

10th March 2015

Dear Councillor

CABINET

You are requested to attend a **Special Cabinet** meeting to be held at **The Council Chamber, County Hall, Rhadyr, Usk, NP15 1GA on Wednesday, 18th March 2015, at 2.00 p.m.**

AGENDA

1. Apologies for Absence
2. Declarations of Interest
3. Consideration of reports from Select Committees (none).
4. To consider the following reports (copies attached):

(i) BROADBAND IN MONMOUTHSHIRE

Division/Wards Affected: All

Purpose: 1. To present a review of a report commissioned in 2014 (produced by Disconnected Wales and the Community Broadband Network) to inform MCC of the likely and continued digital deprivation following the implementation of Next Generation Broadband Access or *Superfast Cymru* in Monmouthshire. 2. To raise awareness of ICT exploitation opportunities associated with [Superfast Cymru](#), the Superconnected Cities programme and other alternative connection technologies such as wireless and satellite deployed in the county and 3. To recognise the need for additional resources to enable Monmouthshire Business and Enterprise to capitalise on Monmouthshire's existing and emerging Broadband infrastructure assets, to ensure opportunities and experience are maximised and gaps in provision, skills and impact are addressed.

Author: Peter Davies – Head of Commercial and People Development

Contact Details: peterdavies@monmouthshire.gov.uk

- (ii) **SCHOOL ADMISSION POLICY ACADENIC YEAR 2016/17. CONSULTATION ON ADMISSION ARRANGEMENTS AND CHANGES TO ADMISSIONS POLICY INCLUDING SCHOOL CATCHMENT AREAS**
Division/Wards Affected: Countywide
Purpose: Monmouthshire has recently undertaken a review of its School Admissions policy and entered into a consultation on the proposed changes. The review proposes changes for implementation for admissions from September 2016.
Author: Matthew Jones – Acting Access Unit Manager
Contact Details: matthewdjones@monmouthshire.gov.uk
- (iii) **SEWC STRATEGIC ATTENDANCE POLICY, LOCAL ATTENDANCE POLICY AND WG GUIDANCE ON FIXED PENALTY NOTICES, AND LOCAL CODE OF CONDUCT**
Division/Wards Affected: Countywide
Purpose: To advise cabinet and members of Strategic Developments in relation to attendance.
Authors: Richard Austin
Contact Details: richardaustin@monmouthshire.gov.uk
- (iv) **WELSH CHURCH FUND**
Division/Wards Affected: All
Purpose: The purpose of this report is to make recommendations to Cabinet on the Schedule of Applications for 2014/15 meetings 5 and 6 held on the 22nd January and the 26th February 2015.
Author: Dave Jarrett – Central Finance Management Accountant
Contact Details: davejarrett@monmouthshire.gov.uk
- (v) **2014/15 EDUCATION AND WELSH CHURCH TRUST FUNDS INVESTMENT AND FUND STRATEGIES**
Division/Wards Affected: All Authority
Purpose: The purpose of this report is to present to Cabinet for approval the 2015/16 Investment and Fund strategy for Trust Funds for which the Authority acts as sole or custodian trustee for adoption and to approve the 2015/16 grant allocation to Local Authority beneficiaries of the Welsh Church Fund.
Author: Joy Robson – Head of Finance
Contact Details: joyrobson@monmouthshire.gov.uk
- (vi) **SEVERN SIDE 3G PITCH CALDICOT**
Division/Wards Affected: All wards in the Lower Wye and Severnside Areas
Purpose: 1. To advise Cabinet of an overspend on the project for the new 3G pitch at the Caldicot School/Leisure Centre site; 2. To recommend to elected members the use of balances accrued from another Section 106 Agreement in the area to offset the overspend so that this does not impact on other projects in the Capital Programme.
Author: Mike Moran – Community Infrastructure Coordinator
Contact Details: mikemoran@monmouthshire.gov.uk

(vii) **RESTRUCTURE OF DISABILITY SERVICES TEAM – BUDGET MANDATE IMPLEMENTATION**

Division/Wards Affected: All

Purpose: To seek approval for the implementation of the proposal set out in Mandate 10 to restructure the disability services staffing establishment to deliver agreed budget savings.

Authors: Ceri York – Group Manager Service Delivery and Commissioning

Contact Details: ceriyork@monmouthshire.gov.uk

Yours sincerely,

Paul Matthews
Chief Executive

CABINET PORTFOLIOS 2014

County Councillor	Area of Responsibility	Partnership and External Working	Ward
P.A. Fox (Leader)	Organisational Development Whole Council Performance, Whole Council Strategy Development, Corporate Services, Democracy.	WLGA Council WLGA Coordinating Board Local Service Board	Portskewett
R.J.W. Greenland (Deputy Leader)	Innovation, Enterprise & Leisure Innovation Agenda, Economic Development, Tourism, Social Enterprise, Leisure, Libraries & Culture, Information Technology, Information Systems.	WLGA Council Capital Region Tourism	Devauden
P.A.D. Hobson (Deputy Leader)	Community Development Community Planning/Total Place, Equalities, Area Working, Citizen Engagement, Public Relations, Sustainability, Parks & Open Spaces, Community Safety.	Community Safety Partnership Equalities and Diversity Group	Larkfield
E.J. Hackett Pain	Schools and Learning School Improvement, Pre-School Learning, Additional Learning Needs, Children's Disabilities, Families First, Youth Service, Adult Education.	Joint Education Group (EAS) WJEC	Wyesham
G. Howard	Environment, Public Services & Housing Development Control, Building Control, Housing Service, Trading Standards, Public Protection, Environment & Countryside.	SEWTA SEWSPG	Llanelly Hill
G. Burrows	Social Care & Health Adult Social Services including Integrated services, Learning disabilities, Mental Health. Children's Services including Safeguarding, Looked after Children, Youth Offending, Health and Wellbeing.	Gwent Frailty Board Older Persons Strategy Partnership Group	Mitchel Troy
P. Murphy	Resources Accountancy, Internal Audit, Estates & Property Services, Procurement, Human Resources & Training, Health & Safety.	Prosiect Gwrydd Wales Purchasing Consortium	Caerwent
S.B. Jones	County Operations Highways, Transport, Traffic & Network Management, Waste & Recycling, Engineering, Landscapes, Flood Risk.	SEWTA Prosiect Gwrydd	Goytre Fawr

Sustainable and Resilient Communities

Outcomes we are working towards

Nobody Is Left Behind

- Older people are able to live their good life
- People have access to appropriate and affordable housing
- People have good access and mobility

People Are Confident, Capable and Involved

- People's lives are not affected by alcohol and drug misuse
- Families are supported
- People feel safe

Our County Thrives

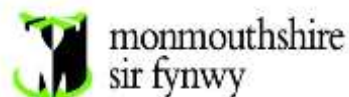
- Business and enterprise
- People have access to practical and flexible learning
- People protect and enhance the environment

Our priorities

- Schools
- Protection of vulnerable people
- Supporting Business and Job Creation

Our Values

- **Openness:** we aspire to be open and honest to develop trusting relationships.
- **Fairness:** we aspire to provide fair choice, opportunities and experiences and become an organisation built on mutual respect.
- **Flexibility:** we aspire to be flexible in our thinking and action to become an effective and efficient organisation.
- **Teamwork:** we aspire to work together to share our successes and failures by building on our strengths and supporting one another to achieve our goals.



SUBJECT:	BROADBAND IN MONMOUTHSHIRE: Superfast Broadband in Monmouthshire and Associated Opportunities for Delivery of External iCounty Activities
MEETING:	SPECIAL CABINET
DATE:	18th March 2015
DIVISION/WARDS AFFECTED:	All

1. PURPOSE:

- 1.1 To present a review of a report commissioned in 2014 (produced by Disconnected Wales and the Community Broadband Network) to inform MCC of the likely and continued digital deprivation following the implementation of Next Generation Broadband Access or *Superfast Cymru* in Monmouthshire.
- 1.2 To raise awareness of ICT exploitation opportunities associated with [Superfast Cymru](#), the Superconnected Cities programme and other alternative connection technologies such as wireless and satellite deployed in the county.
- 1.3 To recognise the need for additional resources to enable Monmouthshire Business and Enterprise to capitalise on Monmouthshire's existing and emerging Broadband infrastructure assets, to ensure opportunities and experience are maximised and gaps in provision, skills and impact are addressed.

2. RECOMMENDATIONS:

- 2.1 To consider the findings from the report and opportunities associated with *Superfast Cymru* and associated programmes.
- 2.2 For Cabinet to endorse this report to secure funding of £73,200 from the ICT transformation reserve to allow additional resources to be secured to ensure that the potential of *Superfast Cymru* and associated programmes are maximised for the benefit of Monmouthshire businesses and residents.

3. KEY ISSUES:

- 3.1 The Authority's iCounty strategy, as its digital policy centre-piece, is a key means of ensuring that technology contributes to the countywide vision for building sustainable and resilient communities. The strategy recognises the relevance of technology and connectivity for all, in that it enables inclusive and connected community and supports a strong and growing economy. Making broadband and mobile phone provision available for all is a key aspiration of the strategy.
- 3.2 In 2011 Welsh Government appointed BT to develop a nationwide Superfast broadband infrastructure in Wales to promote economic growth and sustainable jobs in Wales making Wales a more attractive destination for inward investment and more competitive with other parts of the UK and the world.
- 3.3 The purpose of the *Superfast Cymru* programme is to boost BT's commercial roll-out to deploy high speed fibre broadband to 96% of homes and businesses in Wales by June 2016 through the provision of significant public subsidies. The overall aim of the programme is for all businesses in Wales to have access to a minimum of 30Mbps by 2016 and all residential premises by the end of 2020. There has been a lack of clarity surrounding the deployment of the programme, prompting fears that given the rural landscape of Monmouthshire that hard to reach areas in the county are set to be further digitally deprived in the future hence. It was these fears that lead to the commissioning of the Monmouthshire Broadband report. Since the report a [timetable](#) has been released by BT detailing the exchange upgrades. The latest timetable for Monmouthshire exchanges is shown in appendix 1. Further clarification was received following a presentation given to MCC Officers by BT in January 2015 where BT confirmed that to date 25,500 premises have been enabled with a further 15,500 planned (see Appendix 2). BT also requested that Members be made aware of the need for short term traffic disruption across the County in the form of rolling traffic lights, in order to progress the associated civil works.
- 3.4 Prior to the commencement of *Superfast Cymru* in 2012 broadband speeds across the county were diverse with the major towns enjoying reasonable speeds but the remainder of the county struggling with poor speeds of less than 2Mbps. Since 2012, broadband speeds across the county have not really seen any significant improvement except in those areas benefiting from the 'Connecting Monmouthshire' initiative as detailed in point 4.5 below. For example in 2012, Chepstow was labelled as 'enabled' yet at the time only 8.5% of premises had access to Fibre to the Cabinet. 'Enabled' does not automatically lead to an upgrade for all customers supported by that exchange as customers need to pay for the Superfast premium service. This therefore uncovers issues of affordability and further opens the digital divide in the county. In addition, it is important to note that even though new BT Cabinets may have been deployed some many not necessarily be 'commissioned' for a number of weeks following the installation.

- 3.5 In 2011, the UK Government established an Urban Broadband Fund (UBF) to create 22 Super Connected Cities across the UK including Newport and Cardiff. Since the Autumn of 2014, following negotiations with Newport CC, many Monmouthshire SMEs within a specified radius of Newport now have the opportunity to apply for Broadband Connection Vouchers which serve as grants of up to £3000 to upgrade businesses to faster, better broadband. The vouchers cover the capital and equipment costs of upgrading business broadband connection. This [voucher scheme](#) is considered crucial to the development of the digital maturity and competitiveness of micro to medium size enterprises providing an opportunity to stimulate and access new markets at a faster pace than they would have done otherwise, helping secure a stronger economy and make the UK competitive in the global market. In January 2015 after further negotiation with the UK Government all of the county's SMEs were confirmed as being potentially eligible to apply for the voucher scheme. A successful partnership bid with Newport CC now enables Monmouthshire businesses to continue to have access to the programme until March 2016, which includes a further extension to include free Wi-Fi provision on public transport i.e. buses. In addition, a local company Spectrum is able to use the broadband structure it is installing under the scheme to enable free Wi-Fi in Caldicot and this could potentially be extended to other towns. Support for this programme is therefore key to the fulfilment of Monmouthshire County Council's iCounty and Digital Roadmap and Business Growth and Enterprise strategies.
- 3.6 Recently officers have been informed of the availability of an additional funding stream from the Department of Culture Media and Sport that is being used to pilot innovative broadband infrastructure activities in hard to reach areas. We are aware that a company, AB Internet, who have already digitally enabled communities in Penallt, Llandenny, Llangwm and Grosmont, have won the contract and are likely to be progressing further broadband installation works in Monmouthshire as a result. The exact detail of the activities is yet to be determined however we are informed that installation work is expected to start early in the Spring and the company have requested officer support in terms of planning the deployment and also in investigating the potential to site masts on the Council's estate. Further information will be provided once it is available.

4. REASONS

- 4.1 Monmouthshire residents have high demand for broadband services as reflected in Ofcom figures indicating a 74% adoption rate in comparison to 72% in neighbouring Torfaen and Newport and Powys at 66%. There is also a need to ensure that Monmouthshire children have full access to a quality internet connection to ensure successful home learning. Other drivers include the council needs to prepare for increased digital public service delivery, the implementation of the Online Universal Credit system and the provision of digital health care.
- 4.2 Independent information made available from the Broadband report commissioned highlights that if all BT cabinets in Monmouthshire are upgraded under *Superfast Cymru* indicated that there was a risk that only 78% of Monmouthshire's premises would be predicted to

receive a superfast broadband service with a further 4% likely to receive at least 10Mbps. However these figures are based on the premise that a certain VDSL technology will be used whereby the signal degrades the further the telephone wire is from the telephone cabinet.

- 4.3 However BT is intending to deploy new technology solutions and fibre to the premise (FTTP) in order to ensure that its contract conditions are met and that across 96% of premises in Wales have access to superfast broadband. Unfortunately until the deployment programme is complete in 2016 the actual percentage for Monmouthshire will remain unknown. However, a number of liaison meetings have taken place with WG which has provided additional comfort that BT will meet the terms of the Superfast Cymru contract. BT has also requested support from MCC not only in terms of negotiating civil and planning notifications but also in their promotional activities, all of which require MCC resource, MCC Officers are also offering this service to other suppliers to ensure vendor neutrality.
- 4.4 The Authority has also been successful to date using alternative technologies. MCC's 'Connecting Monmouthshire' initiative funded via the Rural Development Programme (RDP) and an [EU acclaimed best practice example](#) has been successful in enabling over 2000 premises with up to 50Mbps; border areas have benefited from Herefordshire and Gloucestershire's 'Fasterhire' programme and remote areas have gained broadband access via a sustainable approach using renewables and masts resulting in reduced infrastructure costs due to the limited need for civil works.
- 4.5 However given the recent cessation of the RDP funds and continuing lack of clarity surrounding *Superfast Cymru* and the potential for a proportion of premises and businesses to miss out on the Superfast broadband step change, including local Industrial Enterprise Zones, this unknown percentage is proving a risk to future inward investment projects. There is therefore a clear need for intervention from either the Public or Private sector or both to address the gap between those Monmouthshire residents enjoying superfast broadband and those who could well be left digitally deprived following *Superfast Cymru* deployment. WG will be rolling out a Superfast Cymru [infill project](#) that looks to target the 'white areas' that remain once the Superfast Cymru project has been deployed.
- 4.6 In addition a significant skills issue exists in the County. Recent figures obtained from the 'Get Monmouthshire On Line' initiative indicate that 19% of Monmouthshire households don't have internet access and 20% (approximately 14,363) adults in Monmouthshire don't use the internet. Given the recent push by UK government with the rollout of Universal Credit, Universal Job Match and on-line payments to farmers there is clear evidence that a continuation of the 'Get Monmouthshire On Line' initiative post March 2015 is required. In addition there is potential to evolve the scheme to support volunteering and collaboration with the Barclays Bank Digital Eagles programme, active in Monmouthshire's towns.

- 4.7 The Authority's iCounty strategy maintains a focus on digitally enabled and smart communities. Beyond the need for universal access to broadband in the County, there is also a need for improved mobile coverage across the County. OFCOM research from July 2014 highlights that mobile services are now seen as essential or important for most consumers. Monmouthshire is currently benefitting from a £150m UK government funded project to provide mobile coverage in "not spot" areas (where there are no voice or text based services), working with all four mobile network providers in the UK. Four sites have been identified in Monmouthshire where installation of mobile phone masts are planned. The four identified sites are north east of Glyn, Grosmont, east of Skenfrith and north of Trellech. The Authority is also looking to progress wider discussions with WG and mobile network and telecommunications companies in order to understand what role it can play in accelerating improvement in the mobile infrastructure and coverage across the County.
- 4.8 Given the rurality of the county, Monmouthshire has a diverse range of needs translating to a wide range of solutions that are being employed such as wireless and satellite for broadband purposes (as exemplified in point 4.4). It is therefore recommended that the following activities are undertaken to maximise the opportunities available:
- a) Superconnected Cities:** Since its inception in September 2014 26 businesses in Caldicot, and Tintern have already signed up for broadband connection voucher scheme with an additional 25 Expressions of Interest having been received. It is possible that the next activity in voucher take-up will be Chepstow High Street. Five champions have come to the fore within the County, taking up the campaign in their respective neighbourhoods. Leaflet drops have taken place by MCC staff in industrial estates across the county raising awareness of the scheme as well as attending Chamber meetings in Chepstow, Monmouth, Abergavenny and Usk to gain more interest. The ambition is to exceed a total of 100 participating businesses however it is recognised that given the limited capacity of the Monmouthshire Business and Enterprise team of three, an additional resource will be required to enable coordination of activity to maximise impact, marketing and promotional activities, business network engagement activities, data management and forward planning.
- b) Data Mapping:** A key output of the Monmouthshire Business Growth and Enterprise Strategy is the establishment of baseline data to determine the current level of digitally enabled Monmouthshire businesses in order to chart progress in their digital maturity i.e. from *Novice Entrants* (basic company website, on line banking transactions through to *Digital Innovators* (active presence on social media, limited off line transactions, continual investment in modern digital infrastructure). Taking lessons learned from WG's evaluation of the Digital Gwynedd ICT exploitation pilot the establishment of this benchmark data is essential in measuring the success of any planned ICT exploitation activities undertaken in the county and achieving MCC's vision of *becoming one of the UK's most inspiring spaces for digital advancement*.

c) Digital Presence: In order to bring strength and coherence to this external strand of iCounty there is a need for a coordinated web presence which is accessible to both businesses and communities. The web portal will provide up to date information on the progress of the *Superfast Cymru* rollout, encourage sign up for superfast services, raise awareness of the benefits of improved broadband, inform businesses and individuals of how they can improve their skills and access support and alert citizens to the new public services that are available on line. The portal will be maintained by the Monmouthshire Business and Enterprise team as part of their digital offer to ensure it remains accurate and fresh. This presence would also support resident engagement with the 'Monmouthshire Made Open' platform.

d) ICT Exploitation: An extensive programme of ICT exploitation activities will be undertaken to encourage the take up of broadband services, so residents and businesses will have the necessary skills to take full advantage of the digital world and e-commerce opportunities that are available to them. Activities will include:

- Local promotion and maximisation of the WG ICT exploitation programme – "[Superfast Business Wales](#)".
- A funding application to the new RDP for an urban/rural skills programme that will take advantage of the existing Wi-Fi structure in Monmouth (as per recommendations included in the evaluation of MonmouthpediA) and the new connection for the school being installed in Shirenewton;
- Transition funding to continue the 'Get Monmouthshire On Line' programme which has successfully trained 350 individuals to date. However the current funding ends in March 2015 so there is a need to fund the gap while the new programme is being developed by Communities 2.0 to ensure momentum is not lost.

5. RESOURCE IMPLICATIONS:

5.1 Whilst possible external sources of funding are being explored to address many of the requirements above there is a clear need for additional resources if MCC's aspirations with regard to iCounty and the exploitation of ICT and broadband are to be met. Detailed in the table below is a list of the detailed recommendations outlined in section 4.7 above together with the corresponding resource required:

Recommendation	Resource Allocation required
Superconnected Cities exploitation and promotion programme	£43,200 (based on two days per week for twelve months)
Data mapping exercise	£5,000

Digital Presence	£5,000
Transition Funding for 'Get Monmouthshire On Line'	£20,000 (estimate based on 6-month gap funding)
Total resource allocation required	£73,200

5.2 It is requested that these one-off resources are funded from earmarked reserves, and specifically the ICT transformation reserve.

6. SUSTAINABILITY AND EQUALITY IMPACT ASSESSMENT

6.1 This report requires an agreement in principle with regard to the allocation of resources rather than a decision. As a result there are no sustainability or equality impacts to be assessed at this stage. The sustainability and equality impact assessment is available at appendix 3.

