect on their decision and, if they wish, change their mind before their child loses his/her school place.

197. Schools should copy the letter informing the local authority of the impending deletion to the pupil’s parents both as a courtesy and to ensure that they know that the deletion will take place and when it will happen. Schools should not wait for an acknowledgement from the parents before making the deletion.

### **Informing the local authority of absence**

198. The regulations require schools, including those outside the maintained sector, to inform their local authority of every pupil who has been continuously absent without a good reason (i.e. the absence is unauthorised) for 10 school days or more. They must also inform the authority of every pupil who fails to attend regularly which is interpreted to mean those pupils who have patterns of unauthorised absence without amassing 10 days continuous absence.

199. It is good practice for schools to inform their local authority of patterns of absence where they have concerns or feel it is appropriate regardless of whether the absence is authorised or unauthorised. Regular patterns or long periods of absence

can identify that a child has other needs which would benefit from the authority's intervention. For example, schools and local authorities have a duty to provide education for children with medical needs.

200. It is also good practice for schools to establish agreements and working practices for dealing with attendance issues and escalating interventions (both within the school and to other agencies) whenever they identify concerns about declining or poor attendance. Schools have the prime duty to identify and tackle absence and it is recognised that their early intervention can prevent a pupil's absence escalating. Nevertheless, some cases require the additional intervention of the local authority and/or other agencies and schools should aim to access these services at the appropriate time.

## Electronic and manual registers

201. Many schools, particularly larger schools and those in the secondary sector, use electronic registers. It is not mandatory to use electronic registers but, if used well, it is widely recognised as good practice to do so.

202. Whether they use manual or electronic registers schools must use the [national absence codes](#) which were published in February 2005. This facilitates the process of providing attendance statistics, particularly through the [School Census system](#). It also helps them and local authorities to benchmark themselves against each other and identify schools that might have good practice for them to consider adopting. As a result, schools must not adopt their own codes or change the meaning of the existing codes.

## Amending the registers

203. The mandatory attendance register is a record of pupils' attendance and absence at the time that it was taken. Unlike lesson monitoring, it is not a record of pupils' attendance at individual lessons, post-registration truancy or internal truancy. If a pupil leaves the premises for any reason, e.g. for a dental appointment and as a result of post-registration truancy, the register must not be altered.

204. There are only three occasions when an entry in the attendance register can be altered:

- a. if staff discover that an error has been made, for example a typing error resulted in a pupil being recorded as unauthorised absence (code O) when they were absent due to illness (code I);
- b. where a pupil's absence was unexplained (and therefore recorded as unauthorised absence) but has since been explained; and
- c. where a pupil's name has changed, for example as a result of adoption.

205. There are only two occasions when an entry in the admissions register can be changed:

- a. to correct an error; and
- b. where the details have changed, e.g. change of name, address, phone number, etc.

206. Whenever a change is made to either register both the original entry and the amendment must be clearly distinguishable. For inspection purposes, manual and electronic registers must also show the reason for the change, when it was made and who made it. Wherever electronic software is unable to record and display all this information schools (on either the screen or the print out) must make printed a copy of the register and annotate it.

207. Entries in manual registers must be made in ink and entries in electronic registers must have the same degree of permanence. Some schools use blue or black ink to record attendance and red ink to record absence and can continue to do so if they wish. However, this may make storage difficulties if they choose to scan old registers into computer files or onto micro-fiches as red and blue ink may not scan well.

### **Storing the registers**

208. Schools must have systems in place to ensure that both the admissions and the attendance registers are secure in order to prevent unauthorised or improper access to the information. These systems must also ensure that the integrity of the data is protected. It is good practice to back-up all electronic systems on a daily basis in order to ensure that staff can quickly recover from systems failures but schools must back-up electronic registers at least once a month. These back-ups must be stored securely and open to inspection for three years.

209. The back-up copies of the register can be in manual or electronic format. If they wish, schools can use “electronic” systems to store and preserve registers such as micro-fiche and scanning registers onto computer file.

210. At the end of each school-year, schools must create “historical” copies of the admissions and attendance registers which must show all of the information that was recorded in them that year. These copies must be stored for at least 3 years but schools can keep copies longer if they prefer.

211. Schools may also wish to keep printed copies of the most recent version of the registers for use in emergencies such as building evacuations. Some schools have agreements for their local authority to store additional back-ups of the current registers and/or “historical” copies of the registers in order to prevent losing them as a result of a fire or other catastrophic event.

212. Some schools and local authorities have experience difficulties in accessing archived information, particularly when changing electronic software. The decision on which electronic systems to use rests with schools and local authorities but they should consider this issue when making decisions about the systems they use.

