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Dear Headteacher

Attendance Penalty Notice Code of Conduct – Temporary Appendix – 1 May 2020

This appendix has been produced as a response to the Secretary of State notification to Directors of Children's Services setting out the department's expectation that no parent is penalised for their child's non-attendance due to COVID-19. In that letter, local authorities have been asked to:

- Suspend any penalty notice (PN) action or prosecutions for **COVID-19 related absence with immediate effect.**
- Update their Code of Conduct for issuing penalty notices to make this clear.
- New cases should not be taken forward and any cases from 16th March should be withdrawn. This approach should also be applied to prosecutions for non-attendance.

Based on the advice received

- Derbyshire PNs issued prior to Friday 13th March 2020 will be actioned as normal, if not paid.
- Court files will be processed, and legal services consulted to decide whether or not it is in the public interest to proceed.
- **As from Monday 16th March 2020** no Derbyshire PNs, Warning Notices/other will be issued.

For further information please see DFE advice received by local authorities including links below:

- Schools and parents should refer to the latest information and advice from the Department of Health and Social Care and Public Health England to get the most up to date guidance from Government. <https://www.gov.uk/guidance/wuhan-novel-coronavirus-information-for-the-public>
- The Government has published guidance for schools and other educational settings in providing advice for pupils, students, staff and parents about the novel coronavirus, COVID-19. The following link will take you to that advice: <https://www.gov.uk/government/publications/guidance-to-educational-settings-about-covid-19>

- Where a pupil cannot attend school due to illness, as normally would happen, the pupil should be recorded as absent in the attendance register and the school will authorise the absence. Code I (Illness) should be used in this instance.
- Where a pupil is in self-isolation, in accordance with latest information and advice from Department of Health and Social Care and Public Health England, the pupil should be recorded as unable to attend due to exceptional circumstances in the attendance register. Code Y (Unable to attend due to exceptional circumstances) should be used in this instance.
- On 22 March 2020 the DfE issued advice to schools to set out that: From Monday 23rd March, until schools reopen for education to all pupils, educational settings will need to temporarily change their attendance recording practices. To minimise the burden on settings and ensure that only the most important information is submitted, settings must stop taking normal attendance registers. For administrative purposes, code # (planned whole or partial closure) should be used in the normal register.

Note: Above may be subject to change.

Yours sincerely

Iain Peel

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Children's Services