7. CONSULTEES:

Digital Board
 Senior Leadership Team
 Economy and Development Select Committee Members
 Cabinet Members

8. BACKGROUND PAPERS:

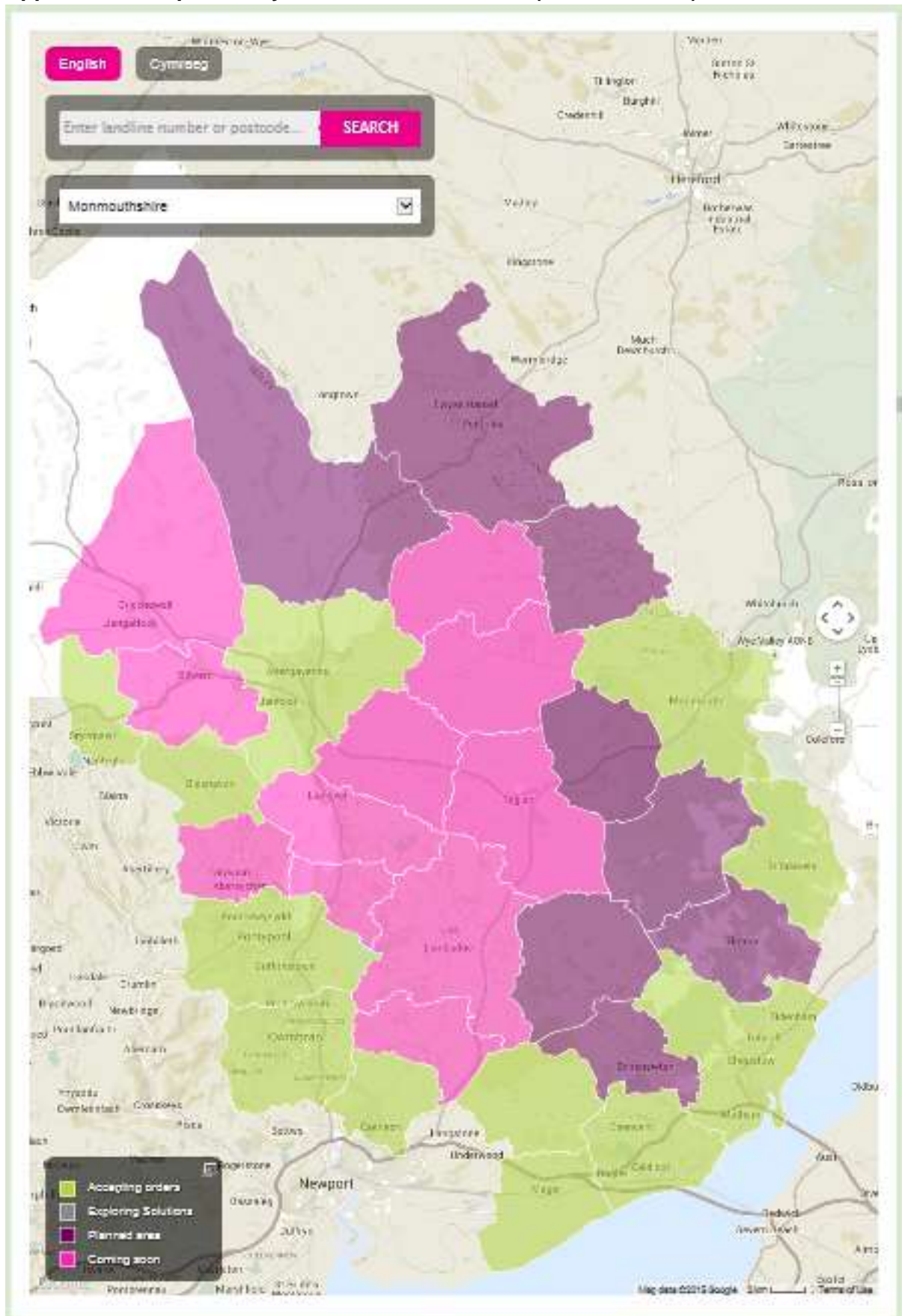
Appendix 1 – Superfast Cymru Deployment – Where and When
 Appendix 2 – Planned Monmouthshire Deployment
 Appendix 3 – Equality Impact Assessment and Sustainability Checklist
 Appendix 4 – Supplementary report

9. AUTHORS:

Peter Davies, Head of Commercial and People Development – peterdavies@monmouthshire.gov.uk (01633) 644294

Cath Fallon, Head of Economy and Enterprise – cathfallon@monmouthshire.gov.uk (01633) 748316

Appendix 1 – Superfast Cymru – Where and When (as at Feb 2015)

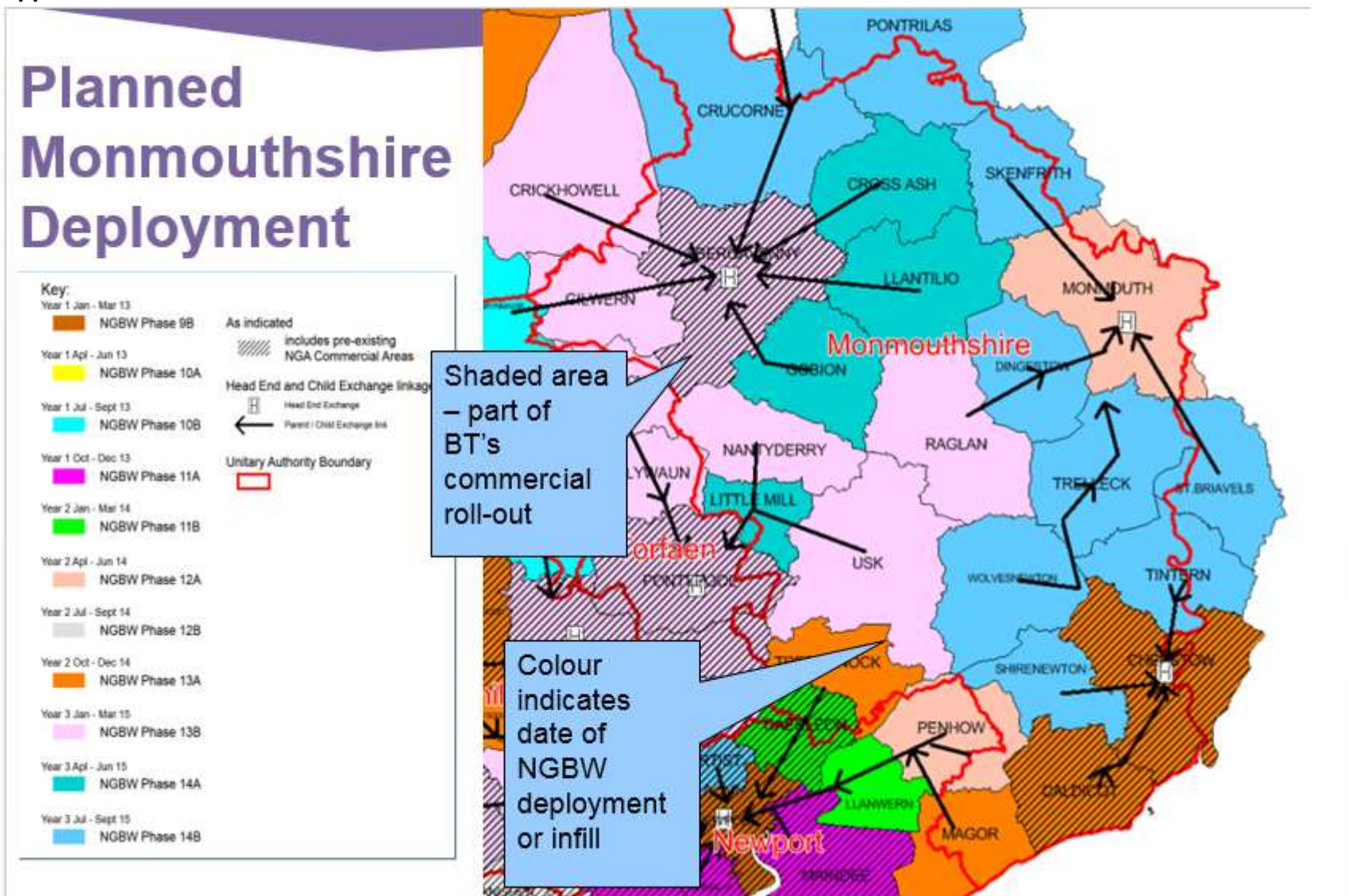


Exchange	Status	Information Update
Brynmawr	Accepting Orders	This exchange is fibre enabled under the Superfast Cymru programme. The majority of cabinets are live and service is available in most of the exchange area.
Blaenavon	Accepting Orders	This exchange is fibre enabled under the Superfast Cymru programme. The first cabinets are live at the exchange and service is available in parts of the exchange area.
Abergavenny	Accepting Orders	This exchange is fibre enabled under BT's commercial rollout. The first cabinets are live at the exchange and service is available in parts of the exchange area. Other providers may also have enabled a fibre service in this area. There is further fibre deployment planned for this exchange as part of the Superfast Cymru project commencing March 2015.
Monmouth	Accepting Orders	This exchange is fibre enabled under the Superfast Cymru programme. The first cabinets are live at the exchange and service is available in parts of the exchange area.
St Briavels	Accepting Orders	This exchange is fibre enabled under the Superfast Cymru programme. The first cabinets are live at the exchange and service is available in parts of the exchange area.
Pontypool	Accepting Orders	This exchange is fibre enabled under BT's commercial rollout. The first cabinets are live at the exchange and service is available in parts of the exchange area. Other providers may also have enabled a fibre service in this area. There is further fibre deployment planned for this exchange as part of the Superfast Cymru project commencing March 2015.
Cwmbran	Accepting Orders	This exchange is fibre enabled under BT's commercial rollout; other providers may also have enabled a fibre service in this area. Many cabinets are live at the exchange and service is available in most of the exchange area. There is further fibre deployment underway in this exchange as part of the Superfast Cymru project.
Caerleon	Accepting Orders	This exchange is fibre enabled under BT's commercial rollout; other providers may also have enabled a fibre service in this area. Many cabinets are live at the exchange and service is available in most of the exchange area. There is further fibre deployment underway in this exchange as part of the Superfast Cymru project.

Exchange	Status	Information Update
Penhow	Accepting Orders	This exchange is fibre enabled thanks to the Superfast Cymru programme. The majority of cabinets are live and service is available in most of the exchange area.
Magor	Accepting Orders	This exchange is fibre enabled under the Superfast Cymru programme. The first cabinets are live at the exchange and service is available in parts of the exchange area
Caldicot	Accepting Orders	This exchange is fibre enabled under BT's commercial rollout; other providers may also have enabled a fibre service in this area. Many cabinets are live at the exchange and service is available in most of the exchange area. There is further fibre deployment underway in this exchange as part of the Superfast Cymru project.
Chepstow	Accepting Orders	This exchange is fibre enabled under BT's commercial rollout. The first cabinets are live at the exchange and service is available in parts of the exchange area. Other providers may also have enabled a fibre service in this area. There is further fibre deployment planned for this exchange as part of the Superfast Cymru project commencing December 2014.
Crickhowell	Coming Soon	Fibre rollout in this exchange area due to start: March 2015.
Gilwern	Coming Soon	Fibre rollout in this exchange area due to start: March 2015.
Cross Ash	Coming Soon	Fibre rollout in this exchange area due to start: June 2015.
Llantilio Crossenny	Coming Soon	Fibre rollout in this exchange area due to start: June 2015.
Gobion	Coming Soon	Fibre rollout in this exchange area due to start: June 2015.
Raglan	Coming Soon	Fibre rollout in this exchange area due to start: March 2015.
Nantyderry	Coming Soon	Fibre rollout in this exchange area due to start: March 2015.
Talywaun	Coming Soon	Fibre rollout in this exchange area due to start: March 2015.
Little Mill	Coming Soon	Fibre rollout in this exchange area due to start: June 2015.
Usk	Coming Soon	Fibre rollout in this exchange area due to start: March 2015.
Crucorney	Planned	Fibre rollout in this exchange area due to start: March 2016.

Exchange	Status	Information Update
Pontrilas	Planned	Fibre rollout in this exchange area due to start: September 2015.
Skenfrith	Planned	Fibre rollout in this exchange area due to start: December 2015.
Dingestow	Planned	Fibre rollout in this exchange area due to start: September 2015.
Trelleck	Planned	Fibre rollout in this exchange area due to start: September 2015.
Tintern	Planned	Fibre rollout in this exchange area due to start: March 2016.
Wolvesnewton	Planned	Fibre rollout in this exchange area due to start: September 2015.
Shirenewton	Planned	Fibre rollout in this exchange area due to start: September 2015.

Appendix 2:



Appendix 3

The “Equality Initial Challenge”

Name: Service area: Enterprise Date completed: 5 th February 2015		Please give a brief description of what you are aiming to do. To present a critical review of a report commissioned in 2014 (produced by Disconnected Wales and the Community Broadband Network) to inform MCC of the likely and continued digital deprivation following the implementation of Next Generation Broadband Access or <i>Superfast Cymru</i> in Monmouthshire. To raise awareness of ICT exploitation opportunities associated with Superfast Cymru , the Superconnected Cities programme and other alternative connection technologies such as wireless and satellite deployed in the county. To recognise the need for additional resources to enable Monmouthshire Business and Enterprise to capitalise on Monmouthshire’s existing and emerging Broadband infrastructure assets, to ensure opportunities and experience are maximised and gaps in provision, skills and impact are addressed.	
Protected characteristic	Potential Negative impact Please give details	Potential Neutral impact Please give details	Potential Positive Impact Please give details

Age	n/a	n/a	Capitalisation of emerging Broadband infrastructure assets and maximization of skills opportunities to reduce digital deprivation
Disability			Capitalisation of emerging Broadband infrastructure assets and maximization of skills opportunities to reduce digital deprivation
Marriage + Civil Partnership	n/a	n/a	n/a
Pregnancy and maternity	n/a	n/a	n/a
Race	n/a	n/a	n/a
Religion or Belief	n/a	n/a	n/a
Sex (was Gender)	n/a	n/a	n/a
Sexual Orientation	n/a	n/a	n/a
Transgender	n/a	n/a	n/a
Welsh Language			Information will be produced bilingually in line with the authority's Welsh Language Editorial Policy

Please give details about any potential negative Impacts .	How do you propose to MITIGATE these negative impacts
➤ <i>n/a</i>	➤
➤	➤
➤	➤
➤	➤

Signed C Fallon Designation Head of Economy & Enterprise Dated 5/02/15

EQUALITY IMPACT ASSESSMENT FORM

What are you impact assessing	Service area
<p>To present a critical review of a report commissioned in 2014 (produced by Disconnected Wales and the Community Broadband Network) to inform MCC of the likely and continued digital deprivation following the implementation of Next Generation Broadband Access or <i>Superfast Cymru</i> in Monmouthshire.</p> <p>To raise awareness of ICT exploitation opportunities associated with Superfast Cymru, the Superconnected Cities programme and other alternative connection technologies such as wireless and satellite deployed in the county.</p> <p>To recognise the need for additional resources to enable Monmouthshire Business and Enterprise to capitalise on Monmouthshire's existing and emerging Broadband infrastructure assets, to ensure opportunities and experience are maximised and gaps in provision, skills and impact are addressed.</p>	<p>Enterprise</p>
Policy author / service lead	Name of assessor and date

Kellie Beirne	C Fallon 5/02/15
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1. What are you proposing to do?

Raise awareness of ICT exploitation opportunities associated with [Superfast Cymru](#), the Superconnected Cities programme and other alternative connection technologies such as wireless and satellite deployed in the county.

Recognise the need for additional resources to enable Monmouthshire Business and Enterprise to capitalise on Monmouthshire's existing and emerging Broadband infrastructure assets, to ensure opportunities and experience are maximised and gaps in provision, skills and impact are addressed.

2. Are your proposals going to affect any people or groups of people with protected characteristics in a **negative** way? If **YES** please tick appropriate boxes below.

Age		Race	
Disability		Religion or Belief	
Gender reassignment		Sex	
Marriage or civil partnership		Sexual Orientation	
Pregnancy and maternity		Welsh Language	

3. Please give details of the negative impact

n/a

4. Did you take any actions to mitigate your proposal? Please give details below including any consultation or engagement.

n/a

5. Please list the data that has been used to develop this proposal? e.g. Household survey data, Welsh Govt data, ONS data, MCC service
User data, Staff personnel data etc..

Household survey data, Welsh Government data, ONS data.

Signed.....C Fallon.....**Designation**...**Head of Economy and Enterprise****Dated**.....5th February 2015.....

The “Sustainability Challenge”

<p>Name of the Officer completing “the Sustainability challenge”</p> <p>C Fallon</p>		<p>Please give a brief description of the aims proposed policy or service reconfiguration</p> <p>Raise awareness of ICT exploitation opportunities associated with Superfast Cymru, the Superconnected Cities programme and other alternative connection technologies such as wireless and satellite deployed in the county.</p> <p>Recognise the need for additional resources to enable Monmouthshire Business and Enterprise to capitalise on Monmouthshire’s existing and emerging Broadband infrastructure assets, to ensure opportunities and experience are maximised and gaps in provision, skills and impact are addressed.</p>	
<p>Name of the Division or service area</p> <p>Monmouthshire Business and Enterprise</p>		<p>Date “Challenge” form completed</p> <p>5th February 2015</p>	
<p>Aspect of sustainability affected</p>	<p>Negative impact</p> <p>Please give details</p>	<p>Neutral impact</p> <p>Please give details</p>	<p>Positive Impact</p> <p>Please give details</p>
<p>PEOPLE</p>			

Ensure that more people have access to healthy food	n/a	n/a	Improved access to on line food stores can increase access to healthy food options
Improve housing quality and provision	n/a	n/a	Improved access to on line information can increase awareness of housing provision and improve access to housing quality improvement websites
Reduce ill health and improve healthcare provision	n/a	n/a	Given the move towards tele health care improvements to digital infrastructure presents opportunities for digital healthcare delivery
Promote independence	n/a	n/a	Improved broadband access to reduce isolation and promote independence
Encourage community participation/action and voluntary work	n/a	n/a	Improved broadband infrastructure and digital skills can encourage wider participation in community and voluntary work
Targets socially excluded	n/a	n/a	Improved broadband infrastructure and digital skills can reduce social isolation
Help reduce crime and fear of crime	n/a	n/a	Improved broadband infrastructure and digital skills can help reduce crime and fear of crime by offering

			24 on line services to citizens
Improve access to education and training			Improved broadband infrastructure and digital skills improves opportunities for education and training via access to on line universities and training courses
Have a positive impact on people and places in other countries	n/a	n/a	Improved broadband infrastructure and digital skills can raise awareness of issues in other countries and encourage participation
PLANET			
Reduce, reuse and recycle waste and water	n/a	n/a	Improved broadband infrastructure and digital skills can raise awareness of these issues encourage positive participation
Reduce carbon dioxide emissions	n/a	n/a	Improved broadband infrastructure and digital skills can encourage citizens to work from home thus reducing carbon emissions
Prevent or reduce pollution of the air, land and water	n/a	n/a	Improved broadband infrastructure and digital skills can raise awareness of these issues encourage positive participation

Protect or enhance wildlife habitats (e.g. trees, hedgerows, open spaces)	n/a	n/a	Improved broadband infrastructure and digital skills can raise awareness of these issues encourage positive participation
Protect or enhance visual appearance of environment	n/a	n/a	Improved broadband infrastructure and digital skills can raise awareness of these issues encourage positive participation
PROFIT			
Protect local shops and services	n/a	n/a	Improved broadband infrastructure and digital skills can encourage citizens to work from home and therefore shop locally.
Link local production with local consumption	n/a	n/a	Improved broadband infrastructure and digital skills can raise awareness of these issues and encourage positive participation
Improve environmental awareness of local businesses	n/a	n/a	Improved broadband infrastructure and digital skills can raise awareness of these issues and encourage positive participation
Increase employment for local people	n/a	n/a	Improved broadband infrastructure and digital skills can encourage inward investment which leads to new jobs in the county

Preserve and enhance local identity and culture	n/a	n/a	Improved broadband infrastructure and digital skills can raise awareness of these issues and encourage positive participation
Consider ethical purchasing issues, such as Fairtrade, sustainable timber (FSC logo) etc.	n/a	n/a	Improved broadband infrastructure and digital skills can raise awareness of these issues and encourage positive participation
Increase and improve access to leisure, recreation or cultural facilities	n/a	n/a	Improved broadband infrastructure and digital skills can raise awareness of these issues and encourage positive participation

What are the potential negative Impacts	Ideas as to how we can look to MITIGATE the negative impacts (include any reasonable adjustments)
➤ n/a	➤
➤	➤
➤	➤
➤	➤

The next steps

- If you have assessed the proposal/s as having a **positive impact please give full details** below

By capitalising on Monmouthshire's existing and emerging Broadband infrastructure assets, opportunities and experience will be maximised and gaps in provision, skills and impact will be addressed.

- If you have assessed the proposal/s as having a **Negative Impact** could you please provide us with details of what you propose to do to mitigate the negative impact:

Signed C Fallon

Dated 5th February 2015

Appendix 4

BROADBAND IN MONMOUTHSHIRE: Supplementary Report

Purpose: To provide additional information to support the Cabinet report dated 18th March 2015.

Context

The recommendation for the report is to secure ICT reserve funding of £73,200 to allow additional resources to be secured to ensure that the potential of Superfast Cymru, the Super Connected Cities extension into Monmouthshire and associated opportunities are maximised for the benefit of Monmouthshire businesses and residents.

Outcomes

The outcomes associated will be as follows:

a) Superconnected Cities £43,200

Attached in Appendix One is a report from 'Think Digital' that details the outcomes of the activities that have taken place to date for the period November 2014 to February 2015. Also included in the same document is a proposal for activities from March 2015 to March 2016 along with the associated outcomes. Success will be measured on:

- The number of participants in the voucher scheme and the investment secured. For example if the target 100 businesses take up the scheme at the maximum connection cost of £3,000 this will bring £300,000 into the county for a revenue investment of £43,200
- The number of businesses contacts collated as a result of the SCC scheme enabling the team to identify digital champions along with those requiring additional support.

b) Data Mapping £5,000

A key output of the Monmouthshire Business Growth and Enterprise Strategy is the establishment of baseline data to determine the current level of digitally enabled Monmouthshire businesses in order to chart progress in their digital maturity. The production of this study will be essential in measuring the success of any planned ICT exploitation activities undertaken in the county and achieving MCC's vision of *becoming one of the UK's most inspiring spaces for digital advancement*. Success will be measured on:

- The production of the data mapping study produced
- The provision of crucial data detailing the number of home based businesses in the county where data is currently lacking

c) Digital Presence £5,000

An accessible coordinated web presence will provide up to date information on the progress of the *Superfast Cymru* rollout, encourage sign up for superfast services, raise awareness of the benefits of improved broadband, inform businesses and individuals of how they can

improve their skills and access support and alert citizens to the new public services that are available on line. This presence would also support resident engagement with the 'Monmouthshire Made Open' platform. Success will be measured on;

- The number of unique visitors to the website and the number of database entrants;
- Business contacts gained which will be rolled into MCC's business database and will also be cross checked against data mapping study to gain further insight of local business needs.

d) **ICT Exploitation/Transition funding for 'Get Monmouthshire On Line' £20,000:**

An extensive programme of ICT exploitation activities will be undertaken to encourage the take up of broadband services, so residents and businesses will have the necessary skills to take full advantage of the digital world and e-commerce opportunities that are available to them. Activities will include transition funding for the 'Get Monmouthshire On Line' initiative which is due to end in March 2015. Success will be measured on:

- No of local business participating in ['Superfast Business Wales'](#) activities;
- No. of ICT exploitation funding applications submitted and approved for activities at a local level;
- Identification of further funding for basic skills and digital access activities;
- Additional outcomes to be provided as a result of successful funding applications submitted i.e. amount of funding secured; no. of training courses delivered; no of individuals up skilled; etc.

Monitoring and Evaluation

Regular monitoring of progress will be undertaken by the Head of Economy and Enterprise and reported back on a quarterly basis to the MCC Digital Board. In addition the associated outcomes will be included in the Monmouthshire Enterprise SIP.

Risk Management

The table below lists the potential risks and current issues associated with the proposal:

Description	Likelihood	Impact	Proximity	Owner	Mitigating Actions
Legal and reputational risk	Low	Medium	Any time	MCC	Appendix One indicates a significant interest in the voucher scheme. By not providing the resource to promote the voucher scheme further there is a reputational risk to MCC in terms of an overall reduced number of final applicants in comparison to neighbouring counties. If the overall additional resources are not secured then Monmouthshire is likely to lose the momentum gained and miss out on the wider opportunities in ICT exploitation and digital

					inclusion activities. It will also result in the non delivery of the data mapping study and the digital presence. In addition the transition funding needed for the 'Get Monmouthshire On Line' initiative will be lost.
Financial and Collaboration risk	Low	Medium	Any time	MCC	Financial monitoring will be subject to the scrutiny of the Head of Economy and Enterprise and the Head of Commercial and People Development.
Standing still risk	Medium	Medium	Present	MCC	If Monmouthshire Enterprise is not empowered to lead on the ambitious digital agenda conveyed MCC's aspirations with regard to iCounty and the exploitation of ICT and broadband will not be met.
Innovation for innovation sake	Low	Low	Present	MCC	This proposal is innovative and therefore could be construed as innovation for innovation sake. There is however a hard edged rate of return particularly if the target of 100 vouchers is achieved and the £300,000 investment is secured. There is also the potential to unlock further funding for ICT exploitation activities.
Transition Funding	Medium	Low	Present	MCC	There is a danger that further funding to continue the 'Get Monmouthshire on Line' activities beyond the transition funding may not be found. Therefore a decision will be taken prior to the drawdown of the associated £20,000 to mitigate any risks.

Options Appraisal

In order to appraise the available options for the proposal two options have been assessed and these centre around the Superconnected Cities proposal. The options appraisal has not been applied to the data mapping exercise and the digital presence as if the funding is not approved then these will simply not take place. As the for the transitional funding associated with the 'Get Monmouthshire On Line' campaign if funding cannot be identified beyond the six month transition phase then the associated £20,000 will not be drawn down.

Option 1 – Appointment of a consultant to undertake the Superconnected Cities activities

Option 2 – Additional resource into the Monmouthshire Enterprise Team

Previously additional resource has been provided via a consultancy route to undertake the activities associated with the promotion of the Superconnected Cities programme. The accompanying report in Appendix One details this has been successful. However the non-financial benefits have been limited as detailed below in Option One. It is felt these limited benefits could be much improved by undertaking Option Two which is to bring in the additional resource as part of the Monmouthshire Enterprise team.

Cost/Benefit Description	Current performance Option One	Target Performance Option Two
Non financial benefits		
Service delivery	The standard of service has been excellent but due the nature of consultancy there have been inconsistencies associated with breaks in service delivery with contracts coming to an end.	There is currently a lack of internal knowledge and capacity to deliver these activities using the current small core Monmouthshire team of three. By bringing in the additional resource into the team, the team itself will be boosted and the skills expanded. A one year contract will also ensure consistency of service delivery.
Strategic Insight and horizon scanning	Opportunities have been gained through the extension of the Superconnected Cities programme which would not have gone ahead without the intervention and expertise afforded.	This is a fixed time bound opportunity for MCC as the Superconnected Cities funding ends in March 2016. Enhancing the Monmouthshire Enterprise team will ensure that further opportunities are not lost. In addition the strategic insight offered through the expertise gained, will open up wider funding opportunities to offset the one off investment costs.

Recommendation:

For Cabinet to endorse this report to secure ICT reserve funding of £73,200 to allow additional resources to be secured to ensure that the potential of Superfast Cymru and associated programmes are maximised for the benefit of Monmouthshire businesses and residents.

For Cabinet to approve Option 2 as the preferred delivery mechanism.