## Related Primary Legislation

213. All recent Acts of Parliament and Regulations can be viewed at [www.opsi.gov.uk/legislation](http://www.opsi.gov.uk/legislation). It should be noted that some legislation, such as Section 8 of the Education Act 1996 (see paragraph 215) has been amended by subsequent legislation. Care should therefore be taken when accessing information on this site. Local authority lawyers can help their colleagues and maintained schools with this.

### Education Act 1996

214. [Section 4](#) of the [Education Act 1996](#) defines a school as an “educational institution which is outside the further education sector and the higher education sector” and provides any one or more of the following :

- a. primary education;
- b. secondary education; or
- c. full-time education suitable to the requirements of young people who are over-compulsory school age but under the age of 19 years.

215. Compulsory school-age is defined by [Section 8](#) (as amended by Section 52 of the [Education Act 1997](#)) and The Education (School Leaving Date) Order ([Statutory Instrument 1970/1997](#)). It can be summarised as from the first day of term starting on or after the child’s 5<sup>th</sup> birthday and ending on the last Friday in June of the school year in which the child has his/her 16<sup>th</sup> birthday.

216. The regulations are made under [Section 434](#) of the Act which requires every school to keep registers of all their pupils. Under this law, which does not affect the data collection or [school funding](#) procedures, there is no such thing as a “guest pupil” and such pupils must be entered in the attendance and the admissions register. If pupils are educated at more than one school they must be on the admissions and attendance register of each school. The only exception is children who are visiting the school on a “one-off” basis such as one-day seminars and visits before transferring to the school.

217. Subsection 1 also requires the schools to follow the regulations governing registers and subsection 6 states that it is a criminal offence to break the regulations and anyone found guilty of doing so can be fined up to £200. Any prosecution will be brought by the local authority which will use its discretion to decide whether it is appropriate to do so.

218. [Section 551](#) gives the Secretary of State the power to regulate maintained school’s and special schools’ authority to grant leave of absence.

219. [Section 576](#) defines a parent as any person who has care of a child or has parental responsibility for a child, regardless of whether the two are related. In this context, the definition includes individuals, foster parents and corporate parents.

220. [Section 579](#) defines the proprietor of a school as the people who are responsible for its management. For maintained schools, this means the governing body.

### **Data Protection Act 1988**

221. The [Data Protection Act 1998](#) requires every school to register with the [Information Commissioner](#). It does not prevent schools from providing information from either the admissions or the attendance register. Indeed, paragraph 7(1) of [Schedule 3](#) of the Act specifically makes it possible for an authorised person to have the information because it is necessary for the exercise of their responsibilities under [Section 434\(3\)](#) of the Education Act 1996

### **Children Act 2004**

222. The [Children Act 2004](#) requires local authorities to make arrangements to improve the:

- a. physical and mental health and emotional well-being;
  - b. protection from harm and neglect;
  - c. education, training and recreation;
  - d. contribution made to society; and
  - e. social and economic well-being;
- of all children in their area.

## Other Sources of Information

- [www.statutelaw.gov.uk](http://www.statutelaw.gov.uk)
- [www.opsi.gov.uk/legislation](http://www.opsi.gov.uk/legislation)
- [www.dcsf.gov.uk/schoolattendance](http://www.dcsf.gov.uk/schoolattendance)
- [www.dcsf.gov.uk/exclusions/alternative\\_provision\\_policies](http://www.dcsf.gov.uk/exclusions/alternative_provision_policies)
- [www.dfes.gov.uk/behaviourandattendance/](http://www.dfes.gov.uk/behaviourandattendance/)
- <http://www.dcsf.gov.uk/sickchildren/>
- [www.ofsted.gov.uk/portal/site/Internet/menuitem.455968b0530071c4828a0d8308c08a0c/?vgnnextoid=ea59699bd3c21110VgnVCM1000003507640aRCRD](http://www.ofsted.gov.uk/portal/site/Internet/menuitem.455968b0530071c4828a0d8308c08a0c/?vgnnextoid=ea59699bd3c21110VgnVCM1000003507640aRCRD)
- [www.safeguardingchildren.org.uk](http://www.safeguardingchildren.org.uk)
- [www.everychildmatters.gov.uk](http://www.everychildmatters.gov.uk)
- [www.teachernet.gov.uk](http://www.teachernet.gov.uk)
- [www.governornet.gov.uk](http://www.governornet.gov.uk)
- [www.standards.dcsf.gov.uk](http://www.standards.dcsf.gov.uk)
- [www.uksport.gov.uk](http://www.uksport.gov.uk)
- <http://www.yjb.gov.uk/en-gb/>