

WG Inclusion and Pupil Support Guidance 2016

Unauthorised absence

5.4.5 By law, only a school can approve absence.

5.4.6 Unauthorised absence is absence without approval from an authorised representative of the school. This includes all unexplained absences. The decision taken by the school to give or withhold authorisation for an absence is a critical factor in determining the local authority's decision to prosecute parents/carers as prosecution is only possible for unauthorised absences.

5.4.7 It is important that schools exercise caution in the authorisation of absence. If they are suspicious of the explanation given by parents/carers, the absence should be further investigated and left unauthorised until the matter has been clarified to the satisfaction of the school. If the school has authorised a pupil's absence they have, in effect, given leave, therefore there is no case in law for the parents/carers to answer.

Parentally condoned unauthorised absence

5.4.9 Only the school can approve absence, not parents/carers. School staff need not accept a parental explanation for a child's absence, whether written, telephoned or given in person, if they doubt the explanation. And it is for schools to judge whether the explanation given is satisfactory justification for the absence.

5.4.10 Any further investigation should be handled sensitively but if, after this, questions remain, or no satisfactory explanation is forthcoming, the absence must be treated as unauthorised. Where parentally condoned unauthorised absence appears to be a problem with a particular pupil, schools should involve the EWS at an early stage.

5.4.11 Excessive amounts of authorised absence can also seriously disrupt continuity of learning and encourage disaffection. School staff should therefore look out for emerging patterns of authorised absence for individual pupils or groups of pupils.

5.4.13 There is no legal requirement for parents'/carers' notes to be retained by a school but if a pupil attends irregularly and there is a possibility of legal action, it would be sensible to keep the notes for up to three years.