Appendix One



Report on Super Connected Cities consultancy outcomes

The following activities were undertaken on behalf of Monmouthshire County Council in fulfilling consultancy from November 2014 to March 2015 concerning the Newport Super Connected Cities SME Broadband Voucher Scheme's extension into Monmouthshire:

- A.) Representation for Monmouthshire County Council at the Newport Super Connected Cities Programme board. Outcomes of which included:
 - i) successful lobbying to enable an expansion of the original five mile extension area radius of the County to include all of urban Monmouthshire; and
 - ii) extension of the Newport Public Transport Wi-Fi scheme to include all buses in Monmouthshire with connections to Newport; and
 - iii) effective reporting and collaborative working to ensure a success of the Voucher scheme for Monmouthshire with its lead partner.

- B.) Lead authorship of the successful extension bid submitted to the UK Government's DCMS in January 2015 that enables Monmouthshire to continue to offer its businesses the Superfast Broadband Voucher Scheme until the end of March 2016. This provides a potential £300,000 additional investment for the digital connectivity enhancement of Monmouthshire SMEs (based on £3000 connection voucher spend in the County x a target of 100 businesses).

- C.) Online data mining analysis and reporting on SMEs located on MCC County farms and reporting on the premises and home based business clusters around them.

- D.) Securement of 26 Voucher scheme take ups by Monmouthshire SMEs and an additional 50 eligible expressions of interest in the scheme which have been shared with ISPs utilising a vendor neutral administrative system.

- E.) Authorship of an Information Bulletin to MCC Councillors advising them about the Voucher Scheme and identification of Digital Champions.

- F.) Authorship of a promotional webpage with case study examples of businesses who have benefited from utilising the voucher scheme: <http://www.monmouthshire.gov.uk/business-advice/broadbandvouchers>

- G.) Inception and later coordination of consultation with Internet Service Providers seeking to engage with Monmouthshire SMEs and the voucher scheme (maintaining a vendor neutral position for the Authority).

- H.) The provision of advice, support and facilitation between Spectrum Internet and the Caldicot Town Team. Proposed digital activities for Caldicot Town Team to enable a launch event of a free public Wi-Fi network which are being progressed for Easter 2015.
- I.) Face to face promotion of the Voucher scheme and Monmouthshire Business and Enterprise to SME businesses located on Industrial Estates in the County.
- J.) Direct consultation with Chambers of Commerce in Monmouthshire and briefings of Officers attending Chamber meetings about the Voucher scheme and opportunities in different areas of the County.
- K.) Management of the SME Broadband Voucher Scheme's promotional campaign, including authorship of promotional materials and social media.

Additional activities undertaken beyond the original Super Connected Cities consultancy brief activities:

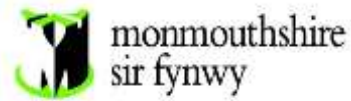
- L.) Contribution to and information sharing with the Get Monmouthshire Online partnership group meetings.
- M.) Authorship of a briefing report for MCC Officers concerning AB Internet's successful application to DCMS concerning the Wireless broadband innovation pilot which will be deployed in Monmouthshire from 2015.
- N.) Knowledge transfer to MCC Officers concerning ICT exploitation and the proposed focus of intervention measures designed to nurture *digital maturity* for Monmouthshire businesses.
- O.) Expertise contribution to the *Repurposing of CMC2* paper concerning iCounty external activities and smart communities concept horizon scanning.

The following recommended activities are proposed for the Monmouthshire Business and Enterprise position being considered by MCC's Cabinet on 18th March 2015:

1. Management of the new relationship for the Authority with Cardiff City Council (who will be administering the Super Connected Cities programme in South Wales from April 2015).
2. Face to face promotion of the SME Broadband Voucher scheme bringing together SMEs located in Monmouthshire's towns and high streets to maximise effect and liaison with existing initiatives e.g. the e-commerce platform developments in Abergavenny.
3. Continued promotion of the Voucher scheme through business networking events and social media to ensure the target of 100 businesses is achieved. Promotion to local social enterprises and registered charities who are also eligible for the voucher scheme.
4. Focused consultation with ISPs to convert shared expressions of interest from Monmouthshire SMEs into full voucher take up and enabled new superfast broadband connections.

5. Online data mining of home based businesses located in the County to create a database and promotion of the voucher scheme and ICT exploitation opportunities to them.
6. Contribution of knowledge and expertise to iCounty (External) activities with potential to include data mapping to support business growth through ICT exploitation and analysis of the digital maturity of Monmouthshire SMEs to assist in achieving MCC's vision of *becoming one of the UK's most inspiring spaces for digital advancement*.
7. Coordinate MCC's contributions to AB Internets' DCMS Wireless Broadband pilot in Monmouthshire.
8. Make recommendation and contribute to the promotion of the free Wi-Fi opportunities on Monmouthshire bus networks with connections to Newport.
9. Contribute knowledge and expertise to the authorship of content for Mon Biz Enterprise's new digital presence relating to broadband, digital skills and ICT exploitation.
10. Make recommendations and contribute knowledge and expertise for the planned extensive programme of ICT exploitation activities which encourage the take up of superfast broadband services and e-commerce, utilising Superfast Business Wales and other identified online support resources for SMEs.
11. Contribute knowledge and expertise to the funding application for the new RDP programme to create an urban / rural skills programme that will take advantage of existing free public Wi-Fi infrastructure in Monmouth and other localities in the County.
12. Continued contribution to the Get Monmouthshire Online partnership activities and the development of Monmouthshire's Digital Skills and Inclusion strategy.

M Chilcott, Director, *Think* Digital Consulting, March 2015



SUBJECT: SCHOOL ADMISSION POLICY ACADEMIC YEAR 2016/17. CONSULTATION ON ADMISSION ARRANGEMENTS AND CHANGES TO ADMISSIONS POLICY INCLUDING SCHOOL CATCHMENT AREAS

MEETING: Special Cabinet

DATE: 18th March 2015

DIVISION/WARDS AFFECTED: Countywide

1. PURPOSE:

Monmouthshire has recently undertaken a review of its School Admissions policy and entered into a consultation on the proposed changes. The review proposes the following changes for implementation for admissions from September 2016.

- 1.1 The consultation process proposed an amendment to the current oversubscription criteria to be applied to school admission applications where the number of applications received for a school exceeds the number of places available.

The proposals include the oversubscription criteria offering priority to children residing within the catchment area, over those children residing outside of the catchment area but with older siblings on roll at the preferred school.

Details of the current and proposed oversubscription criteria are available in **appendix 1**.

- 1.2 To amend School catchment areas for Monmouthshire Secondary Schools

The purpose of this report is to provide members with information on the results of the recent consultation exercise undertaken as part of the review, and in turn seek approval from members as to whether the proposed changes should be implemented.

2. RECOMMENDATIONS:

- 2.1 To agree to continue with the current oversubscription criteria for the 2016/17 Admission Round subject to the removal of prioritisation for multiple birth children under each category of the oversubscription criteria. The full criteria can be found on page 10/11 of **appendix 2**,
- 2.2 To agree to undertake a further consultation process on proposed changes to the admission policy for implementation during the 2017/18 academic year.
- 2.3 To agree to adopted the School Admission Policy 2016/17 as presented in **appendix 2**, which incorporates the recommendation outlined in 2.1
- 2.4 To agree the catchment areas for Monmouthshire's two welsh medium primary schools, Ysgol Y Ffin (Caldicot) and Ysgol Y Fenni (Abergavenny) Primary schools as per proposal 4 of **appendix 3**.
- 2.5 To agree not to proceed with all remaining proposals outlined in **appendix 3** for changes to Secondary School catchment areas, in light of:
 - a) The consultation responses received.
 - b) The estimated significant transport costs anticipated should the proposals be approved.

3. KEY ISSUES:

School Admission Policy and Oversubscription Criteria

In line with the School Admissions Code of Practice (2013), parents are provided with the opportunity to express a preference for a School in which they would like their child(ren) to attend. This can include a School outside of their designated catchment area.

Monmouthshire's current School Admissions policy includes an oversubscription criterion that offers a priority to children residing outside of the catchment area (and outside of Monmouthshire in some instances) but with siblings in attendance at the preferred School, above children residing within the catchment area for the preferred School but without relevant siblings.

An analysis of previous years data demonstrates that, where a school reaches a point of oversubscription during the admission round process, the Local Authority is able in the majority of instances to accommodate both children with siblings (point 3 of the current oversubscription criteria) and those residing within catchment (point 4 of the current oversubscription criteria).

The Local Authority however has experienced occasions whereby children have been unsuccessful in obtaining a place at their catchment school following application of the current oversubscription criteria, which has been enhanced by the current criteria of prioritising siblings out of catchment. The frequency of this occurrence could rise going forward due to the managed reduction in surplus capacity in our schools in line with Welsh Government (WG) advice.

A summary of the consultation results has been included in **appendix 3**, which shows that the majority of responses voting against the proposed changes to the admission oversubscription criteria. A full copy of the responses received can be found in the Member's library, County Hall, Usk.

Concerns are held by officers towards the poor response from parents on the proposed changes, which questions whether parents fully understand the impact of the proposals. In addition, of those responses received, the majority appear to be heavily influenced by the proposals put forward for changes to Secondary School catchment areas. Members will, therefore, need to consider whether an appropriate response has been received in order to inform any change to existing policy.

The current School Admissions Policy for academic year 2015/16 offers a priority to multiple birth children under each category of the oversubscription criteria. This has presented issues whereby children residing closer to the preferred School have been unsuccessful in their application through this criterion. The Wales Government School Admissions Code of Practice now allows a permitted exception to class size regulations to accommodate multiple birth children in the circumstance that one of the children qualify for the final school place following the application of the oversubscription criteria. The suggested amendment would provide an equal application of the criteria to all pupils.

School Catchment areas

Monmouthshire's current Secondary School catchment areas do not in all cases align to those that are in place for the feeder Primary Schools. There are also areas within Monmouthshire that do not have a Monmouthshire Secondary School designated within its catchment. The following issues have been highlighted:

- Transitional arrangements between Primary and Secondary have previously caused concern amongst parents as children attending a relevant Primary School cannot in all cases transfer as a peer group to the feeding Secondary School. There are instances where the catchment area for a Primary School feed more than 1 Secondary School Catchment.
- Children that reside within an area where the catchment school is outside of Monmouthshire are considered very low down on the oversubscription criteria for applications into a Monmouthshire School, should parents wish for their children to be educated in Monmouthshire. This is on the assumption that they do not satisfy criterion 1-4 over the current oversubscription criteria.
- Monmouthshire's current transport policy allows free home to School transport for Monmouthshire children to the catchment or nearest suitable School. Some Monmouthshire children would not be in receipt of free home to school transport to a Monmouthshire School where the catchment school is not one that falls within Monmouthshire.

A member advisory panel was established in September 2014 to consider the above and formulate the consultation options provided in **appendix 3**.

In addition to the above, Monmouthshire does not yet have in place formulised School catchment areas for our Welsh Medium Primary Schools. With the proposed establishment of a new Welsh Medium Secondary school on the Duffryn site in Newport, it is necessary to establish catchment areas for our Welsh Medium Primary Schools in order to ensure that Monmouthshire children secure Secondary provision delivered through the medium of Welsh. It is intended that pupils residing within the catchment area for Ysgol y Fenni will feed into Ysgol Gyfun Gwynllyw (North of the County), and pupils residing within the catchment area for Ysgol Y Ffin will feed into the new secondary seedling school in Newport (South of the County). The proposals for change will commence from September 2016 but subject to Newport City Council's consultation that is due to commence from March 2015, to include Members

An eight week consultation was undertaken and concluded on the 30th January 2015, with 583 responses received, the majority of which voted against the proposed changes. The Member advisory panel considered the results of this consultation together with the significant estimated transport costs provided by the Passenger Transport Unit and concluded that the majority of proposals outlined in **appendix 3** should not be progressed, other than proposal 4 regarding the formulation of catchment areas for welsh medium primary Schools.

A full copy of the consultation responses received on the proposals highlighted in **appendix 3** can be found in the Member's library, County Hall, Usk

4. REASONS:

School Admission Policy Oversubscription Criteria

To comply with the Welsh Government School Admissions Code of Practice (2013) which requires admission Authorities to consult upon its arrangements on an annual basis, seeking political approval for any significant changes proposed to existing arrangements.

School Catchment areas

Monmouthshire is geographically comprised of four in county Secondary School catchment areas serving in the region of 4749 children in years 7 to 13. These include:

- King Henry VIII Comprehensive School in the Northwest
- Monmouth Comprehensive School in the Northeast
- Chepstow School in the East
- Caldicot School in the Southeast

And one out of county Secondary School catchment area:

- Caerleon Comprehensive School in the Southwest

These catchment areas have not been reviewed since the reorganisation of Local Government in 1996 and it is thought that they have been in place for many years prior to this. A review of School catchment areas was undertaken with the view to addressing the following issues:

- To ensure that where possible, Secondary School catchment areas within Monmouthshire align with feeding Primary Schools with the view to support transitional arrangements between Primary and Secondary Schools.
- To provide a catchment area for a School within Monmouthshire for those children whose current Secondary School catchment resides outside of Monmouthshire, enabling them to be prioritised for School places within Monmouthshire if this is to be their wish.
- To formulate catchment areas for the two Welsh Medium Primary Schools aiding transitional arrangements from Primary to Secondary School

The consultation process was undertaken with the view to address the above, however, the results of the consultation exercise together with the estimated significant transport costs have formulated the recommendation 2.5 above.

5. RESOURCE IMPLICATIONS:

There are no resource implications associated with the proposals to the School Admissions Policy.

There are no resource implications associated with the formulation of catchment areas for the two Welsh Medium Primary Schools within Monmouthshire. The resource implications including home to School transport costs for the proposed Secondary provision will be considered through the consultation exercise to be undertaken by Newport City Council on their proposals to establish a new Welsh Medium Secondary School on the Duffryn site.

6. SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS

6.1 A sustainability and equality challenge has been undertaken on the proposals to continue to apply the current oversubscription criteria within the School admission policy, with neutral impact.

6.2 A sustainability and equality challenge has been undertaken on the proposals to establish catchment areas for our two Welsh medium primary schools. A positive impact has been identified through the implementation of this change, providing formal arrangements for the publication of both English and Welsh medium catchment areas.

Please refer to **appendix 4**

7. SAFEGUARDING AND CORPORATE PARENTING IMPLICATIONS

Safeguarding and corporate parenting implications have been considered as part of the review with no issues identified should the recommendations in section 2 of this report be agreed.

This will remain under review.

8. CONSULTEES

The following have been consulted on the changes to the Admission Policy.

Parents of pupils on roll at Monmouthshire Primary Schools
Admission Forum Members
Directorate Management Team
Member Panel
CYP Scrutiny Committee
Chairs of Governing Bodies
Neighbouring Local Education Authorities
Headteachers of all schools affected
Voluntary Aided Admission Authorities
Diocesan Directors

9. BACKGROUND PAPERS:

School Standards and Framework Act 1998
School Admissions Policy - March 2015
School Admission Code of Practice – July 2013
School Admission Appeals Code – February 2012

10. AUTHOR

Matthew Jones, Acting Access Unit Manager

11. CONTACT DETAILS:

Tel: 01633 644508
E-mail: matthewdjones@monmouthshire.gov.uk

Date/Dyddiad:

10 March 2015

Our Ref./Ein Cyf:

Your Ref. /Eich Cyf:

Dear Parent/Carer,

Catchment Area & School Admissions Policy Consultation

The Local Authority is undertaking a review to amend the catchment areas for a number of Schools within Monmouthshire. In addition, changes to the School Admission policy are proposed. Should the proposals be agreed, the changes would come into force from September 2016 onwards.

As part of this process, the Local Authority would like to consult with you on the proposed changes. This letter provides a brief on both the current arrangements and those that are being proposed. It also provides advice on how to access more comprehensive information on the proposed changes and how to provide us with your feedback on this consultation.

Catchment Area Review

How are the current Secondary school catchment areas arranged?

Monmouthshire County Council (MCC) is geographically comprised of four in county Secondary School catchment areas serving in the region of 4749 children in years 7 to 13. These include:

- King Henry VIII Comprehensive School in the Northwest
- Monmouth Comprehensive School in the Northeast
- Chepstow School in the East
- Caldicot School in the Southeast

And one out of county Secondary School catchment area:

- Caerleon Comprehensive School in the Southwest

These catchment areas have not been reviewed since the reorganisation of Local Government in 1996 and it is thought that they have been in place for many years prior to this.

If you would like to see a detailed map showing the current catchment boundaries, please visit our website www.monmouthshire.gov.uk/schoolconsultation

What is being proposed?

Section 198 of the Education Act 2002 imposes a requirement upon the Governing Bodies of maintained Secondary schools and Primary schools to collaboratively draw up Transition Plans. A Primary school is only formally linked to the Secondary school that receives the majority of its year 6 leavers. Therefore we are proposing to realign some of the catchment areas within Monmouthshire to support transitional arrangements between Primary and Secondary schools, where possible, i.e. villages that serve a particular primary school catchment area will serve the same secondary school catchment area.

This will maintain the important links established between secondary schools and their feeder primary schools. The proposed changes are listed below:

- The catchment area for the villages of Caerwent and Crick will change from Chepstow School to Caldicot School.

- The catchment area for the villages of Penperlleni will change from Caerleon Comprehensive to King Henry VIII School.
- The catchment area for the villages of Usk, Llangybi, Tredunnock and Llanhennock will change from Caerleon Comprehensive to Monmouth Comprehensive. In addition to this the primary catchment area for Tredunnock and Llanhennock will change from Caerleon Endowed to Usk CIW Primary.
- The catchment area for the village of Tintern will change from Chepstow School to Monmouth Comprehensive School.
- The catchment area for the village of Trellech Grange will change from Chepstow School to Monmouth Comprehensive School.
- The catchment area for the village of Portskewett will change from Caldicot School to Chepstow School.

In addition to the above we propose to establish catchment areas for our Welsh Medium primary schools to assist with the increased demand for Welsh Medium Education:

- Establish a catchment boundary for Ysgol Gymraeg Y Fenni
- Establish a catchment boundary for Ysgol Gymraeg Y Ffin

If you would like to see a detailed map showing the proposed catchment boundaries, please visit our website www.monmouthshire.gov.uk/schoolconsultation

Significance of a Catchment Area

Catchment areas are significant in two respects:

1. Although we are unable to guarantee School places at a catchment school, they are currently used to prioritise schools places in the event of oversubscription. In real terms, they can only be applied when a school becomes over-subscribed. Therefore, when a school has more places than admissions requests, a child will be admitted even if they live outside of the schools catchment area.
2. Catchment areas are a qualifying for the award of free home to school transport in line with the Local Authority's current Home to School Transport Policy.

It is important to note that these proposals only relate to admission intake for September 2016 onwards. This proposal will not affect any children starting school in September 2015.

Why is this being proposed?

Aligning primary schools to one secondary school catchment area will service to support and develop stronger and more effective transition arrangements between primary and secondary school and provide our children with the best start as they continue their learning journey in their new secondary school.

School Admissions Policy Consultation

In line with the School Admissions Code of practice, the Local Authority has an approved criteria to be applied where the number of applications received for a School exceeds the number of available places. This criteria will be applied to all applications for the preferred School to determine which children are to be offered places.

The Local Authority's current School Admission Policy has been approved and will be applied to all applicants that are applying for School places during the academic year 2015/16. A summary of the criteria is below however detailed information is available on the above website.

1	Looked after children or children previously looked after
2	Children with exceptional medical circumstances
3	Children with brothers and sisters at the school at the date of admission
4	Children residing within the preferred school's catchment area
5	Closeness to the preferred school, measured using the shortest safe walking route

The Local Authority proposes to introduce a new School Admission Policy to accommodate a change to the criteria to be applied in the event of oversubscription. **This proposed change, if approved, will be applied for all applicants applying for School places as part of the 2016/17 academic year and onwards.**

The significant change to the criteria proposes to offer priority to children residing within the catchment area for the preferred school, over those that may have a sibling in attendance at the preferred school, but reside outside of the catchment area for the preferred School.

A summary of the proposed criteria is below, however, detailed information is available on our website.

1	Looked after children or children previously looked after
2	Children with exceptional medical circumstances
3	Children residing within the catchment area for the preferred school with relevant siblings at the school at the date of admission
4	Children residing within the preferred schools catchment area
5	Children residing outside of the catchment area for the preferred school, but with relevant siblings at the school at the date of admission
6	Children residing outside of the preferred schools catchment area and closeness to the preferred school, measured using the shortest safe walking route

In addition to this letter we have provided the following information for you to access on line via our website www.monmouthshire.gov.uk/schoolconsultation

- On-line questionnaire (our preference is for on-line responses).
- Detailed catchment maps (current and proposed arrangements).
- This consultation letter.
- The admission arrangements for 2015/16 and 2016/17.

If you do not have access to the internet, the above information is available in paper format if requested.

It is anticipated that a decision will be made regarding this consultation during the spring term 2015. Please check the above website for updates. The closing date for the questionnaire is the **30th January 2015.**

Yours sincerely

Debbie Morgan
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2016/17

School Admissions Policy



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Introduction

The School Admissions Code (2013) gives parents the right to express a preference for their child to be admitted to any school maintained from public funds. The Authority's admission policy sits within the parameters of the School Admissions Code of Practice and School Admissions Appeals Code of Practice July 2013

This policy is in place to cover the following:

- i) Admission Round applications
 - The application process to be followed for children that are eligible to start Primary School
 - The application process to be followed for children eligible to transfer from Primary to Secondary School.
- ii) In year transfers between Schools

The application process to be followed for children that are already of school age, but wish to transfer from one school to another.

The Local Authority is required to consult on its admission arrangements on an annual basis. The content of this policy and the changes within are proposed for implementation for the 2016/17 academic year.

The Local Authority's current School Admission Policy has been approved and will be applied to all applicants that are applying for School places during the academic year 2015/16. This document does not affect the admission process for the 2015/16 academic year, and existing arrangements will apply.

Consultation Process

In accordance with the School Admissions Code of practice (2013) the Local Authority consults upon its admission arrangements on an annual basis, attempting where possible to mirror the admission round timescales of neighbouring admission authorities.

The coordinated admission arrangements will determine the date at which application forms are sent to parents as well as the publication of an agreed closing date. The Authority will ensure that this timeframe between distribution and closing date is no shorter than six weeks.

Consultation will take place between 1st September and 1st March beginning two years before the school year in which the arrangements will apply. The arrangements will then be set and published by 15th April.

The Local Authority will ensure that the following information is provided during the consultation process:

- i) Admission numbers for each school
- ii) Application procedures and the timetable for the admission process
- iii) The criteria to be applied to applications in the event that there are more applications than places for a School
- iv) Arrangements for waiting lists and how they operate
- v) Arrangements for the processing of late applications
- vi) Details of how parents will be notified of a decision on their application, as well as appeal procedures should their application be unsuccessful.

The Local Authority will consult with the following parties on its admission arrangements:

Governing body of relevant Schools	All governing bodies of community Schools in Monmouthshire
All neighbouring Local Authorities	Torfaen County Council Newport City Council Powys County Council Blaenau Gwent County Council Gloucestershire County Council Herefordshire County Council
Admission Authorities for all other schools in the area	All governing bodies of voluntary Aided schools in Monmouthshire Brynmawr Foundation School St Albans RC School

In the case of Schools with a religious character, such body or person representing the religion or religious denomination in question	Diocesan Director, Church in Wales Diocesan Director, Roman Catholic

Admission Numbers

Prior to the consultation, the admission numbers for all schools are determined and form part of this consultation. The admission numbers for the schools are derived from the physical capacity of the school which is calculated in accordance with the Welsh Government's 'Measuring the Capacity of Schools in Wales'.

CONSULTATION

Provision of Education in Monmouthshire

Local Authority is proud to offer the following educational provision within its County:

Nursery Education

The Local Authority has eleven nursery units attached to mainstream Schools. The Authority maintains these nurseries that provide free part time early years education for pupils from the term following their third birthday, if there are spaces available. Monmouthshire also supports many private day nurseries, prep Schools, Playgroups, crèches and cylchoedd meithrin (playgroups using the medium of Welsh). These settings are approved providers of early year's education.

Admission to Primary School (4-11)

The Local Authority offers a number of educational establishments at Primary level:

Primary Community (English) - 20
 Primary Community (Welsh) - 2
 Primary Church in Wales VC - 4
 Primary Church in Wales VA - 3
 Primary Roman Catholic VA - 2

The Local Authority is the admitting authority all Primary Community Schools (English and Welsh) and Voluntary Controlled Schools within Monmouthshire, and responsible for the admission arrangements at each of these Schools.

The Governing Bodies of the 5 Voluntary Aided Schools in Monmouthshire are responsible for the admission arrangements within their schools.

The Authority will admit a child to a maintained primary/infant school at the start of the academic year in which he/she will be 5 years old. The legal requirements confirm that parents are able to delay the admission of their child until the term following their 5th birthday; however, it is a Local Authority Policy that the child will continue to follow their chronological year group unless exceptional circumstances apply.

When considering admission into the Reception year group as part of the admission round, parents should be aware that attendance at a nursery provision within the preferred School does exclude the need for parents to make an application for a Reception place. The Local Authority is unable to guarantee that children within the nursery can be guaranteed a place in Reception.

Special Primary Education

Overmonnow Primary School (Monmouth), Pembroke Primary School (Chepstow), and Deri View Primary School (Abergavenny) have Additional Educational Needs Units to accommodate those children whose needs cannot be met in mainstream education.

Admission to these settings will be determined via the child's Statement of Special Educational Needs

Secondary Education (11-19)

All mainstream secondary schools in Monmouthshire are mixed Comprehensive Schools and serve 11 – 19 year olds. These are situated close to the four major towns in Monmouthshire.

Attendance at a Primary or Junior school does not guarantee that a place will be made available for your child at the feeder Comprehensive school. Although every effort will be made to accommodate parental preference, where the number of applications for a school exceeds the number of available places, the over-subscription criteria will be applied.

Special Secondary Education

Mounton House Special School is located in Chepstow and accommodates 11-16 year old boys with Additional Learning and Behavioural Needs. Caldicot Comprehensive School has an Additional Educational Needs Unit to accommodate those children whose needs cannot be met in mainstream education.

Admission to these settings will be determined via the child's Statement of Special Educational Needs

Welsh Medium Secondary Education

Monmouthshire have developed close links with neighbouring Authorities, in particular Torfaen County Council with Ysgol Gyfun Gwynllyw, to ensure that Welsh Medium Education is available at Secondary level to the children within our County.

Admission Round process in Monmouthshire

Expressing a preference

In line with the School Admissions code of practice 2013, parents must complete an application form in order to obtain a School place. Parents will have the opportunity to complete an application online or alternatively via a paper application.

All parents will be invited to express a preference on a common application form, regardless of the status of the schools for which they wish to apply and whether the school is in/out of county. The form will provide an opportunity for parents to give reasons for their preferences. All completed forms should be sent directly to the School & Student Access Unit (SSAU). **An exception to this is if parents wish to apply for a School that resides within Newport City Council – in such circumstances the parent is required to apply directly to Newport City Council under their admission arrangements.**

Although individual school admission authorities (Voluntary Aided) may require you to complete their own admission forms, all applicants must also complete a “Common Application Form”.

The Local Authority operates an equal preference scheme, which means that all preferences are considered equally in line with the Local Authority’s oversubscription criteria, and not on the basis of the order in which they are listed on the application. In the event that more than one preference can be met, the highest rank preference as declared on the application form will be offered.

Timetable for admissions

The Local Authority will consult and agree on a timetable for the Admission Round intake on an annual basis. This will outline the date by when application forms will be made available to parents, the closing date for applications, as well as the date by when parents will be informed of a decision on their application.

The proposed dates for the Admission Round 2016/17 are:

Admission Phase	Application packs available to parents	Closing Date	Local Authority Allocation Period	Parents informed by
Primary to Secondary	2 nd October 2015	27 th November 2015 at 4.30pm (8 weeks)	28.11.15 – 28.02.16	1 st March 2016
Reception	6 th November 2015	15 th January 2016 at 4.30pm (10 weeks)	16.01.16 – 31.03.16	1 st April 2016

Distribution of application forms

The Local Authority will distribute application packs directly to home addresses on the dates published above. Parents/ carers will be given the opportunity to choose to apply on line or to complete a paper form. Details of how to apply online will be included in the application pack circulated to parents.

Whilst the Authority endeavours to capture the details of those parents / carers who have children that are eligible for admission to school, it still remains the parent's / carer's responsibility to obtain an application pack to apply for a school place within the required timescales.

Address Validations

Parents are required to submit their Council Tax reference number on their child's admission application form. The Local Authority will use this information to validate that the address submitted on the application form coincides with the information held on the Local Authority's Council Tax database.

If the information provided by the parent does not coincide with the council tax database, a further check will be undertaken using the electoral register. If this does not verify the address, the Local Authority will contact the parent.

Parents in the process of moving property

Parents who are in the process of moving property, will be required to notify the Local Authority **at the time of application** of the proposed move and submit evidence to validate their new address, in order for this address to be considered. Suitable evidence would be a copy of the exchange of contracts (for purchases) or long term tenancy agreement (for rental arrangements), which must be received prior to the published closing date in order to be considered as an "in time" application. Failure to notify the Local Authority of a move to a new address prior to the published closing date will result in the application being determined as a "late application".

Where the Local Authority accepts evidence to validate a property move and uses the new property for allocation purposes, the offer of a school place will be based on the applicant being resident at this property at the time of the child's entrance into the School. Any offer of a school place could be withdrawn if it is found that the applicant is not resident at the property at the time of child's entrance into the school.

The offer of a school place will be based upon the applicant being resident at the address declared on the application form, as at the published offer date. However, if the parent / carer is aware prior to the published offer date that they will be moving from the address declared on the application, they must inform the Local Authority prior to

the published offer date, where their application details will then be amended. Notification of a change of address received after the published closing date will result in the application being determined as late, if it is likely to impact upon their position within the oversubscription criteria for the preferred school.

Any offer of a school place could be withdrawn as a result of non-compliance of the above.

Shared residency

In the event that the residency of a child is shared between two parents, the address where the child concerned resides for the majority of the school week will be used for allocation purposes. This is the address that should be declared on the application.

However, if the residency with both parents during the school week is equal, the address for where the child benefit is paid will be used for allocation purposes.

School catchment areas

Whilst residing within the catchment area for a School forms an element of the oversubscription criteria, it does not guarantee a placement on this basis. The Local Authority will refuse to admit above the School's admission number, unless the application complies with the permitted exceptions listed on page 19

Admission of Multiple birth children (e.g. twins or triplets)

If when applying the over-subscription criteria, the last child to be admitted is one of a multiple birth, then the Local Authority will admit the other sibling(s).

Allocation of School places

When the number of applications received for a preferred School is less or equal to the number of available places, all children will be admitted assuming that the school concerned can meet the needs of all applicants.

However, when there are more applications than places in a school, the admission number is exceeded and the over subscription criteria will be applied to select which children are to be offered places at the School concerned. For children with a Statement of Special Educational Needs, the Authority must admit the child concerned to the School specified on their statement.

When applying the oversubscription criteria to determine who is to be awarded places, all parental preferences will be considered equally and allocated in line with the criteria below. The highest preference school, as listed on the application form, will be offered in the event that one or more preferences can be met.

When considering the remaining available places, the following criteria will be used to determine the children that are to be offered places:

1. Looked After Children or previously Looked After Children. i.e. children who are in the care or have previously been in the care of the Local Authority, will be given priority over those fulfilling points 2-5 below.
2. Children with exceptional medical circumstances will be given priority over those fulfilling points 3-5 below. (please see note 1 below)
3. Children with relevant siblings (please see note 3 below) at the preferred School will be given priority over points 4-5 below.
4. Children residing within the preferred school's catchment area (please see note 2 below) will be given prior consideration over point 5 below.
5. Children residing outside of the catchment area
6. After applying the categories above, or should the school continue to be in a position of over-subscription in any of the above categories, priority will be based on closeness to the preferred school, measured using the shortest safe walking route. (Please see note 4 below)

To clarify, any over-subscription in the above criteria will result in the final determination of the allocation of a place being made on distance. So for example, if there are more applications than places available after applying point 4 above, places will firstly be allocated to Multiple births within catchment, then to those on the basis of distance from the home address to the preferred school.

Notes:

1. Applicants wishing for their application to be prioritised on the child's medical needs must be supported by a medical consultant's report (obtained by the parents at the time of application) outlining why the preferred School is the only viable option when compared with other Schools that the Authority may be able to offer.
2. The Local Authority will consider the child's home address to be the place where the child resides for the majority of the School week. In the event that the residency of a child is shared between two parents, the address where the child concerned resides for the majority of the school week will be used for allocation purposes. This is the address that should be declared on the application. However, if the residency with both parents during the school week is equal, the address for where the child benefit is paid will be used for allocation purposes.
3. Brothers and sisters, whether half, full, step, or foster will be considered relevant where living in the same household and where they will still be registered at the school when the applicant is eligible to attend.
4. The Local Authority will use Geographical Information Systems (GIS) to calculate home to school distances. Determination of the shortest safe walking route will be calculated using official routes known to the Local Authority and Highways agencies, from the main entrance of the applicant's home address to the nearest official open school gate. The coordinates of an applicant address will be determined using the Local Land and Property Gazetteer (LLPG) and Ordnance Survey Address Point data.

Where a safe walking route cannot be determined for an applicant, the shortest driving route will be used for allocation purposes.

Late Application Arrangements

Any application that is received after the published closing date, or applications that remain incomplete (e.g. without evidence to validate a new address) on the closing date but received prior to the closing date, will be dealt with under the late application arrangements.

Applications where a change in circumstances have occurred, which have an impact upon the application's status within the oversubscription criteria (i.e. change of address), will also result in the application being treated as late if these changes are brought to the Authority's attention after the closing date.

A change of preference received by the Local Authority after the published closing date will result in the application being determined as late.

Late applications are collated and processed monthly, with prioritisation given based on the month in which they are received. A timetable for the processing of late applications for the 2016/17 admission round can be found below:

	Month application Received	Decision issued to Parents
Applies to Secondary only	27 th November 2015 (after 4.30pm) – 31 st December 2015	15 th April 2016
	January 2016	
Applies to Primary and Secondary	15 th January 2016 (after 4.30pm) – 31 st January 2016	15 th April 2016
	February 2016	8 th April 2016
	March 2016	15 th April 2016
	April 2016	6 th May 2016
	May 2016	10 th June 2016
	June 2016	8 th July 2016
	July 2016	5 th August 2016
	1 st to 7 th August 2016	12 th August 2016
	8 th to 14 th August 2016	19 th August 2016
	15 th to 21 st August 2016	26 th August 2016
22 nd to 31 st August 2016	Within 1 week	

In the event that the preferred School is oversubscribed, places will be allocated in line with the oversubscription criteria during the first week of the month following the month of receipt. Parents will be informed of the outcome of their applications by the end of this week.

The arrangements for late applications continue up until the last week of August. After this date, any admissions received are then processed as a casual admission.

Notifying Parents

Parents will be notified of a decision on their application on the published offer date. For the 2016/17 admission round, the date by when parents will be informed of decisions on their applications will be 1st March 2016 (Secondary) and 1st April 2016 (Primary).

Any offer of a school place will be based on the applicant being resident at the address declared on the application form as at the published offer date. Parents who are aware prior to the offer date that they are unlikely to remain resident at the address declared on their application must inform us so that their application can be amended. Any offer of a school place could be withdrawn if it is later found that this is not the case.

Where parents advise us, at the time of application, that they are moving property and provide the Local Authority with evidence to validate this move, any offer of a school place on this basis would be under the circumstance that the applicant is resident at the new property at the time the child concerned commences School. Any offer of a school place could be withdrawn if it is later found that this is not the case.

Acceptance of a school place

On receipt of an offer of a school place, parents are required to confirm their acceptance of this school place in writing within 14 days of notification of the school place offer. Failure to do so could result in the offer of a school place being withdrawn.

In Year Transfers (admissions outside the normal admission round)

In Year Transfers refer to requests from parents to transfer their children between schools outside of the normal admission round. Applications will not be considered until the requested start date is within 4 weeks.

All In Year Transfers are dealt with in date order of receipt, and where more applications are received on the same day than the number of places available, the Local Authority's over subscription criteria will be applied to determine the child(ren) to be offered places.

Applications are usually processed within 7 working days of receipt. However in certain circumstances, for example where the child has been identified as having specific needs, it may not be possible to process the admission within the timeframe. The parent will be advised of this.

As part of the consideration process, the Local Authority will contact the child's current school to obtain information to share with the receiving school. This is to ensure that the preferred School is in a position to support appropriate transition between schools.

Allocated places will be held open for a period of 4 weeks from the date of authorised admission, after which time the place may be withdrawn. Once a school place has been offered, School's will have 7 working days to arrange the enrolment of the child concerned, where an immediate start is required.

If an application is received for a Looked After Child (LAC), in accordance with the protocol that has been agreed with schools, a LAC meeting will be arranged, to which all interested parties are invited. In advance of this meeting the placing authority is required to share relevant information including the Personal Education Plan, School records and Statement of Educational Needs, if the child has one.

Where the request for admission into school is as a result of a move into the county the parent is required to send proof of residence. Until this evidence is received the application will not be processed or considered as complete. Suitable evidence would be a copy of the exchange of contracts or long term tenancy agreement. This is to ensure that parents do not apply too far in advance of their move and subsequently deny others a place requiring a more instant admission.

Requests received for an immediate transfer (within 4 weeks of receipt of application) are given priority over requests for a transfer on a date that exceeds 4 weeks from the date of application.

Admission into other year groups – September 2016

Where requests are received for a change of school in September 2016, into year groups other than the normal year of entrance, these will not be considered until the

start of the second half of the summer term i.e. after the Whitsun break. Parents will be notified no earlier than 4 weeks prior to the end of the 2015 academic year.

These requests will be collated on a monthly basis and are processed as per the oversubscription criteria, in the event that the number of applications received exceeds the number of available places. However it should be noted that preference will be given to those parents who are seeking a place during the current term as opposed to the new academic year.

Refusal of Admission

The majority of pupils in Monmouthshire are allocated a place at the parents' first choice of school. A refusal for admission to a school is made in line with the School Admissions Code of Practice 2013 and is based on the following decisions;

- Whether to admit a child would prejudice the provision of efficient education or the efficient use of resources
- Where an Admission Number has been met
- Welsh Government Class size regulations

If it is not possible to allocate a place at the preferred school, an alternative school place will be offered. This will either be an alternative preference (as declared on the application form) or the next nearest available school. It is then for parents to decide whether or not to accept the place at the alternative school.

If a place is offered at the next nearest available school, the child concerned may be entitled to free home to school transport should the distance criteria between home and school address be met. For more information on home to school transport entitlement please refer to the home to school transport policy.

However, it is recognised that parents may not want a place at the next nearest available school and will be provided with details of other schools with available places within the area. In these circumstances, free home to school transport would not normally be provided

Following refusal of a school place, the child's details will be held on a waiting list until 31 August of the academic year for which they are applying. If any places are handed back during this time places will be allocated from the waiting list as per the oversubscription criteria.

Waiting Lists

For those applicants that have been unsuccessful in obtaining a place at their preferred school(s), waiting lists will be held up until the end of the academic year for which the application is made. After such time, the existing waiting lists will be cleared and a fresh application will be required. The child's details will automatically be added onto the waiting list for the preferred school(s) at the time of refusal.

Waiting lists will be prioritised as per the oversubscription criteria and not based upon the date that the application was submitted. **It is the responsibility of the applicant to inform The School and Student Access Unit of any change in circumstances which impacts on the oversubscription criteria and therefore their child's place on the waiting list. An example of this would be a change of address.**

Should a place become available at the preferred school(s), the waiting list will be "frozen" in order to allow the School and Student Access Unit to fill the vacancy. The date at which the waiting list is frozen shall be determined as the date that the Local Authority is satisfied that the place becomes available.

The parent concerned will be contacted by the School and Student Access Unit within 7 working days of the place becoming available, if their child qualifies for consideration of the place. The parent will be given 7 days to formally accept or decline the offer of the school place in writing. After such time, the child's name will be withdrawn from the waiting list, and the place will be offered to the next child on the waiting list, as the Local Authority will assume that the place is no longer required.

Appeals

In accordance with the School Admissions code of practice and the School Admission appeals code of practice 2013, the Local Authority will make arrangements to enable the parent of a child to appeal against a decision to refuse a place at the preferred School.

The appeal will be determined by an Appeals Panel established in accordance with School Admission Appeals code 2013. The panel must consist of three to five members appointed by the Local Authority from the following categories:

- People who are eligible to be lay members (persons without personal experience in the management of a school or the provision of education in any school, disregarding experience as a governor or in any other voluntary capacity).
- People who have experience in education; who are familiar with educational conditions in the LA's area or who are parents of registered children at a school (other than the school at which the appeal is made).

Independent Appeal Panels must consider each case individually on its merits and they cannot limit themselves, in advance, to the admission of any particular number of pupils.

Consideration by an Appeal Panel should be in two distinct stages:

1. The Factual Stage, where the panel decides as a matter of fact whether there was a lawful reason to refuse admission; if there was not, the child must be admitted; if there was, the committee must move on to:
2. The Balancing Stage, where the panel exercises its judgement to balance the degree of prejudice to efficient education which would result from admitting the child, and the strength of the parents' case, so as to arrive at a decision which is binding on the admissions authority.

The decision of the appeal panel will be binding on the Local Authority.

Time frame for Hearing Appeals

Parents will receive a letter refusing admission and will be advised of their right of appeal. The decision to appeal does not prevent the parent / carer accepting a place at an alternative school whilst the hearing is convened, as the panel will determine the appeal on the basis of application.

Appeal Hearings are convened by the Chief Executive Officer's representative, and will be heard within 30 School days of the date of application for appeal.

Infant Class Size Initiative

The Welsh Government is committed to ensuring that no child in Key Stage 1 will be in a class where the pupil teacher ratio is more than 1:30. The Infant Class Size Initiative was a phased programme between September 1999 and September 2001 thus ensuring that all children up to the age of 7 will be taught in classes containing no more than 30 pupils.

Two main changes arose from the class size legislation. Firstly, admission authorities will not be required to admit a child to an infant class if in doing so would result in a class operating at a greater than 30:1 pupil/teacher ratio.

An admission authority can refuse to admit a child to a school where to do so would require the school to take 'qualifying measures' (i.e. employing an additional teacher, building an additional classroom) to meet the statutory class size limit.

Secondly, when dealing with admission appeals under class size legislation, Appeal Panels do not follow the two stage process as outlined above.

Instead, an Appeal Panel will be able to uphold a parental appeal only if the decision to not admit the child was due to the admission arrangements being incorrectly implemented or the decision of the admission authority was not one which a reasonable admission authority would make in that particular case.

Key Stage 2 class size limits

Whilst there are no regulations to limit class sizes to 30 in Key Stage 2, the Local Authority is committed to complying with the Welsh Government target to ensure that the 1:30 pupil teacher ratio in Key stage 2 is maintained.

Exceptions to the Infant class size initiative

Welsh Government Regulations require Authorities to limit infant class sizes to no more than 30 pupils and to ensure that junior classes do not exceed 30 pupils. There are however exceptions to these regulations (called “excepted pupils”) which may allow the 30 pupil class limit to be exceeded. Excepted pupils are:

- i. Children whose statements of SEN specify that they should be educated at the school concerned, and who are admitted to the school outside a normal admission round;
- ii. Looked after children or previously looked after children admitted outside the normal admissions round;
- iii. Children initially refused admission to a school, but subsequently offered a place outside a normal admission round by direction of an admission appeal panel, or because the person responsible for making the original decision recognises that an error was made in implementing the school’s admission arrangements;
- iv. Children who cannot gain a place at any other suitable school within a reasonable distance of their home because they move into the area outside a normal admission round;
- v. Children for whom education at a school which is Welsh speaking is desired where the school concerned is the only such school within a reasonable distance of their home;
- vi. Children for whom education at a school with a designated religious character is desired where the school concerned is the only such school within a reasonable distance of their home;
- vii. Pupils admitted to the school within an age group in which children are normally admitted and
 - admitted after the first day of the relevant school year; and
 - where the school has not yet reached its admission number but has already organised its classes; and
 - where admission of the child would mean that the school would have to take a relevant measure;
- viii. Children of armed forces personnel who are admitted outside of the normal admission round.
- ix. Children whose twin or sibling from a multiple birth are admitted as non-excepted pupils, as the final pupil(s) allocated a place before the admission number is reached.

x. Children who are registered pupils at special schools, but who receive part of their education at a mainstream school; and

xi. Children with SEN who are normally educated in a special unit in a mainstream school, but who receive some of their lessons in a non-special class.

Excepted pupils will remain so, once admitted, for the remainder of their time in the infant class or until class numbers fall back and they can be organised to comply with the infant class size limit.

CONSULTATION

APPENDIX A**MONMOUTHSHIRE COUNTY COUNCIL****DIRECTORATE FOR CHILDREN AND YOUNG PEOPLE****CO-ORDINATED ADMISSION SCHEME FOR SEPTEMBER 2016**
PRIMARY SCHOOLS**INTRODUCTION**

This scheme applies to all admission authorities, (Local Authority (LA) and Voluntary Aided Schools (VA), in the area with regard to parents with children wishing to join the normal year of entry at a maintained primary school in Monmouthshire from September 2016. (A glossary of terms is also shown in Appendix C).

All parents will be invited to express a preference on a common application form, regardless of the status of the schools for which they wish to apply and whether the school is in/out of county. The form will provide an opportunity for parents/carers to give reasons for their preferences. All completed forms should be sent directly to the School & Student Access Unit (SSAU). **An exception to this is if parents wish to apply for a School that resides within Newport City Council – in such circumstances the parent is required to apply directly to Newport City Council under their admission arrangements.**

Although individual school admission authorities (Voluntary Aided) may require you to complete their own admission forms, all applicants must also complete a “Common Application Form”.

Pupils with a Statement of Special Education Needs will be admitted to the school named on their Statement.

1. **Consideration of Applications and Allocation of Places (Normal Admission Round)**

When applying the oversubscription criteria to determine who is to be awarded places, all parental preferences will be considered equally and allocated in line with the criteria below. The highest preference school will be offered in the event that one or more preferences can be met.

If none of the preferences can be met, the Local Authority will ensure that as far as is reasonably possible, an offer can be made.

The closing date for the first stage of applications is **4.30 pm Friday 15th January 2016** and written notification of the outcome of each application will be given via the School & Student Access Unit by **1st April 2016**.

If a parent applies for a place outside Monmouthshire, the Authority to which they have applied will inform the parent and Monmouthshire of the decision to offer or refuse.

Late applications or changes to the order of preference will be considered after the first stage has been completed. Where a parent expresses a preference within the first stage and then changes a preference after 4:30pm on 15th January 2016, this will be deemed as a late application.

Similarly, applications where a change of circumstance have occurred, which have an impact upon the application's status within the oversubscription criteria, will result in the application being treated as late if these changes are brought to the Authorities attention after the closing date.

2. TIMETABLE FOR PRIMARY CO-ORDINATED ADMISSIONS FOR SEPTEMBER 2016

PRIMARY SCHOOL (including Voluntary Aided Schools)

2.1 Stage 1

Applications made available to parents	6 th November 2015
Applications received either paper or on line	By 15th January 2016 (10 weeks)
Details of applications sent to Voluntary Aided Schools and other LAs, as appropriate. Details of applications made to Voluntary Aided Schools returned to School and Student Access Unit	By 22nd January 2016
Voluntary Aided Schools and neighbouring LAs return ranked lists of pupils to School & Student Access Unit indicating the over-subscription criterion that each child has been considered under and identifying refusals	By 19th February 2016
School & Student Access Unit / Voluntary Aided Schools allocate the highest preference place available and notifies other LA's, as appropriate	By 11th March 2016
School & Student Access Unit allocates places to Monmouthshire children without an offer	By 18 th March 2016

School & Student Access Unit sends list of pupils to be offered places to each Monmouthshire School	By 25th March 2016
School & Student Access Unit / Voluntary Aided Schools send notifications to parents/carers	On 1st April 2016
Appeals	May – July 2016

Stage 2

Following the first stage of allocations, late applications will be considered and slotted in where possible using the admissions criteria. However there is no guarantee that late applications will be dealt with before **1st April 2016**.

At this stage, parents/carers will be able to apply for reconsideration to a school they placed as a higher preference to the one offered.

The processing of late applications will be done on a monthly basis, so, for example, applications received in April 2016 will be collated and processed during the first full week in May 2016 with schools and parents being notified by the end of the second full week. These will be processed as per the over-subscription criteria.

APPENDIX B**CO-ORDINATED ADMISSION SCHEME FOR SEPTEMBER 2016**
SECONDARY SCHOOLS**INTRODUCTION**

This scheme will apply to all schools in the area for parents with children wishing to join the normal year of entry at a secondary school in Monmouthshire from September 2016.

All parents will be invited to state three preferences on a common application form, regardless of the status of the schools for which they wish to apply and whether the school is in/out of county. The form will provide an opportunity for parents/carer to give reasons for their preferences. All completed secondary transfer forms should be returned directly to the School & Student Access Unit. **An exception to this is if parents wish to apply for a School that resides within Newport City Council – in such circumstances the parent is required to apply directly to Newport City Council under their admission arrangements.**

Pupils with a Statement of Special Educational Needs will be admitted to the school named on their statement.

1 Consideration of Applications and Allocation of Places (Normal Admission Round)

When applying the oversubscription criteria to determine who is to be awarded places, all parental preferences will be considered equally and allocated in line with the criteria in Appendix 1. The highest preference school will be offered in the event that one or more preferences can be met.

If none of the preferences can be met the Local Authority will ensure, as far as is reasonably possible, that an offer can be made at the next nearest available School.

The closing date for the first round of applications is **4.30 pm on 27th November 2015** and written notification of the outcome of each in county application will be given via the School & Student Access Unit on **1st March 2016**.

For preferences to attend a School outside of Monmouthshire, written notification on the decision to offer / refuse a place at the chosen School will be given by the relevant Local Authority / Admission Authority in line with their offer date.

Monmouthshire will have regard to any offer made by another Local Authority. If the other Local Authority can offer a higher preferred school, Monmouthshire will not make an offer.

Late applications or changes of order of preference will be considered after the first stage has been completed. Where a parent expresses a preference within the first stage and then changes a preference after **27th November 2015**, this will be deemed as a late application.

Applications where a change of circumstance have occurred, which have an impact upon the application's status within the oversubscription criteria, will result in the application being treated as late if these changes are brought to the Authorities attention after the closing date.

2. TIMETABLE FOR CO-ORDINATED ADMISSIONS FOR SEPTEMBER 2016 SECONDARY SCHOOLS

2.1 Stage 1

Applications available to Parents	2nd October 2015
Applications received	By 27th November 2015 (8 weeks)
Details of applications sent to Monmouthshire schools and other LA's, as appropriate	By 4 th December 2015
Consultation with neighbouring LAs on cross border preferences	By 11 th December 2015
School & Student Access Unit allocates the highest preference place available and notifies other LA's, as appropriate	By 29th January 2016
School & Student Access Unit allocates places to Monmouthshire children without an offer	By 12th February 2016
School & Student Access Unit sends list of pupils to be offered places to each Monmouthshire school	On 19th February 2016
School & Student Access Unit sends notifications to parents/carers	On 1st March 2016
Appeals	May – July 2016

2.2 Stage 2

Following the first round of allocations, late applications will be considered and slotted in where possible using the admissions criteria. There is no guarantee that late applications will be dealt with before the **1st March 2016**.

The processing of late applications is undertaken on a monthly basis, so applications received in April 2016 will be collated and processed during the first full week in May 2016 with schools and parents/carers being notified by the end of the second full week. These will be processed as per the over-subscription criteria.

CONSULTATION

APPENDIX C**ADMISSION AUTHORITIES**

- Monmouthshire County Council
- Voluntary Aided Schools (Monmouthshire)
 - Archbishop Rowan Williams Church in Wales Primary School
 - Llanfair Kilgeddin Church In Wales Primary School
 - Magor Church In Wales Primary School
 - Our Lady & St Michaels Roman Catholic Primary School
 - St Mary's Roman Catholic Primary School, Chepstow
- Blaenau Gwent County Borough Council
- Gloucestershire County Council
- Herefordshire County Council
- Newport City Council
- Powys County Council
- Torfaen County Borough Council
- Brynmawr Foundation School
- St Albans RC School
- St Josephs RC Schools

Glossary

Normal Year of Entry

The year in which a pupil is scheduled to commence / change school

Maintained School

A school maintained either by the LA or the Diocese

Common Application

Pre-printed form with pupil details and unique pupil reference Number

APPENDIX D

School admission numbers**Secondary**

SCHOOL	Capacity	AN
Caldicot Comprehensive	1590	270
Chepstow Comprehensive	1203	188
King Henry VIII Comprehensive	1293	215
Monmouth Comprehensive	1671	263

SCHOOL	Capacity	AN
Achbishop Rowan Williams C in W Primary	210	30
Cantref Primary	210	30
Castle Park Primary	210	30
Cross Ash Primary	210	30
Deri View Primary	300	42
Dewstow Primary	210	30
Durand Primary	210	30
Gilwern Primary	210	30
Goytre Fawr Primary	210	30
Kymin View Primary	180	25
Llandogo Primary	111	15
Llanfair Kilgeddin C in W Primary	40	5
Llanfoist Fawr Primary	210	30
Llantilio Pertholey C in W Primary	210	30
Llanvihangel Crucorney Primary	77	11
Magor C in W Primary	388	55
Osbaston C in W Primary	210	30
Our Lady & St. Michael's RC Primary	197	28
Overmonnow Primary	417	59
Pembroke Primary	210	30
Raglan C in W Primary	210	30
Rogiet Primary	210	30
Shirenewton Primary	210	30
St. Mary's RC Primary	210	30
The Dell Primary	420	60
Thornwell Primary	357	51
Trellech Primary	180	25
Undy Primary	359	51
Usk C in W Primary	248	35

Ysgol Gymraeg Y Fenni	210	30
Ysgol Y Ffin	180	25
	7024	

CONSULTATION

Appendix 3

Report date: 17/02/2015

Summary of results on the School Admission Policy Consultation including catchment review**Proposal 1**

Amend Caldicot's catchment boundary so that Rogiet primary catchment area (Caerwent and Crick) feeds entirely into Caldicot's catchment area, this supports transition arrangements and is also the nearest school.
(A map of the proposed area is attached)

We received 39 responses to the proposal to change the catchment area:
27 disagreed with the proposal
11 agreed with the proposal
1 didn't know

Proposal 2

Amend Caerleon's catchment boundary and consider whether Goytre Fawr primary catchment area (Penperlleni, Little Mill, Glascoed and Mamhalid) feeds entirely into King Henry VIII catchment area, this supports transition arrangements and is also the nearest Monmouthshire School.
(A map of the proposed area is attached)

We received 28 responses to the proposal to change the catchment area:
21 disagreed with the proposal
7 agreed with the proposal

Proposal 3

Amend Caerleon's catchment boundary so that the areas of Usk, Llanybi, Tredunnoch and Llanhennock feed entirely into Monmouth's catchment area, this supports transition arrangements and would also support the aim that Monmouthshire children are educated in Monmouthshire Schools.
(A map of the proposed area is attached)

We received 92 responses to the proposal to change the catchment area:
75 disagreed with the proposal
15 agreed with the proposal
2 didn't know
15 respondents were not Monmouthshire residents.

Proposal 4

Establish Catchment Areas for Ysgol Gymraeg Y Fenni and Ysgol Gymraeg Y Ffin, currently these schools do not have a catchment boundary it is assumed that pupils in the North will attend Y Fenni and pupils in the south will attend Y Ffin. However with the establishment of a new welsh Medium Secondary school in Newport County Council we need to be clear on which pupils should feed into the new school and which pupils will continue to feed into Ysgol Gyfun Gwynllyw.
(Maps of the proposed areas are attached)

We received 12 responses to the proposal to change the catchment area:

1 disagreed with the proposal

6 agreed with the proposal

5 didn't know

Proposal 5

Amend Monmouth's catchment boundary so that Llandogo primary catchment area feeds entirely into Monmouth's catchment area, this supports transition arrangements. The current catchment area is split between Monmouth and Chepstow.

(Maps of the proposed areas are attached)

We received 8 responses to the proposal to change the catchment area:

3 disagreed with the proposal

5 agreed with the proposal

Proposal 6

Amend Monmouth's Catchment boundary so that Trellech primary catchment area feeds entirely into Monmouth's catchment area, this supports transition arrangements. The current catchment area is split between Monmouth and Chepstow.

(Maps of the proposed areas are attached)

We received 1 response to the proposal to change the catchment area:

1 disagreed with the proposal

Proposal 7

Amend Caldicot's catchment boundary so that the catchment area for Archbishop Rowan Williams feeds into Chepstow School instead of Caldicot School.
(A map of the proposed area is attached)

We received 248 responses to this proposal via our online questionnaire.

227 disagreed with the proposal
21 agreed with the proposal

We also received 60 paper copies of the questionnaire all of which disagreed with the proposal.

We also received 9 email/letter responses all of which disagreed with the proposal.

Proposal 8

Amend the catchment boundary for Usk CIW Primary to include the areas of Tredunnoch and Llanhennock which currently have a catchment area of Caerleon Endowed Primary.
(A map of the proposed area is attached)

We received 13 responses to this proposal via our online questionnaire.
12 disagreed with the proposal
1 agreed with the proposal

Proposal 9A & 9B

Realign Chepstow's catchment area so the whole of Shirenewton primary catchment area feeds into it. There are currently two anomalies in Shirenewton's Catchment area one area feeds into Monmouth and one area feeds into Caerleon.
(Maps of the proposed areas are attached)

We received 10 Responses
9 disagreed.
1 agreed.

Admissions Policy Responses

We received 66 responses to the admissions policy consultation
36 disagreed with the proposal
24 agreed with the proposal
6 didn't know

We also received 466 responses to the criteria change as part of the catchment consultation questionnaire, the comments are listed on the previous document.
285 disagreed
70 agreed
97 didn't know
14 didn't answer.

In total there were 532 responses:
321 disagreed
94 agreed

103 didn't know
14 didn't answer

Protected characteristic affected	Negative impact Please give details	Neutral impact Please give details	Positive Impact Please give details
Age		✓	
Disability		✓	
Marriage + Civil Partnership		✓	
Pregnancy and maternity		✓	
Race		✓	
Religion or Belief		✓	
Sex (was Gender)		✓	
Sexual Orientation		✓	
Transgender		✓	
Welsh Language			✓

What are the potential negative Impacts.	Ideas as to how we can look to MITIGATE the negative impacts (include any reasonable adjustments or engagement with affected parties).
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➤ Catchment for Welsh Primary Schools in the County will be established.	➤
➤	➤
➤	➤
➤	➤

The next steps

- If you have assessed the proposal/s as having a **positive impact please give full details** below:

Parents are provided with clear information for both English and Welsh Medium catchment schools.

Monmouthshire will now have formalized catchment areas for Welsh Medium Primary Schools with the proposed establishment of a new Welsh Secondary Medium School in Newport, it is necessary to establish catchment areas for these primaries to ensure that Monmouthshire children secure secondary provision delivered through the medium of welsh.

- If you have assessed the proposal/s as having a **Negative Impact** could you please provide us with details of what you propose to do to mitigate the negative impact:

Deb Mountfield	Head of Resources – CYP	8 th March 2015
Matthew Jones	Access Manager – CYP	8 th March 2015

Signed

Designation

Dated



SUBJECT: SEWC Strategic Attendance Policy, Local Attendance Policy and WG Guidance on Fixed Penalty Notices, and Local Code of Conduct

DIRECTORATE: CHILDREN AND YOUNG PEOPLE

MEETING: SPECIAL CABINET

DATE: 18th March 2015

DIVISION/WARDS AFFECTED: Countywide

1. PURPOSE:

1.1 To advise cabinet and members of Strategic Developments in relation to attendance.

2. RECOMMENDATIONS:

2.1 It is recommended that members agree the adoption of the following policies:-

- South East Wales Consortia Strategic Attendance Policy
- South East Wales Consortia Code of Conduct re Fixed Penalty Notices
- Monmouthshire Local Model Attendance Policy

3. KEY ISSUES:

3.1 Welsh Government have produced guidance which allows Local Authorities to seek the imposition of fixed penalty notices where there is a concern about the level of pupil's unauthorised absence.

3.2 Welsh Government have advised that each Local Authority develop their own Code of Conduct which sets out specifically the criteria by which schools can request a fixed penalty notice.

3.3 The Local Authority have as part of the South East Wales Consortia (SEWC) developed a strategic overarching document designed to provide a framework for schools to improve their attendance.

3.4 The Local Authority has also developed a model attendance policy which makes reference to the SEWC strategic document and the Welsh Government Guidance and Local Code of Conduct in relation to Fixed Penalty Notices.

3.5 Each school will then need to ensure that their own attendance policy is compliant with the overarching document, Local Code and that it makes reference to the Welsh Government Guidance on Fixed Penalty Notices.

4. REASONS:

4.1 The adoption of the above documents will support schools in their practice to further improve the already good levels of attendance in Monmouthshire.

4.2 The adoption of the above documents will further enhance the capacity of the Education Welfare Service in Monmouthshire and ensure a seamless continuum of intervention between schools and Education Welfare Service if a pupil's attendance is presenting course for concern.

5. RESOURCE IMPLICATIONS:

5.1 The proposals will have some resource implications on the Education Welfare Service and Principal Officer Inclusion in that they will have to implement the Fixed Penalty Notices if schools' requests meet the criteria.

5.2 There will also be some resource implications on Colleagues in CYP finance as they will have to administer the financial aspect of fixed penalty notices.

5.3 The regulations provide that the LA can retain revenue from their penalty notice scheme to cover the costs of issuing or enforcing notices, or the cost of prosecuting recipients who do not pay. Revenue is payable to the LA in respect of pupils

registered at a school in their area or, in the case of an unregistered pupil, for whom they have arranged alternative provision. **Hence the proposals will be cost neutral.**

6. SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS:

The significant equality impact has been assessed as low and is included as an appendix.

7. SAFEGUARDING AND CORPORATE PARENTING IMPLICATIONS

The implementation of a Strategic Attendance Document together with a template for a model school policy will have a positive impact upon safeguarding for all Monmouthshire pupils as this will ensure that there is consistency in advice for Head Teachers. It will also support Monmouthshire residents who attend schools within the South East Wales Consortium outside of Monmouthshire as the Strategic Attendance Document is being implemented across the South East Wales Consortium.

8. CONSULTEES:

Cabinet
 Directorate Management Team
 Chief Officers across the SEWC
 Strategic Director EAS
 Head Teachers
 Governing Bodies
 Education Welfare Service leads across the SEWC
 Police
 Trade Unions

9. BACKGROUND PAPERS:

Welsh Government Guidance on Fixed Penalty Notices
 SEWC Strategic Attendance Document

Monmouthshire's Model School Attendance Policy
Monmouthshire's Code of Conduct re Fixed Penalty Notices

10. AUTHOR:

Richard Austin

11. CONTACT DETAILS:

Tel: 01633 644559 **E-mail:** Richardaustin@monmouthshire.gov.uk



Integrated Equality Impact Assessment Screening Form

and

Sustainable Development Checklist

October 2011

Document Control

Version No.	4 (August 2011)
Amendments	Update to Sustainable Development Checklist, reflecting new Council priorities.
Author & Contact Details	Equality & Diversity Officer Tel: 01633 644036 Email:

Previous consideration

Version	Description
1	First draft - Document Development
2	Version 2 and pilot initiative use
3	Clarification on full impact assessment requirements for medium risk initiatives; Integrated assessment implication(s) reporting requirements

Forthcoming document consideration

We always welcome any feedback or contributions anyone has to this document and our work towards equality. A database of completed equality impact assessments and the schedule of assessments by directorate and department will be available to review on our website.

Name: Equalities and Welsh Language Officer
 Telephone: 01633 740733
 Contact Email: RichardJones@monmouthshire.gov.uk
 Post: Administration and Support to Policy and Partnerships Team, Monmouthshire County Council, County Hall, Cwmbran, Torfaen, NP44 2XH

<p>What is an Equality Impact Assessment Screening Form? It is a tool to help ensure that the policies, services and decisions Monmouthshire County Council take do not discriminate against any group or groups of people and that they promote equality of opportunity for everyone.</p> <p>When should it be used? A policy, service or decision should be screened for relevance to equality at the development stage of a project, so that equality and diversity considerations can be considered from the very beginning. However, it can also be used once a project is underway or for an existing policy or service.</p> <p>These are some examples of when the screening form should be used:</p> <ul style="list-style-type: none"> • When developing or reviewing policies strategies and services • When assessing the impact of a new project or proposal • When procuring products or services • When preparing service delivery plans • When scoring or assessing grant applications 	<p>Why should it be used? We are legally required to ensure we do not discriminate against people from the protected characteristics. These are:</p> <ul style="list-style-type: none"> • Age • Disability • Gender reassignment • Marriage or civil partnership • Pregnancy and maternity • Race • Religion or belief • Sex • Sexual orientation • The Welsh language <p>Who should use it? Ideally the screening form would be completed by a group to help give different perspectives on the proposal. However, in reality it is likely to be the manager of the service or policy writer who completes the form, which will still generate ideas as to how to ensure equality is integrated into the service.</p> <p>Members will be able to easily see and consider the equality and diversity implications of proposals on Cabinet or Council reports. To this end, comment on the implications from the screening should be included in Paragraph 6 of your Cabinet Report, called “Sustainable Development and Equality Implications”, and the integrated assessment attached as an appendix to the report.</p>	<p>How to use the Screening form Before screening the policy or service you should familiarise yourself with the full Equality Impact Assessment (EIA) Toolkit which contains comprehensive guidance on what you should consider when undertaking the screening process.</p> <p>You should also be able to provide evidence for any positive, negative or neutral effects on staff or service users. Suggested sources for this evidence can be found in the EIA Toolkit.</p> <p>When assessing the potential risk you should consider:</p> <ul style="list-style-type: none"> • Does the policy/service affect a large amount of people? • Does the policy/service affect a small group of people in a significant way? • Are there major scale/cost implications to the Council? <p>If a policy or service is scored as a high risk you will need to complete a full EIA. Considerations required for medium risk assessments are explained in the integrated toolkit.</p> <p>If a policy or service is scored as low risk, a copy of the screening form should accompany the policy or report through the approval process. In addition, a copy should be sent to the Equality and Diversity Officer to publish on the EIA section of the website.</p>
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<p>WHAT IS THE SUSTAINABLE DEVELOPMENT CHECKLIST?</p> <p>It is a tool to help ensure that the decisions Monmouthshire County Council take consider sustainable development issues. In simple terms, sustainable development means giving equal consideration to social, economic and environmental issues when making decisions, and thinking globally and long term.</p> <p>WHEN SHOULD IT BE USED?</p> <p>The best time to use the Sustainable Development Checklist is at the development stage of a project, so that sustainability can be built in and considered from the very beginning. However, it can also be used once a project is underway.</p> <p>In this case the Checklist is to be used when writing reports that require decisions to be made by Monmouthshire County Council, but it can also be used in other ways:</p> <ul style="list-style-type: none"> • When developing or reviewing policies and programmes • When assessing the impact of a new project or proposal • When procuring products or services • When preparing service delivery plans • When scoring or assessing grant applications 	<p>WHY SHOULD IT BE USED?</p> <p>The Checklist helps to:</p> <ul style="list-style-type: none"> • Identify positive and negative impacts on sustainable development • Identify possible areas of conflict • Consider simple steps which could make a project more sustainable • Demonstrate good practice <p>The Checklist also helps to:</p> <ul style="list-style-type: none"> • Stimulate discussion • Generate new ideas • Encourage ‘joined-up’ thinking <p>Raise awareness of different issues</p> <p>WHO SHOULD USE IT?</p> <p>Ideally, the Checklist would be completed by a group, to help give different perspectives on the proposal. However, in reality it is likely to be the report writer completing the checklist, which will still generate ideas as to how to make a project more sustainable.</p> <p>Members will be able to easily see and consider the Sustainable Development implications of proposals on reports.</p>	<p>HOW TO USE THE SUSTAINABLE DEVELOPMENT CHECKLIST?</p> <p>The process shouldn’t take long to complete. When completing the Checklist you should consider:</p> <ul style="list-style-type: none"> • The impact the project has on the various aspects of sustainable development listed. • Can any negative impacts be improved? • Completing the checklist is bound to be a bit subjective. Is there anyone else (your manager or DMT?) who could go through the checklist too? • Some aspects of the checklist may not be relevant. Don’t worry about this. <p>The main impacts and any measures to be taken to reduce the negative impacts should be briefly summarised in Paragraph 6 of your Report, called “Sustainable Development and Equality Implications”. The integrated assessment should be attached to reports as an appendix.</p> <p>Headings are based on outcomes from the Corporate Improvement Plan 2011/14 which are that people in Monmouthshire:</p> <ul style="list-style-type: none"> • Live safely and are protected from harm • Live healthy and fulfilled lives • Benefit from education, training and skills development • Benefit from an economy which is prosperous and supports enterprise and sustainable growth • Benefit from an environment that is diverse, vibrant and sustainable
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EQUALITY IMPACT ASSESSMENT SCREENING FORM / SUSTAINABLE DEVELOPMENT CHECKLIST

Appendix I

Name of Policy/Service: Monmouthshire Pupil Referral Service			
Assessor(s):	Directorate:	Department:	Date assessed:
Richard Austin	CYP	School Improvement	12.03.12
Report Author	Date:	Cabinet/Council Date:	
Richard Austin	12.03.12	20.03.12	

EQUALITY IMPACT ASSESSMENT SCREENING

1 Purpose of Policy/Service:

The Education Welfare Service provides advice, support and intervention to address attendance and well-being concerns of all pupils whose attendance has been identified by schools as presenting with cause for concern. The SEWC Strategic Policy together with the Model Attendance Policy, and Code of Conduct re Fixed Penalty Notices will further support and assist the Education Welfare Service in its efforts to further improve the already high levels of attendance and engagement in Monmouthshire.

2 Which groups of people is the policy/service likely to effect (either positive, negative or neutral)?

	Positive	Negative	Neutral		Positive	Negative	Neutral
Age			YES	Race			YES
Disability			YES	Religion or Belief			YES
Gender reassignment			YES	Sex			YES
Marriage or civil partnership			YES	Sexual Orientation			YES
Pregnancy and maternity			YES	Welsh Language			YES

Please explain the nature of the effect:

The revised documentation in line with Welsh Guidance allows schools to request the imposition of a fixed penalty notice from the Local Authority if a pupil has more than 10 unauthorised sessions of absence in a term.

- 3 Is there any evidence (actual or hypothetical) for a negative impact or discriminatory effect on any group(s)? Please describe adverse effects and tick relevant groups. If no negative impact please state evidence for this conclusion.**

Age		Race	
Disability		Religion or Belief	
Gender reassignment		Sex	
Marriage or civil partnership		Sexual Orientation	
Pregnancy and maternity		Welsh Language	

None of the groups will be discriminated by these proposals.

- 4 Is there any evidence (actual or hypothetical) for a negative impact or discriminatory effect on staff? Please describe adverse effects and tick relevant groups. If no negative impact please state evidence for this conclusion.**

Age		Race	
Disability		Religion or Belief	
Gender reassignment		Sex	
Marriage or civil partnership		Sexual Orientation	
Pregnancy and maternity		Welsh Language	

There is no evidence of any discrimination to any staff/parents as the fixed penalty notices have to be implemented under a rigid code of conduct.

5 What data has been used for this assessment?

There has been no data used for this assessment as the implementation of fixed penalty notices process applies to all pupils. Where there is evidence of any issues which could impact upon the attendance of pupils then it is the practice of this Education Welfare Service to support the school, pupil by addressing underlying issues and referring to other agencies who may be able to support the pupil and family. This approach is evidenced by the high attendance figures in Monmouthshire.

6 Please indicate below whether you consider this policy/service to have a high, medium or low risk as follows:

	Risk of Inequality		
	High	Medium	Low
Are a large number of people affected? Only those pupils who have 10 sessions of unauthorised absence in a term			1
Is the potential impact significant? Parents could be given a fixed penalty notice, if attendance doesn't improve then they could still be taken to court and fined (as they are now)			1
Is the scale/cost to the Authority significant? There will be some cost in Officer Time to administer the imposition of the fixed penalty notice and the collection of the fines. The Guidance allows for the costs incurred to be recovered.			1
Score	3		

Scoring

- | | | | |
|--------------------------------|--------|-----------------------|--|
| <input type="checkbox"/> 3 | Minor | No significant impact | No further action required |
| <input type="checkbox"/> 4 - 6 | Medium | Some impact | Further consultation to decide whether full impact assessment is necessary |
| <input type="checkbox"/> 7 - 9 | High | Significant impact | Full impact assessment |

7 Is a full equality impact assessment required? A high rating in question 6 will require a full assessment. A medium rating will require, as a first stage, further consultation in order to determine whether a full impact assessment is required

No

PEOPLE IN MONMOUTHSHIRE BENEFIT FROM AN ENVIRONMENT THAT IS DIVERSE, VIBRANT AND SUSTAINABLE					
Elements	Contribution			Evidence	Ideas for Improvement
What contribution does this make to:	-	0	+		
Reduce, reuse and recycle waste and water		0		Service is attendance	
Reduce carbon dioxide emissions by increasing energy efficiency or use of renewable energy		0		Service is attendance (EWS may use their vehicles to meet parents at home if required)	
Prevent or reduce pollution of the air, land and water		0		Service is attendance	
Protect or enhance wildlife habitats (e.g. trees, hedgerows, open spaces)		0		Service is attendance	
Protect or enhance visual appearance of environment		0		Service is attendance	
Reduce car and road freight mileage, and encourage public transport, walking and cycling		0		Service is attendance (EWS may use their vehicles to meet parents at home if required)	
Have a positive impact on people and places in other countries		0		Service is attendance	
PEOPLE IN MONMOUTHSHIRE LIVE HEALTHY AND FULFILLED LIVES					
Elements	Contribution			Evidence	Ideas for Improvement
What contribution does this make to:	-	0	+		
Ensure that more people have access to healthy food			Yes	EWS have gone to food banks to ensure that vulnerable families have access to food	
Improve housing quality and provision			Yes	EWS can refer to housing if this is a factor contributing towards poor attendance and engagement.	
Reduce ill health			Yes	EWS can refer to GP and CAMHS if they have parental permission and they believe that a pupil/ family require support.	

Improve facilities and choice of health care provision			Yes	EWS can refer to GP and CAMHS if they have parental permission and they believe that a pupil/ family require support.	
Encourage physical activity		0			
Promote independence			Yes	Pupils are encouraged to become independent learners	

PEOPLE IN MONMOUTHSHIRE LIVE SAFELY AND ARE PROTECTED FROM HARM

Elements	Contribution			Evidence	Ideas for Improvement
What contribution does this make to:	-	0	+		
Encourage community participation/action			YES	EWS encourage young people to attend school and engage with provision	
Targets socially excluded			YES	Yes this is the nature of EWS, they provide support, advice and guidance to those at risk of social exclusion	
Help reduce crime and fear of crime			YES	Access to appropriate provision and engaging young people aims to reduce the potential for their involvement in anti-social behaviour	
Improve access to local facilities for all local people, regardless of age, gender, ability etc.			YES		

PEOPLE IN MONMOUTHSHIRE BENEFIT FROM EDUCATION, TRAINING AND SKILLS DEVELOPMENT

Elements	Contribution			Evidence	Ideas for Improvement
What contribution does this make to:	-	0	+		
Improve access to education and training			YES	Aim will be to enable vulnerable young people to get a qualification	
Value and support voluntary work		0			
Increase and improve access to leisure and recreation facilities		0			
Increase and improve access to cultural facilities		0			

PEOPLE IN MONMOUTHSHIRE BENEFIT FROM AN ECONOMY WHICH IS PROSPEROUS AND SUPPORTS ENTERPRISE AND SUSTAINABLE GROWTH

Elements	Contribution				Ideas for Improvement
What contribution does this make to:	-	0	+		
Protect local shops and services		0		If young people are engaged then shoplifting may be reduced	
Link local production with local consumption		0			

Improve environmental awareness of local businesses		0			
Increase employment for local people			YES	EWS process work permits for young people in line with Welsh Government Legislation	
Preserve and enhance local identity and culture		0			
Consider ethical purchasing issues, such as Fairtrade, sustainable timber (FSC logo) etc		0			

Equality Impact Assessment – Initial challenge		
(Brief outline of proposal)		
(the negative impacts you will need to mitigate and the positive impacts you will want to promote)		
Issue (or protected category)	Negative impact	Positive Impact
Transport	There may be some pupils who the Education Welfare Service will need to visit at home	
Social Inclusion		The EWS has had a positive impact upon inclusion for young people. Less young people have been absent from schools
		(use this row to identify neutral impacts)

Issues for consideration (self-challenge on issues that will need to be analysed/resolved)	Comments (preferably how negative impacts are mitigated or positive impacts promoted/maximised – include ‘reasonable adjustments’)
➤	➤
➤	➤
➤	➤
➤	➤
➤	➤
➤	➤
➤	➤
➤	➤
➤	➤

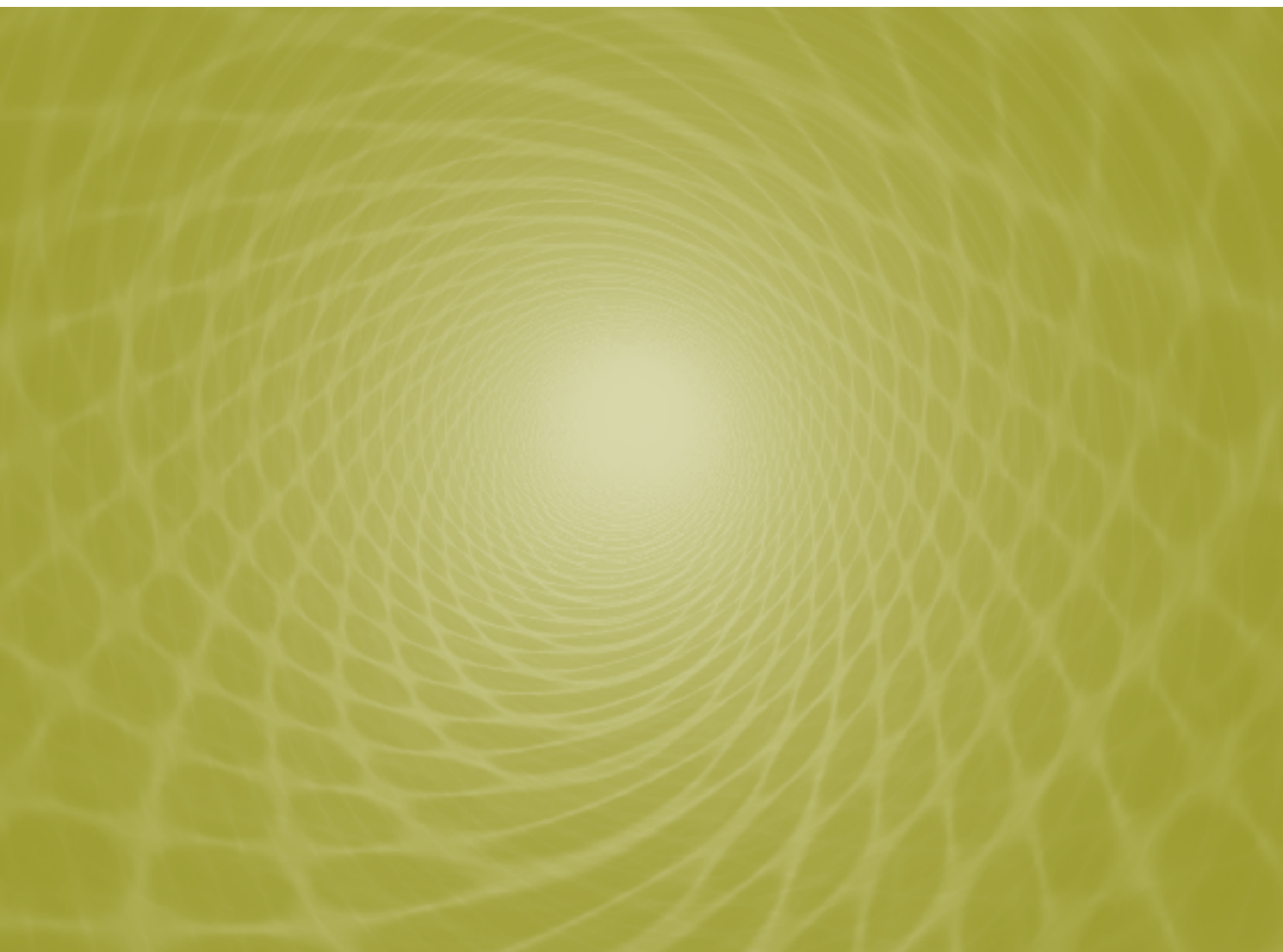
➤	➤
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➤	➤
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➤	➤
➤	➤
➤	➤



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Welsh Government

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Guidance on penalty notices for regular non-attendance at school



Guidance

Guidance document no: 116/2013

Date of issue: September 2013

Guidance on penalty notices for regular non-attendance at school

Audience	Headteachers and governing bodies of maintained schools in Wales; police; teachers in charge of Pupil Referral Units (PRUs); local authorities (LAs); teaching and other unions; pupils; parents/carers; parent support organisations; diocesan authorities and voluntary organisations.
Overview	This document provides guidance on the application of penalty notices for regular non-school attendance.
Action required	LAs, school governing bodies (GBs), school staff, and the police are required by law to have regard to the relevant parts of this guidance when carrying out their functions in relation to penalty notices, including making decisions on issuing a penalty notice under section 444A of the Education Act 1996.
Further information	Enquiries about this document should be directed to: Pupil Wellbeing Team Department for Education and Skills Welsh Government Cathays Park Cardiff CF10 3NQ e-mail: WELLBEINGshare@wales.gsi.gov.uk
Additional copies	This document can be accessed from the Welsh Government's website at www.wales.gov.uk/educationandskills

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Introduction

In line with the Welsh Government commitment to *Improving schools* (Welsh Government, 2012)¹ we aim to strengthen our approaches to inclusion and safeguarding. We agreed to consult on legislation for the introduction of fixed penalty notices for non-school attendance. Having considered the responses to this consultation the Welsh Government has made the Education (Penalty Notice) (Wales) Regulations 2013. The regulations come into force in September 2013.

Local authorities (LAs), school governing bodies, school staff, and the police are required by law to have regard to the relevant parts of this guidance when carrying out their functions in relation to penalty notices, including making decisions on issuing a penalty notice under section 444A of the Education Act 1996.

This means that due regard must be given to the guidance and there is an expectation that it will be followed unless there is good reason to depart from it.

Penalty notices are one option among a number of different interventions available to promote better school attendance. Attendance at school is essential to improve children's educational prospects and to avoid putting them at risk of criminal or antisocial behaviour.

The penalty notice measures will support LAs and schools in ensuring parents/carers fulfil their responsibilities by ensuring their children regularly attend school. As such, it is important that professionals involved in applying the penalty notice procedures are aware of the different types of strategies and support that will be appropriate in engaging different parents/carers.

The penalty notice process is described in detail in the 'Issuing penalty notices' section of this guidance but to be helpful to those implementing the process the guidance provides examples of other good practice.

In addition LAs and schools should make use of data to help them monitor and evaluate the effectiveness and appropriateness of their use of penalty notices.

Penalty notices are an additional option that can be used in a wide range of intervention and support strategies to support parents/carers and pupils. Schools and the LA Education Welfare Service (EWS) should consider each case individually.

¹ learning.wales.gov.uk/news/sitenews/improvingschools/?lang=en

Penalty notices will be most effective when issued for less entrenched attendance issues, particularly for certain age groups or over particular time periods such as Key Stage 4 pupils in the run-up to examination periods.

In most cases when a warning is issued for a fine this is enough to raise awareness of the severity of the attendance issue. This in itself can lead to an improvement in attendance.

The guidance is not exhaustive and judgements will need to take account of the circumstances of individual cases.

School attendance

All parents/carers have a legal responsibility to ensure their child regularly attends school.

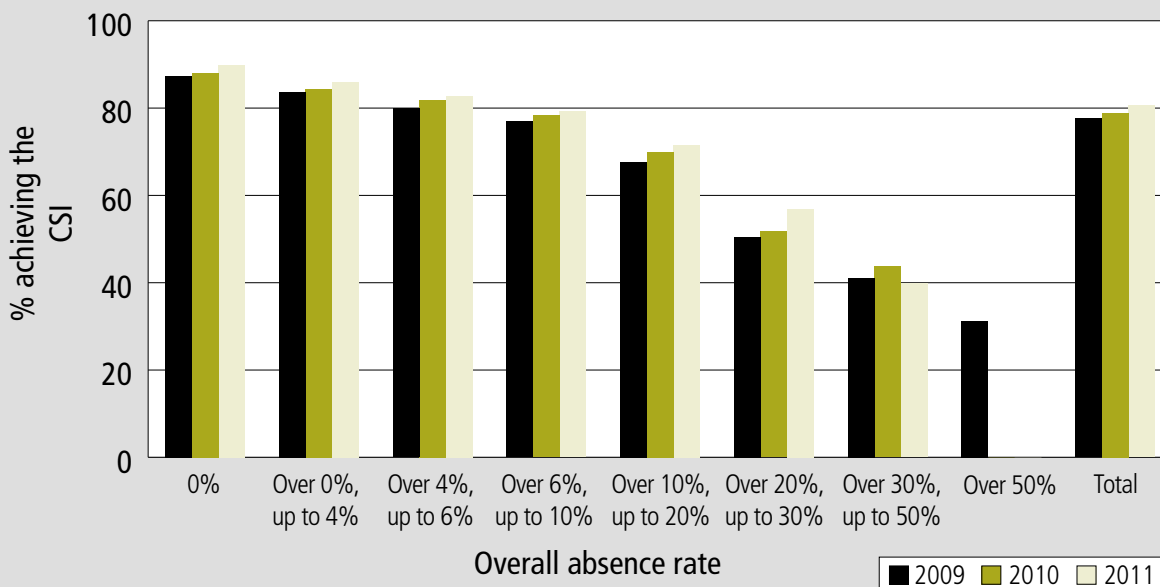
When a child attends school on a regular basis, they take an important step towards reaching their full potential, and are given the greatest opportunity to learn new things and develop their skills.

Children who miss school can frequently fall behind with their work and do less well in exams.

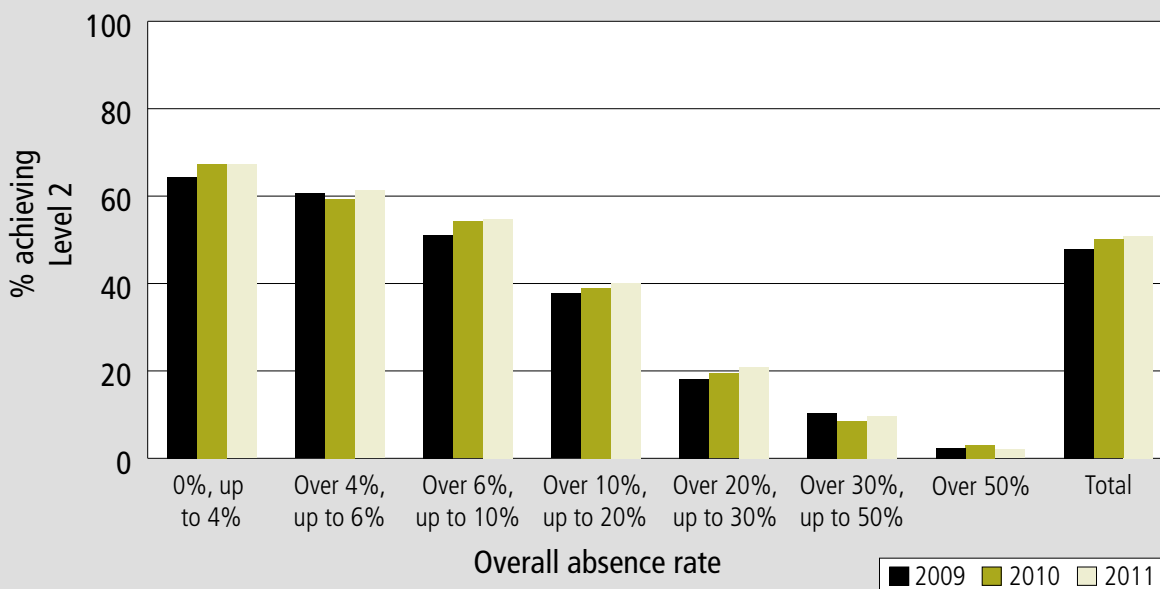
The more time a child spends around other children, whether in the classroom or as part of a school team or club, the more chance they have of making friends and feeling included, boosting social skills, confidence and self-esteem.

Attendance in schools needs to remain a priority to ensure that children and young people are given the chance to achieve their potential. The statistical links between attendance and achievement are very strong as shown in the following tables.

Percentage of pupils achieving the CSI at Key Stage 2 by overall absence rates, 2009–2011



Percentage of pupils achieving the Level 2 threshold including a GCSE grade A*–C in English Language or Welsh (First Language) and Mathematics at Key Stage 4 by overall absence rates, 2009–2011



As well as helping young people achieve their potential, active follow-up of non-attenders is a key element in their protection and helping them to avoid involvement in criminal activity. Pupils not attending school on a regular basis are far more likely to commit crime.

The role of school in achieving regular school attendance

Effective engagement is the bedrock on which all work with parents/carers is built. Key to this is respecting parents'/carers' rights and supporting them in meeting their responsibilities. It is essential when school staff feel that a pattern of non-attendance is emerging that they work closely with education, social and health support services to ensure the most appropriate and effective intervention is available to the pupil and parents/carers.

Schools and LAs should work with parents/carers and pupils as far as possible to encourage attendance and provide any necessary additional support, before taking forward any prosecution.

The use of targeted intervention and support in areas of specific need can be very effective in improving attendance, particularly when working in partnership with the EWS and the LA.

Non-attendance can be a sign of significant problems in the home environment and schools need to ensure that they are actively involved with pursuing the reasons for non-attendance and making the appropriate links with external organisations.

Schools are required to take an attendance register twice a day: at the start of the morning session and once during the afternoon session. The register shows whether the pupil is present, engaged in approved educational activities off-site, or is absent. In addition, where a pupil is of compulsory school age, the register must show whether the absence was authorised by the school or unauthorised.

Authorised absence is where the school has either given approval in advance for the pupil to be absent from school, or where an explanation offered afterwards has been accepted by the school as satisfactory justification for absence. Only schools, not parents/carers, can authorise an absence, and schools must consider whether the reason for absence is reasonable before doing so. Any absence that is not authorised by the school should be recorded as an unauthorised absence.

Additional learning needs

Attendance problems could, in some instances, relate to a child's additional learning needs (ALN). School governing bodies have a statutory duty to use their best endeavours to ensure that the necessary provision is made for any pupil who has ALN. LAs have specific duties in relation to identifying, assessing and making provision for pupils with ALN, including those with behavioural, social and emotional needs. Statutory guidance on identifying, assessing and making provision for pupils with ALN, including those with behavioural, social and emotional needs, is given in the *Special Educational Needs Code of Practice for Wales* (Welsh Assembly Government, 2004)². Schools and LAs must have regard to this guidance.

Before proceeding to issue a penalty notice schools and LAs should consider whether attendance problems may be related to a pupil's special educational needs. Maintained schools should be able to demonstrate that they have used their best endeavours, acting in conjunction with the LA where appropriate, to make appropriate provision for the pupil's needs. This may include action to support the pupil through School Action and School Action Plus in the ALN Code of Practice for Wales or asking the LA to carry out a statutory assessment of the pupil's needs. Early identification and intervention, accurate assessment and the arrangement of appropriate provision to meet pupils' ALN usually leads to better outcomes.

Penalty notices are not, and should not be used as, alternatives to taking appropriate action to meet a pupil's ALN.

United Nations Convention on the Rights of the Child

The United Nations Convention on the Rights of the Child (UNCRC) is an international agreement that protects the rights of children under the age of 18. By virtue of the Rights of Children and Young Persons (Wales) Measure 2011, the Welsh Ministers are required to have due regard to the UNCRC when bringing forward new policy proposals and legislation.

In considering these proposals we have had due regard to the UNCRC, e.g. the right of the child to education. There is also a requirement to give children a voice in decision-making processes affecting them. The Welsh Government takes into account the views and ideas expressed by children when making decisions that have a direct impact upon their lives.

² www.wales.gov.uk/topics/educationandskills/publications/guidance/specialedunneedscoop/?lang=en

Further information

Further information on strategies to support regular school attendance can be found in the following Welsh Government guidance.

All Wales Attendance Framework (2011)

www.wales.gov.uk/topics/educationandskills/schoolshome/pupilsupport/framework/?lang=en

Inclusion and Pupil Support (2006)

www.wales.gov.uk/topics/educationandskills/schoolshome/pupilsupport/inclusionpupilsupportguidance/?lang=en

Responsibilities for securing regular school attendance

Ensuring regular school attendance is a demanding area of work that depends on establishing and utilising close working relationships between parents/carers, pupils, schools, the LA EWS and other professionals working with children and young people in social, educational and health care settings.

A key element of any successful working relationship is a clear understanding of each person's role and responsibilities, and as such this section sets out to clarify the roles and responsibilities for those people engaged with tackling attendance issues.

Parent/carer

Under section 7 of the Education Act 1996, the parent/carer is responsible for ensuring that their child of compulsory school age receives efficient full-time education that is suitable to their child's age, ability and aptitude and to any special educational needs the child may have. This can be by regular attendance at school, alternative provision or by elective home education (the parent/carer can choose to provide education for their child).

For the purposes of education legislation the definition of parent/carer is set out at section 576 of the Education Act 1996. 'Parent' means all natural parents/carers, whether they are married or not; it includes any person who, although not a natural parent, has parental responsibility (as defined in the Children Act 1989) for a child or young person, and any person who, although not a natural parent, has care of a child or young person. Having care of a child or young person means that a person with whom the child lives and who looks after the child, irrespective of what their relationship is with the child, is considered to be a parent in education law. For further information see *"Parents" and "Parental Responsibility"* (Welsh Assembly Government, 2007)³.

Sections 444A and 444B of the Education Act 1996 (introduced by section 23 of the Anti-social Behaviour Act 2003) introduced penalty notices as an alternative to prosecution under section 444. Parents/carers may discharge potential liability for conviction for an offence under section 444 by paying a penalty.

³ www.wales.gov.uk/about/foi/publications-catalogue/circular/2007/1552456/?skip=1&lang=en

There is no legal requirement for there first to have been a penalty notice before proceeding to prosecution.

School

Schools are required under the Education (Pupil Registration) (Wales) Regulations 2010 to take an attendance register twice a day: at the start of the morning session and once during the afternoon session. The accuracy of the register is important to support any statutory interventions that may be required. It should be noted that it is an offence not to maintain accurate registers. Detailed guidance on attendance codes can be found in 'Annex 4.i' of the *Inclusion and Pupil Support* (Welsh Government, 2006)⁴ guidance document.

Local authority

Under section 437 of the Education Act 1996, LAs have a duty to ensure that a child for whom they are responsible is receiving a suitable education either by regular attendance at school or otherwise. Further information can be found in 'Section 4' of the *Inclusion and Pupil Support* guidance document.

In September 2009 section 436A⁵ of the Education Act 1996 came into force. This section requires that LAs must make arrangements to enable them to establish (so far as it is possible to do so) the identities of children residing in their area who are not receiving a 'suitable education'.

Implementation of the duty under section 436A should be integrated with the wider range of duties placed on LAs, including the Children Act 2004 and the Welsh Government's *Safeguarding Children: Working Together Under the Children Act 2004* that aims to improve outcomes, and safeguard and promote the welfare of children. The new duty should strengthen and complement these existing duties.

Consortia working

LAs may wish to consider how they might develop and consult on their code of conduct on a consortia basis. This approach has the benefit of creating greater consistency, minimising duplication of effort and providing clarity in relation to cross-border practices.

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⁴ www.wales.gov.uk/topics/educationandskills/schoolshome/pupilsupport/inclusionpupilsupportguidance/?lang=en

⁵ This section was inserted into the Education Act 1996 by section 4 of the Education and Inspections Act 2006.

This would also help to reinforce consortia work already being undertaken to improve school attendance.

Looked-after children

Children looked after by LAs are especially at risk of low attainment in school. Schools should be especially sensitive to issues where looked-after children are concerned. Schools should try every practicable means to maintain the learner in school and should seek LA and other professional advice as appropriate. LA children's services departments should in all cases be involved at the earliest opportunity in working with the school.

Roles and responsibilities for issuing penalty notices

Roles and responsibilities of the local authority

LAs are responsible for the administration of the scheme and for bringing prosecutions and must therefore issue a local code of conduct (see 'Local codes of conduct' on page 13 and 'Annex A') to ensure the smooth administration and operation of the scheme and to ensure that it operates consistently across the LA area. In doing so, LAs will need to define the criteria under which a penalty notice will be issued. LAs will need to ensure that there is sufficient evidence available to proceed to a successful prosecution if payment of a notice is not made, e.g. data from school registration.

LAs may, in the absence of any other agreement, only issue penalty notices in respect of a pupil registered at a school in that LA area or, in the case of an unregistered pupil, who resides in their area or for whom that LA has arranged alternative provision. LAs may only issue penalty notices in respect of a pupil registered at a school in another LA area or, in the case of an unregistered pupil, for whom another LA has arranged alternative provision if they have an agreement to that effect with the other LA.

LAs, following consultation with their schools and police, may limit the power of issuing penalties to the authority only, if they so wish as part of their code of conduct.

Action: LAs will be expected to have a code of conduct in place by the end of the 2013/14 academic year. Of course, this can be introduced earlier.

Roles and responsibilities of schools

Headteachers are empowered to issue penalty notices and to authorise their deputy and assistant head to do the same. They may only issue penalty notices to parents/carers in respect of the irregular attendance of a child registered at their school.

Headteachers wishing to issue, or authorise their staff to issue, penalty notices should first discuss this with their governing body. It is good practice to include the use of penalty notices in the school's attendance and behaviour policies.

Headteachers and deputy and assistant heads must comply with the local code of conduct issued by their LA when issuing penalty notices and provide to the LA a copy of any notice issued.

Action: Schools will be expected to have updated attendance and behaviour policies in place for the start of the 2014/15 academic year. Again, this can be introduced earlier if schools so wish.

Roles and responsibilities of the police

The police are empowered to issue penalty notices.

The police must comply with the local code of conduct issued by the relevant LA when issuing penalty notices and provide to the LA a copy of any notice issued.

Local codes of conduct

To ensure the powers are applied consistently a local code of conduct must be developed. The purpose of the local code of conduct is to ensure that the powers are applied consistently and fairly across the consortium or LA area and that suitable arrangements are in place for the administration of the scheme. Local codes should contain a statement to this effect.

To further promote consistency and minimise unnecessary duplication, LAs may wish to develop a code of conduct at consortium level.

Anyone issuing a penalty notice must do so within the terms of the local code.

Action: It is the responsibility of each LA to draw up a code of conduct after consultation as set out in the Education (Penalty Notices) (Wales) Regulations 2013.

The local code of conduct is key to the successful use of penalty notices. It ensures consistency, fairness and transparency in the way penalty notices are applied and allows consortia and LAs to manage the system and tailor it to local needs and resources. The regulations specify that the local code must include:

- a means of avoiding the issuing of duplicate notices and of ensuring that notices are not issued when a prosecution for that particular offence is already being planned or is underway. One way of achieving this might be for LAs to restrict those able to issue notices to only one department, e.g. EWS. This would also allow headteachers to maintain effective management of the school/home relationships
- when it will be appropriate to issue a penalty notice for an offence. In the case of truancy, this must include the level of unauthorised absence which is necessary to trigger a penalty notice. In considering this trigger, LAs should take into account the level of unauthorised absence at which it will be willing and able to prosecute for the offence of irregular attendance as the LA will normally be following this course of action where a penalty notice is not paid. Other criteria may also be included
- the maximum number of penalty notices that can be issued to one parent/carer in any 12-month period
- arrangements for coordination between the LA and its local partners.

Although not specifically provided for in the regulations, the code could include any locally agreed criteria for authorising or not authorising absence (though headteachers should not restrict their discretion).

It is good practice for LAs to publicise the contents of local codes, e.g. by including them in any LA or school attendance policies.

'Annex A' provides an example of the content and layout of a local code of conduct. The example should not be interpreted as definitive. It is intended to set out some of the issues LAs should take into account when framing their local codes.

Issuing penalty notices

The Education (Penalty Notices) (Wales) Regulations 2013 sets out the framework for the operation of penalty notice schemes.

Who can issue a penalty notice?

The provisions enable the following to issue penalty notices, although there is no requirement for them to do so:

- authorised LA staff, e.g. Education Welfare Service staff
- headteachers and school staff authorised by them (limited by the regulations to deputy and assistant heads)
- the police.

Who can receive a penalty notice?

These procedures apply to the parents/carers of children of compulsory school age who are registered at a maintained school, a Pupil Referral Unit (PRU) and those attending alternative provision.

As with prosecutions under section 444 of the Education Act 1996, a penalty notice may be issued to each parent/carer liable for the offence or offences.

Formally notifying the parent/carer

At the outset of casework by the school or LA the parent/carer should be given a formal written notification explaining the actions that may be taken. It is good practice to make sure the parent/carer understands the consequences of failing to ensure their child's regular attendance, in particular that the case could result in a penalty and/or prosecution. However, in certain circumstances a penalty notice may be issued without formal written notification.

It is good practice, where feasible, to warn the parent/carer or parents/carers of the possibility of a notice being issued and to allow 15 school days for the parent/carer to improve the situation before issuing a notice or commencing proceedings.

Sometimes the prospect of a penalty or prosecution may lead to a significant improvement in a pupil's attendance and a penalty notice or court proceedings may not be necessary if it is believed that the improvement will be sustained.

Circumstances in which a penalty notice might be issued

In considering whether the necessary conditions for a penalty notice are fulfilled, LAs and school governing bodies should have regard to all their statutory duties.

The key consideration in deciding whether to issue a penalty notice for truancy will be whether it can be effective in helping to get the pupil who is truanting back into school or alternative provision.

A penalty notice is a suitable intervention in circumstances where the parent/carer is judged capable of securing their child's regular attendance or whereabouts but is not willing to take responsibility for doing so, for example where the parent/carer has:

- failed to engage with any voluntary or supportive measures proposed
- failed to make adequate arrangements for the whereabouts of their child.

The usual response to a first offence might be a warning rather than a penalty. However, authorised officers have the discretion to issue a penalty notice for a first offence in circumstances where the parent's/carer's conduct is particularly blameworthy. For example where unauthorised absence was for an extended period and condoned by the parent/carer, such as where the parent/carer has chosen to take their child on holiday during term time without authorisation.

LAs should take great care to ensure that notices are properly issued and only issued for offences where the LA is willing and able to prosecute. Penalty notices should be withdrawn only rarely. It is for LAs to set out in their local code of conduct the levels of unauthorised absence above which a penalty notice may be issued (taking into account the level of unauthorised absence at which they will be willing and able to prosecute for the offence of irregular attendance).

It will be for the parent/carer to prove reasonable justification. A justification which is capable of being reasonable will depend on points of fact and proof. It is unlikely that any justification would be reasonable unless it stood up to the facts.

LAs should not conclude that some justifications are automatically unreasonable. Some, such as a medical emergency are probably more straightforward: hospital records, doctor's certificate, etc., will help in the consideration of an individual case. Every case should be considered on its merits and all relevant evidence provided taken into account.

This guidance should not be interpreted as definitive; it is intended to set out some of the issues authorities should take into account when framing their local codes. Ultimately it will be for the court to determine if 'reasonable justification' has been proved by the parent/carer.

Specific examples used in codes of conducts for LAs in England can be found at 'Annex C'. LAs and schools should consider each pupil and case on an individual basis and assess the level of support and intervention required before deciding on the most suitable strategy for improving an individual pupil's attendance.

Once a penalty notice is issued

The parent/carer cannot be prosecuted for the particular offence for which a notice was issued until after the final deadline for payment has passed (42 days after receipt of the notice) and cannot be convicted of that offence if he pays a penalty in accordance with the notice.

The penalty is £60 if paid within 28 days of receipt of the notice, rising to £120 if paid after 28 days but within 42 days of receipt of the notice (a notice served by first class post is deemed to have been received on the second working day after posting it by first class post unless it is shown otherwise – therefore the 28 days would begin on the second working day). If the penalty is not paid in full by the end of the 42-day period the LA must either prosecute for the offence to which the notice applies or withdraw the notice.

Prosecution is for the offence to which the notice relates rather than for non-payment of the notice. In the case of truancy, if there is a prosecution it will follow the usual procedures of a prosecution for irregular attendance (including considering an education supervision order as an alternative, or in addition, to prosecution). Irregular attendance prosecutions will be brought by the LA under section 444 of the Education Act 1996.

A penalty notice may only be withdrawn where:

- it ought not to have been issued, i.e. where it has been issued outside the terms of the local code of conduct or where no offence has been committed
- it has been issued to the wrong person
- it contains material errors.

Administration of the penalty notice scheme

The detail of how penalty notice schemes must operate is set out in the Education (Penalty Notices) (Wales) Regulations 2013. A specimen penalty notice pro forma is set out at 'Annex B'. LAs are responsible for drawing up a penalty notice pro forma and distributing this to those issuing them.

The LA is responsible for the overall administration of the scheme. It may make such arrangements for the operation of the scheme, not provided for in this guidance or in the associated regulations, as it sees fit.

Retention of receipts and revenue collection

The regulations provide that the LA can retain revenue from their penalty notice scheme to cover the costs of issuing or enforcing notices, or the cost of prosecuting recipients who do not pay. Revenue is payable to the LA in respect of pupils registered at a school in their area or, in the case of an unregistered pupil, for whom they have arranged alternative provision.

The LA should produce an auditor's statement as part of the usual audit procedure showing that income received from penalty notices does not exceed enforcement as defined above. The surplus, if any, must be surrendered to the Welsh Consolidated Fund.

LAs should consider the possibility of making arrangements with another part of the LA already involved in revenue collection to administer the collection of receipts from penalty notices. This will avoid having to establish new systems and procedures and allow for some economies of scale.

Penalty notices as evidence in legal proceedings

Payment of a penalty notice discharges liability for prosecution for the offence to which the notice relates. This means that neither the fact that a penalty notice was issued and paid nor the pattern of unauthorised absence to which a paid notice relates can be submitted as evidence in a prosecution for any subsequent truancy. However, sections 98 to 101 of the Criminal Justice Act 2003 bring penalty notices within the definition of bad character in that legislation. Evidence of the issue of a paid penalty notice may therefore be introduced if any of the relevant conditions in sections 101 to 106 of the Criminal Justice Act 2003 are met. For example:

- if agreed by all parties
- if it is necessary to contradict a false impression given by the defendant
- if the defendant attacks the character of another person.

If a penalty is not paid, LAs may use the fact a notice was issued and unpaid as evidence in a subsequent prosecution. The unauthorised absence for which an unpaid notice was issued can be used as evidence for a prosecution in the usual way.

Annex A: Local code of conduct

[Name of local authority]

Code of conduct

Fixed penalty notice for non-attendance at school

[Date of issue]

1. Legal basis and rationale

Regular and punctual attendance of pupils at school is both a legal requirement and essential for pupils to maximise the educational opportunities available to them. In law, an offence occurs if a parent/carer fails to secure their child's attendance at school and that absence is not authorised by the school.

Sections 444A and 444B of the Education Act 1996 provide that certain cases of unauthorised absence can be dealt with by way of a penalty notice. A penalty notice is a fine of up to £120 and may be issued to a parent/carer as a result of a child's regular non-attendance at school.

The issuing of penalty notices must conform to all requirements of the Human Rights Act and equal opportunities legislation.

[Name of authority] has the prime responsibility for developing the protocol within which all partners named in the Education (Penalty Notices) (Wales) Regulations 2013 will operate and **[the Education Welfare Service (EWS)]** will deliver this LA responsibility.

The **[name of authority] [EWS]** will continue to investigate cases of irregular attendance from school and following appropriate casework, instigate legal action if appropriate. However, penalty notices offer a means of swift intervention which **[name of authority]** will use to deal with issues of regular non-attendance before they become entrenched.

The issuing of penalty notices will be based on clear threshold criteria which will need to be applied consistently and equitably across **[name of authority]**. Any person authorised to issue a notice in **[name of authority]** must comply with the guidance set out in this code of conduct.

Parents/carers and pupils are supported at school and local authority (LA) level to overcome barriers to regular attendance through a wide range of assessment and intervention strategies. Sanctions of any

nature are for use only where parental cooperation in this process is either absent or deemed insufficient to resolve the presenting problem.

This sanction is a means of enforcing attendance where there is a reasonable expectation that its use will secure an improvement.

2. Legal practicalities

A penalty notice is £60 if paid within 28 days of receipt of the notice, rising to £120 if paid after 28 days but within 42 days of receipt. If the penalty is not paid in full by the end of the 42 days the LA must either prosecute for the offence or withdraw the notice.

This prosecution is for the offence of failing to secure attendance at school and not for non-payment of the fine. It is brought under section 444 of the Education Act 1996.

Withdrawal of the notice can only take place in very limited circumstances as set out in this code of conduct.

3. Who can issue a penalty notice

A penalty notice may only be issued by **[refer to guidance for options]**.

An authorised officer has discretion when deciding whether to issue a penalty notice to one or more parents/carers of a child. The specific circumstances in each individual case will be the determining factor.

4. Circumstances for issuing a penalty notice

A penalty notice can only be issued in cases of unauthorised absence.

Use of penalty notices will be restricted to **[insert relevant option]**.

Penalty notices may be issued in respect of more than one child in cases where there is more than one poorly attending pupil in a family.

Penalty notices may be considered appropriate in the following circumstances:

- truancy
- persistent lateness (after the register has closed and an unauthorised absence is created).

[This list is not exhaustive – please refer to guidance when drafting Code of conduct.]

5. Procedure for issuing a fixed penalty notice

[Name of authority] [EWS], in consultation with schools, will be responsible for the decision to issue penalty notices. This will ensure:

- consistent delivery
- relationships between schools and parents/carers are maintained
- coordination with other enforcement sanctions
- coordination between agencies.

Schools, the police and neighbouring LAs are able to request the issue of a notice.

Penalty notices will only be issued by post.

[Name of authority] [EWS] will respond to all requests to issue a penalty notice within **[10–14]** school days of receipt and where all relevant information has been supplied.

6. Payment of penalty notice

Arrangements for payment will be detailed on the penalty notice.

Payment of the notice discharges the parent's/carer's liability for the period in question and they cannot be subsequently prosecuted under other enforcement powers for the period covered by the notice.

[Name of authority] retains any revenue from any penalty notice to cover enforcement costs. It is unlikely that revenue will be greater than enforcement costs. However, any surplus must be surrendered to the Welsh Consolidated Fund.

7. Non-payment of penalty notice

Non-payment of a penalty notice will trigger prosecution procedures brought under section 444 of the Education Act 1996.

8. Withdrawal of a penalty notice

There is no statutory right of appeal against issuing of a penalty notice.

Once issued a penalty notice may only be withdrawn by **[name of authority]** where:

- proof has been established that the penalty notice has been issued to the wrong person
- the notice ought not to have been issued, i.e. where it has been issued outside the terms of this code of conduct or no offence has been committed.

Where a penalty notice has been withdrawn in accordance with the above, a notice of the withdrawal shall be given to the recipient and any amount paid by way of penalty in pursuance of that notice shall be repaid to the person who paid it. No proceedings shall be continued or instituted against the recipient for the offence in connection with which the withdrawn notice was issued or for an offence under section 444(1A) of the Education Act 1996 arising out of the same circumstances.

9. Policy and publicity

All school attendance policies should include information on issuing penalty notices. This should be brought to the attention of parents/carers.

10. Annual review and reporting

[Name of authority] [EWS] will monitor the use of penalty notices as part of the quality assurance process. Data will also be made available to the Welsh Government on request.

This code of conduct will be reviewed on an annual basis and may be amended depending on the outcome of the previous year's operation.

11. How to get further information

Further information on the operation of this code of conduct and penalty notices within **[name of authority]** is available from:

[Address and contact details of the authority]

Annex B: Penalty notice pro-forma

Penalty notice

Section 444A Education Act 1996

Please read the notes overleaf carefully.

Part 1

[If a child of compulsory school age who is a registered pupil at a school fails to attend regularly at the school, or fails to attend regularly at alternative provision, the child's parent/carer is guilty of an offence under section 444 of the Education Act 1996.]

To: **[Title]**

[Forenames]

[Surname]

Of: **[Address]**

[Postcode]

You are a parent/carer of **[name and address of child]** (called in this notice "the pupil") who **[is a registered pupil at [name of school] and has been directed to attend alternative provision]/[is not registered at a school but for whom the LA has made arrangements to attend alternative educational provision]**.

On **[date][dates]/between [date] and [date]** the pupil failed to attend regularly at the school.

This notice gives you the opportunity to pay a penalty fine instead of being prosecuted for the offence given above. The amount of the penalty is £60. If you pay this penalty within the time limits set out below, no further action will be taken against you in connection with the offence as set out in this notice.

Payment should be made within 28 days. If paid after 28 days but within 42 days the penalty is doubled to £120. Payment should be made to **[LA name and address for payment]** and can be made in person at **[that address]** on **[office opening hours]**, or by posting this notice with a cheque or postal order to **[that address]**.

Late or part payments will not be accepted. No reminders will be sent.

If payment is not received by [insert date 42 days from date of issue], you will be prosecuted for the offence and could be subject to a fine of up to [£2,500] [£1,000].

This notice is issued by **[name] [official particulars]** of **[address/employer] [within name of LA]**.

Date of issue:

Part 2

Please complete the following and return this notice with your payment to **[insert LA address]**:

Name:

Address:

I attach payment in the sum of £

Signed:

Date:

Notes

1. Contact details

If you have any queries about this notice, please contact **[name of LA]** at **[insert job title and department of contact, telephone number, fax number and address]**.

2. Amount of penalty

The amount of the penalty is as follows.

- If paid within 28 days: £60.
- If paid within 42 days: £120.

3. Code of conduct

This notice is issued in accordance with a local code of conduct drawn up by the **[name of LA]**. Any questions or correspondence about the code should be addressed to the **[name of department within LA]** at **[address and phone no.]**.

4. Withdrawal

This notice may be withdrawn by **[name of LA]** if it is shown that it should not have been issued to you or has not been issued to you in accordance with the local code of conduct. If you believe that the notice was wrongly issued you must contact **[name of LA]** as soon as possible to ask for it to be withdrawn, stating why you believe the notice to have been incorrectly issued. **[Name of LA]** will consider your request and contact you to let you know whether the notice is withdrawn. If the notice is not withdrawn and you do not pay, you will be liable to prosecution for the offence.

5. Payment

You should complete the notice above and send or deliver it to the LA at the address given. **[Insert opening hours of offices, etc.]**

6. Prosecution

If you do not pay the penalty, and the notice is not withdrawn, you will be prosecuted for the offence of **[failing to ensure your child's regular attendance at school]**. You will receive a separate summons for this which will give you notice of the time and date of the court hearing. You will be able to defend yourself and you would be advised to seek legal representation; in some circumstances you may be entitled to publicly funded legal advice/assistance.

Annex C: Specific examples that local authorities in England have used in codes of conduct where a penalty notice might be issued

A penalty notice can only be issued in cases of unauthorised absence.

Notices should only be issued for offences where the LA is able and willing to prosecute. The LA should be satisfied that there is sufficient evidence to show the parent/carer has committed an offence under section 444(1) of the Education Act 1996.

LAs and schools should consider each pupil and case on an individual basis and assess the level of support and intervention required before deciding on the most suitable strategy for improving an individual pupil's attendance.

Although the following is not an exhaustive list of examples it might be considered appropriate to serve a notice in the following circumstances.

- A child has been referred to EWS and casework is in progress but the parents/carers are not supporting the school's or EWS's attempts to bring about improved attendance and no other legal sanctions are underway.
- Where parents/carers persistently fail to ensure their children attend school and attendance is below **[a set percentage agreed within the authority]** for an identified period with no acceptable reason, and no other legal sanctions are underway.
- Where attendance falls below **[a set percentage agreed within the authority]** for a given period without justification and parental non-attendance prosecution under section 444 of the Education Act 1996 would not be in the public interest.
- Where parents/carers are unwilling to sign a contract offering support and attendance is below an agreed acceptable level over a set period without reasonable justification.
- Term-time leave is taken without agreement with, or notification to, the school following previous term-time leave and the parents/carers have been warned that a fixed penalty notice may result.

- Term-time holidays not agreed by the school when the attendance rate for that child is already at least **[X%]** below the target for that academic year.
- Where a pupil is persistently late and arrives after the register has closed.
- Where a child regularly comes to the attention of the police during school hours for being absent from school without an acceptable reason.
- Pupils located on truancy sweep initiatives (this will only be possible where the facts are already known, e.g. where a child has a history of persistent absence) unless there is a justifiable reason for the absence from school.

SOUTH EAST WALES CONSORTIUM

Policy and Practice for Promoting School Attendance



in partnership with



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Appendices

Appendix 1 Roles and Responsibilities (Schools, Parents, EWOs)

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Appendix 6 List of key documents relating to attendance in Wales

1.0 Introduction and Statement of Intent

- 1.1 Each Local Authority within the South East Wales Consortium (SEWC) has responsibility for managing and improving school attendance in their respective local authority.
- 1.2 The combined expertise from the five LA's has been utilised to create a new and updated policy document which is both fit for purpose and ensures a consistency of working across all the designated maintained schools in the region which includes secondary, primary, special school and designated out-of-school provision (eg Pupil Referral Units).
- 1.3 All Local Authorities within the SEWC recognise that punctual and regular school attendance is an essential precondition of social inclusion and a prerequisite to effective learning. They note that rates of attendance vary considerably within and between most schools in the region and throughout Wales. However, the vast majority of pupils attend schools on a regular and daily basis. Nevertheless, for a significant minority of children, poor school attendance is a direct cause of their social exclusion and underachievement.
- 1.4 All Local Authorities are concerned that children who are registered at a school and fail to attend that school regularly are placing themselves at greater risk of either offending or of becoming the victims of offending by others.
- 1.5 All Local Authorities believes that children should attend school regularly and punctually because school is where they learn and school is where they are safe.
- 1.6 All Local Authorities also recognises that for a very small number of parents*, they may elect to home educate their children rather than send them to school. (*Where parents are referred to in this document this should be taken to include carers/guardians.)
- 1.7 All Local Authorities therefore are committed to improving levels of school attendance and punctuality. They aim to do this by:-
 - a) promoting the value and importance of regular school attendance;
 - b) reducing all forms of unauthorised absenteeism, especially levels of persistent absenteeism. For the purposes of the SEWC, a child is classified as being a persistent absentee if he/she has an absence rate of 20% or more.
- 1.8 To improve attendance, targets are set, including some which are statutory and some which are non-statutory and are incorporated into key plans (including its School Improvement Policies and each Local Authority's Single Integrated Plan).

- 1.9 Each Local Authority in partnership with the EAS challenges its schools to set their own individual school improvement targets which include targets to raise and improve school attendance. It also recognises that because of their individual circumstances, some schools will set their own and challenging targets for different year groups and/or to meet the needs of their own particular situations.
- 1.10 Each Local Authority believes that success in achieving these targets will be best managed if principles of active and meaningful partnership with schools, parents, pupils, other agencies inform all the wide range of services and other activities managed either by itself or through its partner LA's.
- 1.11 In order to improve levels of school attendance and punctuality authorities across the SEWC have a series of aims which will fundamentally involve the utilisation of the following key strategies. These are:
- a) The provision of support and challenge to all schools, focusing resources on those schools with the most clearly identifiable needs
 - b) The provision of one-to-one challenge and support to individual families and pupils who experience difficulties in securing that their child/children attend school regularly
 - c) The best use of effective re-integration policies which are supported and underpinned by an agreed multidisciplinary Pastoral Support Plan (PSP) which should be developed for vulnerable groups of pupils who are at risk of disaffection or exclusion from school to ensure that the SEWC are conforming with appropriate guidance and legislation, including the Children Act (2004) agenda
 - d) The provision of consistent and equitable support to parents, ensuring, through an appropriate balance of assistance and insistence that all parents are able to meet their legal responsibilities in relation to school attendance
 - e) The development of effective multi-agency working practices in order to facilitate early intervention and the delivery of a seamless service
 - f) The development and use of common referral practices across all schools in the region
 - g) Training on best practice and the provision of the best improving school attendance initiatives
 - h) Each Local Authority will have its own attendance policy document for use in all its schools under the jurisdiction of head teachers, senior management teams (SMT's) and governing bodies
 - i) The development of a range of relevant performance indicators and the subsequent setting of realistic yet challenging targets.

- j) A change of focus and emphasis from previous practice to ensure and deliver better and more effective early intervention schemes.
- k) The development and best use of sound and effective out-of-school and learner engagement and alternative curriculum strategies where there is evidence of need and schools have exhausted all available in-school approaches.

Finding new and more effective ways to improve home-school links between schools and parent/s and carer/s

- 1.12 In developing its policy and practice for promoting school attendance Local Authorities within SEWC will ensure that the national context and Welsh Government priorities are balanced by the need to respond to the local context and particular priorities within the region and its particular circumstances served by the five LA's.
- 1.13 Local Authority Attendance Leads will liaise with their Senior Challenge Advisor to implement school attendance policy and practice and to monitor the effectiveness of this across the region.

2.0 Responsibilities of Schools

- 2.1 Schools are responsible for supporting the attendance of their pupils and for responding to difficulties and issues which might lead to non-attendance.
- 2.2 Schools which adopt a positive and proactive approach towards attendance matters and encourage parents to take an active role in the schooling of their children, can play a major role in improving levels of attendance and punctuality and in reducing both absenteeism and truancy. (**See appendices 1 and 2**)

2.3 Attendance Audits

- a) Attendance audits should be carried out by all schools as part of their self-evaluation processes.
- b) Attendance Audits undertaken by schools could be supported by the EWS and focus upon
 - examining existing procedures;
 - inspecting attendance-related documentation;
 - assessing communication with parents;
 - interviewing staff and pupils;
 - analysing attendance data and by providing feedback and reports;

- considering and introducing new strategies to either promote or improve attendance as necessary;

The written report produced by the Audit is made available to a school's Challenge Adviser as well as to the school's governing body in addition to Senior Management Teams within Local Authorities. **(See Appendix 2 re audits)**

2.4 School Policy Document

As part of a strategic approach to attendance across the SEWC, it was decided to introduce a model school policy guidance for all its schools which has taken account of all the above.

The advantages of this approach are as follows:

- a) It will allow consistent of policy and practice in managing school attendance throughout the SEWC region
- b) It will enable a much greater consistency of approach in the making of referrals
- c) It will make introducing such good practice as implementing better early intervention schemes (eg through the effective use of their Pupil Deprivation Grant (PDG) and the establishment and use of school attendance panels, much easier, robust and consistent
- d) It will facilitate consistent approaches to prosecution and pre-prosecution practice
- e) It will enhance reintegration practice

3.0 Responsibilities of Parents

- 3.1 Parents are responsible in law for ensuring that their children attend regularly and on time at the school at which they are registered. Parents are also legally responsible for ensuring that their children stay at school once they have registered.

4. Responsibilities of Local Authorities within the SEWC

- 4.1 Each Local Authority within SEWC will have several key areas of managerial activity with regard to managing school attendance both in terms of support and challenge for schools, pupils and parents. These include:-
 - a) the work of locally-based EWS and other key support staff such as the Challenge Advisors;

- b) the work of other SEWC and LA support services;
- c) the development of multi-agency networks and partnerships;
- d) working with a range of key partners to develop an engaging bespoke curriculum for certain Key Stage 3 or 4 pupils who are unable to engage in the current national curriculum and/or for those who may be at risk of exclusion.

5.0 Local Authority Support: The role of the Education Welfare Service (EWS)

5.1 The fundamental purpose of EWS is:

- a) to maximise attendance rates for individual pupils, individual schools and for the five LA's as a whole
- b) to discharge the Council's legal duty to ensure that all pupils of compulsory school age are in receipt of suitable education
- c) EWS will also assist in removing barriers which may prevent a child receiving education. This may involve liaison with other agencies

EWS Referrals

5.2 Referrals to EWS are usually made by schools. There are, however, occasions when other agencies/services, pupils, parents or the police may make a referral.

5.3 Before accepting a referral from a school the EWS will expect the school to have first undertaken a number of steps to address the pupil's non-attendance. These would include:-

- a) action by the class teacher/form teacher
- b) action by the relevant key member of staff (eg Head of Year/Deputy Head/Assistant Head (secondary) or Head or Deputy Head (primary) as well as by Middle and Senior Management teams
- c) preliminary contact with parents including first day absence and to ascertain the reasons and causes for the pupil's absence

5.4 The overwhelming majority of referrals to EWS are made on the basis of non-attendance or well-being issues

5.5 Referrals will usually only be accepted in relation to absence which has not been authorised by the school. Only in exceptional circumstances will referrals in relation to authorised absence be accepted and normally these occur when a secondary, but important issue, is uncovered

5.6 Referrals may be made when:-

- a) a pattern of irregular or non-attendance has been identified
- b) communication by the school to the parents has met with little or no response
- c) there is evidence of a lack of parental co-operation in ensuring a child's regular attendance
- d) a parent indicates that they are going to withdraw a pupil from school having expressed an intention to educate him or her otherwise than at school (Elective Home Education)
- e) a pupil is withdrawn from school by the parents who are moving to another area and the school does not have a confirmed destination school/provider where the child will resume his or her education (such pupils will be treated as "children missing education")
- f) a pattern of persistent lateness has developed
- g) following regular register checks especially when a pupil's attendance has fallen below an agreed acceptable level where all school based interventions have been exhausted
- h) there are specific and identifiable welfare issues which are preventing a pupil from attending their educational provision

EWO/ Attendance Staff: Visits to Schools

- 5.7 Referrals are normally made to the EWS during regular consultation visits. The frequency of these visits will be in accordance with an individual school's identified level of need and may be followed by a written letter or home visit. Urgent referrals may be made by telephone outside of these visits.
- 5.8 If a school has any reason to be dissatisfied with the level or quality of service provided by its allocated member of EWS staff, it should contact, in the first instance, the appropriate officer responsible for the Service.

Policy on Prosecution

- 5.9 Each Local Authority would initiate legal proceedings where it is felt that all other avenues have been exhausted. When a registered pupil fails to attend school regularly, and after attempts by the EWS and staff within a school have failed to ensure that a pupil has returned and is making regular attendance again, then the EWS, on behalf of the LA, will consider taking legal action unless there are deemed to be sufficient mitigating circumstances. When this happens, a summons is issued against the parent/s to appear before the magistrate's court under Section 444 (1a and z) of the 1996 Education Act.

When deciding whether or not to take legal action, the EWS must be satisfied that:-

- a) there is sufficient evidence to provide a realistic prospect of conviction
- b) The EWS must consider what the defence case may be and how this is likely to affect the prosecution case
- c) it is in the public interest to prosecute
- d) in cases which are deemed to be serious, a prosecution will usually take place unless there are public Interest factors pointing against prosecution and these must clearly outweigh those in favour
- e) any action which it takes comply with the terms of the Human Rights Act

5.10 In cases where parents wilfully and knowingly fail to send their child to school, the EWS will often proceed against the parents using sub-section 1a of Section 444 which defines the "aggravated" offence and which can be punishable by a custodial sentence.

5.11 If, after legal action has been taken, the pupil still fails to attend school regularly, the EWS will, if deemed appropriate, take further legal action (normally after a three month period).

SEWC policy on the Use of Education Supervision Orders

5.12 Before initiating a prosecution under section 444 of the 1996 Education Act, the EWS will consider whether it is appropriate to apply for an Education Supervision Order (ESO) under section 36 of the 1989 Children Act. The purpose of an ESO is to place a child who is not being properly educated under the supervision of the local authority. An ESO aims to ensure that the child receives full time education and that he or she and the parent/s receive intensive support, advice and guidance from a Supervising Officer who is required "*to advise, assist and befriend*".

5.13 An application for an ESO will only be made when one or more of the following apply:-

- a) all other attempts to improve the pupil's attendance have failed and the prosecution of the parents is deemed inappropriate;
- b) the parents appear likely to co-operate with a structured programme of work prepared by the supervising officer;
- c) there is support from Social Services for the ESO;
- d) a magistrate's court hearing has directed the local authority to apply for an ESO;

- e) the EWS is of the opinion that the Order will have a significant and positive impact upon a pupil's non-attendance.

Policy on the Use of School Attendance Orders

- 5.14 The EWS may serve a School Attendance Order (SAO) (under Sections 437-439 of the 1996 Education Act) on the parent/s of a child of compulsory school age, if and when the parent/s have failed to demonstrate that the child is in receipt of suitable education and where the Local Authority believes that the child should be attending school on a regular basis.
- 5.15 The SAO will specify the school which the child should attend. Should the parents fail to comply with the SAO, the EWS will initiate legal proceedings under Section 443 of the 1996 Education Act (unless the parents can prove that the child is in receipt of suitable education).
- 5.16 All legal action taken by EWS will be monitored and reviewed by each individual local authority.

Parenting Orders

- 5.17 EWS will where necessary liaise with other agencies when the courts, in relation to a non-attendance case, impose or recommend a Parenting Order. The EWS will act as the responsible officer for overseeing such an Order.

Fixed Penalty Notices

- 5.18 Each Local Authority has its own Code of Conduct in line with WG Circular Guidance on Fixed Penalty Notices for regular non-attendance at school. (116/2013)

Other EWS Services

- 5.19 As well as undertaking casework with individual pupils, the EWS will offer strategic support and challenge to schools by working with school management teams on their attendance policies and procedures. The EWS will promote opportunities to make improvements to the management of attendance within schools through some of the strategies listed below.

Pastoral Support Programmes

- 5.20 EWS when requested can contribute to the development of school-based pastoral support plans (PSPs) which are created when a pupil is deemed to be at risk of not attending and a long-term programme of intervention is deemed to be helpful. These programmes are also partially aimed at preventing individual pupils from disengagement

- 5.21 Schools should also ask for other appropriate LA services as necessary which will assist in the development of school-based PSPs. PSPs will not be used as a substitute for the special educational needs assessment process.

Children Missing in Education

- 5.22 The EWS has a clear role to play in assisting in tracing children who go missing from schools in the SEWC region or those who have gone missing from schools from other authorities/consortia and who may have moved into the area.
- 5.23 Each Local Authority has processes in place to update the Missing Pupil Database. Schools are strongly urged to follow corresponding procedures in relation to those pupils who are removed from school by their parents without a named-school destination being provided and confirmed.

Truancy Sweeps

- 5.24 The EWS and police work closely with the Police in order to ensure that Truancy Sweeps are carried out as and when necessary according to the agreed Police – Local Authority protocol.

6.0 SEWC Support – Other Services Available

- 6.1 EWS will make every effort to support a pupil to return to regular full-time attendance at school. In exceptional circumstances, however, the EWS could advise that schools may need to refer to other agencies such as behaviour support /EOTAS/ additional learning needs (ALN) to ensure that the pupil participates in education.

Referrals to Local Services

- 6.2 The EWS will advise schools to consider referrals to other local Services such as Behaviour Support/EOTAS/Educational Psychology/ALN where:
- a) all other strategies have failed (or are likely to fail) to secure regular attendance at school
 - b) it is clear through a careful assessment of the pupil that an alternative education provision is likely to be the most appropriate way of meeting his or her learning and/or additional learning needs
- 6.3 Where it appears that a child is psychologically traumatised by the prospect of attending school, the EWS will advise the school to involve the school's educational psychologist as well as to seek further support from other caring professional agencies such as CAMHS.

Children who Refuse to Attend School

- 6.4 If it is decided by a consultant that an immediate return to school is not a realistic option due to medical issues, then a referral for an EOTAS provision may be made by the pupil's school. The EOTAS provision will be on a time-limited basis with pupils being dual registered, with a view to the pupil returning to school using dual registration when this is appropriate
- 6.5 Where pupils have been long-term absentees, schools will be encouraged to develop reintegration plans which are underpinned by clear pastoral support programmes, which may involve services delivered by other agencies.

Role of School Improvement Service

- 6.6 Challenge Advisors (CAs) are deployed and managed by the Education Achievement Service (EAS) and will offer challenge and support to schools in matters of attendance. CAs will:
- a) consider a school's attendance data and compare this with comparative benchmark data in order to assess performance
 - b) assess progress achieved towards the meeting of attendance targets
 - c) consider the attendance performance of identified pupils or other vulnerable groups
 - d) analyse any links between attendance and attainment
 - e) offer support and challenge to the school to ensure that the curriculum, learning and teaching within a school supports good attendance
 - f) signpost head teachers to other relevant support services (eg educational psychology) accordingly.
- 6.7 Staff from the EAS, in conjunction with the other relevant LA services, will share with and promote to all schools the key themes and priorities of the DfES Welsh Government's National Strategies. They will achieve this through:
- a) liaison with EWS and other SEWC and LA support staff in order to ensure that coordinated and consistent support and challenge is offered to all secondary, primary and special schools within the region
 - b) Advising head teachers on a wide range of other potential issues

Role of the Governor Support Service

6.8 The Governor Support Service will:-

- a) organise training for Governors which ensures that they are made aware of the responsibilities of schools for securing regular attendance
- b) publish information on Governors' responsibilities for securing regular attendance at school in publications such as the Governors' newsletter and handbooks
- c) provide such reports and attendance data which the governors may require

GEMS

6.9 GEMS works with schools and other mainstream services to enable them enhance their capacity to meet the needs of minority ethnic pupils. EWS and staff from GEMS aim to work closely together where there are attendance issues in order to ensure that all ethnic minority groups are fully able to access their educational entitlement

6.10 The Consortium recognises that school attendance issues for minority ethnic pupils may differ. Where there are community groups who may need request extended visits to their country of origin, Staff from GEMS will liaise with EWS and will work closely with schools in order to ensure that an appropriate, constructive and integrated response is made to these issues.

6.11 GEMS staff working with other support services on school attendance issues may be involved in issues such as:

- a) extended absences to country of origin
- b) parental involvement and home-school links
- c) appropriate appeals procedures
- d) linking with EWS to pursue issues of non-attendance
- e) interrupted schooling
- f) help with the identification and support of children from ethnic minorities who may be young carers
- g) racism that may lead to non-attendance
- h) culturally-related concerns regarding the content or other aspects of the school curriculum (eg the teaching of RE)

Role of the Safeguarding Officers

- 6.12 Key Safeguarding Officers in each Local Authority across the SEWC will support the attendance of children at school by providing appropriate training and advice to schools on child safety and other safeguarding issues as they arise.
- 6.13 All Local Authorities across the SEWC place a high emphasis on safeguarding which may impact upon attendance e.g. bullying and cyber bullying.

Role of Youth Workers

- 6.14 Locally-based Youth Services give a high priority to work with young people who are not highly motivated or successful at school and they have developed their own specialist styles of working and methods of delivery which enable them to do so.

Role of LAC Officers

- 6.15 Each Local Authority within the SEWC Consortium has a Lead Officer for Looked After Children. The SEWC has agreed that attendance of these pupils is a high priority and attendance of LAC pupils is prioritised by all Local Authorities within the SEWC.
- 6.16 Attendance of these pupils is monitored closely and as a group they are prioritised by Education Welfare Officers.

Role of the Management Information/Learning Intelligence Service

- 6.17 The Management Information Service supports relevant Consortium services to provide schools with detailed data relating to attendance/absence issues and will assist in the analysis and investigation of this data.
- 6.18 The Management Information Service also provides reports on data and their analysis which can inform the deliberations and planning of support and challenge to schools on attendance. These reports can be presented and targeted as required.

Multi-agency networks and partnerships

- 7.0 The Consortium and its LA partners recognise that the reasons for non-school attendance are such that no single service or agency can expect on its own successfully to address the issue. The Consortium and its partner LA's strive therefore, to develop a multi-agency, cross-service, inter-disciplinary approach which is characterised by the delivery of a child-centred, seamless, co-ordinated and effective response to address the underlying reasons for absence.

Social Care

- 7.1 Social care staff also undertake the assessment/s of children in need in collaboration with other relevant professionals. The assessment will look at all aspects of the child's developmental needs, including his or her educational needs. EWS will bring to the attention of social care staff children who have been referred to them due to attendance difficulties who in their professional opinion may require additional support in accordance with the Consortium's eligibility criteria for children in need.

Health Service

- 7.2 Children who are absent from school for extended periods of time due to illness receive EOTAS provision although the nature of the illness must be confirmed by a consultant.

Should the child's school and the EWS consider that perhaps the problem of non-attendance may be linked to a mental health issue then consideration will be given to making a referral to the Children's and Adolescents' Mental Health Service. When a mental illness is diagnosed, the EWS will take advice from the CAMHS on the implications this has for working with the child and his or her parents to secure a return to regular attendance.

Police

- 7.3 The Consortium and its LA partners have agreed on a protocol in relation to Section 16 of the Crime and Disorder Act 1998. This section of the Act provides powers for the police to take truants back to school or to another place designated by the LA.

Policy and Arrangements for Supporting Young Carers

- 8.1 SEWC recognises that a number of children may be late to or absent from school as a consequence of their responsibilities in relation to caring for a sick or disabled parent or sibling.
- 8.2 Schools should respond sympathetically to the needs of Young Carers but should combine this with a recognition that these children are nevertheless fully entitled to participate in all educational activities.
- 8.3 Referral of Young Carers to outside agencies should be done sensitively, recognising any feelings of guilt which the individual child may be experiencing.
- 8.4 It is considered good practice for schools to have a member with designated responsibility for Young Carers. This teacher may be able to access local schemes of support.
- 8.5 EWS and/or the Education Child Protection Service may also be able to offer advice or signpost schools on how to support young carers.

Policy and Arrangements for Supporting the Attendance of Traveller Children and Children from Ethnic Minorities

8.6 Officers with responsibility for Traveller Education in each Local Authority can liaise with Education Welfare Officers to provide advice and guidance. This can include:

- a) teachers and the EWS liaising between traveller parents and schools to encourage the admission and attendance of primary and secondary age pupils
- b) teachers and EWS staff working with individual and small groups of vulnerable pupils during lunch breaks
- c) pupils at risk receiving specialist help from Service staff and being involved in their mentoring programmes
- d) EWS staff frequently running surgeries in schools for parents and, in this way, they can play an important role in bringing the school and the parents together better
- e) the EWS and other SEWC staff supporting children and their parents in situations where racism is presenting a barrier to educational inclusion
- f) EWS officers regularly making home visits to support children's attendance and thereby ensuring that parents are aware of school procedures
- g) EWS staff being involved in the exclusion process and the re-introduction of pupils back into school as required. This may include liaising with the parents, schools and other support services or by attending hearings with the parent/s and pupil/s
- h) Other members of SEWC and LAs specialist support staff working alongside the EWS on case work to ensure that minority ethnic parents have access to relevant information and are supported through all their needs including particular attendance issues.

Policy and Arrangements for Supporting the Attendance of Pupils who have or may have Additional Learning Needs

8.7 SEWC recognises that additional educational needs, including unidentified or unmet SEN, can prevent some children from attending school. EWS, educational psychologists and other LA/ SEWC support staff work with SENCOs, other school staff and with the pupil when there are concerns that a pupil's poor attendance may be related to unidentified or unmet SEN.

Policy and Arrangements for Supporting the Attendance of Pupils who may have been bullied

- 8.8 SEWC recognises that bullying is an issue which prevents some children from attending school or from achieving their full potential when they do attend. Each Local Authority has their own bullying prevention policy and guidance for schools.
- 8.9 EWS will signpost parent and pupils to appropriate services when their attendance is being affected by actual or perceived bullying, including cyber bullying.
- 8.10 Other SEWC/LA staff (eg Educational Psychologists, Access/Admission Staff, Inclusion Officers, Behaviour Support Staff, Child Protection, Education Officers and Challenge Advisers) will provide additional support, advice and assistance as and when necessary. Specialist staff will also be available to provide INSET and training on bullying and on developing a whole-school policy as well as advising on individual cases.
- 8.11 Each Local Authority within SEWC utilises the DFES and Welsh Government policies on bullying and the prevention of bullying. This guidance is set out in Respecting Others: Anti-Bullying Guidance.

Policy and Arrangements for Supporting the Attendance of other Vulnerable Groups

- 8.12 EWS within the SEWC will endeavour to respond empathetically and energetically to support the school attendance of any group of children who may be deemed to be vulnerable or at risk at any given point in time. Such groups have been identified in 47/2006 (Section Page 1)

Appendices

Appendix 1 Roles and Responsibilities (Schools, Parents, EWOs)

Appendix 2 Audit sheets

Appendix 3 Fixed Penalty Notices

Appendix 4 Data

Appendix 5 Role of the EWS Monitoring Group within SEWC

Appendix 6 List of key documents relating to attendance in Wales

Appendix 1

Roles and Responsibilities

Role of Schools

It is a legal requirement that schools will:-

- a) be open to all pupils for 380 sessions each school year;
- b) maintain attendance register in accordance with the relevant regulations ie before and after lunch;
- c) accurately record and monitor all absenteeism and lateness;
- d) distinguish clearly between absence which is authorised and absence which is unauthorised according to criteria laid down by the DfES (Department for Education and Skills). Schools should remind parents that it is the decision of the head teacher to determine whether or not an absence will be authorised;
- e) submit such regular absence returns to the DfES and LAs as are required or requested by the Welsh Government;
- f) Publish information relating to their own levels of attendance and absence as well as including details of these in the school's prospectus and annual report to their governing body or as often as required as some governing bodies request more frequent and regular update reports;
- g) Set annual targets to reduce absence and submit these targets in accordance with the relevant regulations. It has been the practice since around 2008-09 that schools in Wales will be required to set targets to reduce their own levels of non-attendance and persistent absenteeism as well as meet those set by their LA/Consortium;

Schools within the SEWC region were strongly encouraged to develop their own whole school policy on attendance in discussion with staff, governors, parents and pupils taking account of relevant guidance issued by the DfES and good practice identified by their LA. This policy attempts to:

- a) give a high priority and value to attendance and punctuality and ensure that specific strategies are in place in order to achieve this;
- b) ensure compliance with all relevant statutory requirements (particularly with regard to the maintenance of attendance registers and the setting of targets);
- c) reflect the attendance priorities identified by the DfES and their Local Authorities;

- d) ensure that clear attendance information is regularly communicated to parents through the school brochure, through newsletters, through parents' evenings or through other media; (parents should be specifically reminded of their legal responsibilities for ensuring their children's regular and punctual attendance);
- e) collect and make effective use of attendance data to monitor progress/trends and set targets for improvement – for individuals, classes, year groups and the whole school;
- f) provide clear guidance to staff on the practice of registration and on such connected issues as the appropriate categorisation of absence;
- g) identify clear procedures to identify and follow up all absence and lateness (allocating individual staff roles and responsibilities);
- h) recognise the crucial importance of early intervention and provide appropriate strategies;
- i) make provision for first-day of absence contact, particularly in relation to pupils who are known to be poor attendees or who might otherwise be considered to be at risk;
- j) monitor post-registration truancy and specific lesson absence/internal truancy through the taking of class registers and spot checks (especially in the afternoons) and ensure that the parents of any post-registration truants are promptly informed and where necessary actively involved;
- k) be alert to critical times (e.g. Key Stage 2/3 transfer) and vulnerable groups in order to comply with the Children Act (2004) requirements;
- l) identify a range of both proactive and reactive strategies to promote attendance and address absenteeism, especially persistent absenteeism;
- m) develop attendance incentive schemes which recognise pupils' attendance achievements;
- n) provide for a clear and unambiguous hierarchy of sanctions;
- o) set up effective multidisciplinary networks for liaising with other involved agencies and services such as Education Welfare Officers (EWOs), Social Care, Youth Service, the Police, Health, etc;
- p) establish procedures for reintegrating long-term absentees and pupils who may, for specific reasons, have been on a reduced timetable and supported by a pastoral support plan;

- q) identify an interesting, flexible, and accessible curriculum which encourages regular attendance;
- r) provide for regular structured meetings between school staff and the EWO;
- s) ensure that reasonable steps are taken by the school before a referral is made to the EWO;
- t) stress to parents the importance of continuity of learning, particularly in relation to family holidays during term-time (schools should grant leave for term-time holidays sparingly, if at all and only after considering a pupil's prior attendance and any other exceptional circumstances);
- u) liaise with the police and the EWO when truancy sweeps are undertaken locally;
- v) involve and identify a role for governors;
- w) identify a key senior member of staff with overall responsibility for attendance;
- x) ensure that good practice is identified and disseminated;
- y) be regularly monitored and reviewed;
- z) help to create an ethos and culture which encourages good attendance, addressing school-based causes of poor attendance such as bullying, racism, an inappropriate curriculum, etc.

Role of Parents

Parents can do a great deal to support the regular and punctual attendance of their children. Parents should:-

- a) take an active interest in their child's school life and work;
- b) attend parents' evenings and other school events;
- c) ensure that their child completes his/her homework and goes to bed at an appropriate time;
- d) be aware of letters from school which their child brings home;
- e) ensure that their child arrives at school on time and remains in school each day;

- f) ensure that their child only misses school for reasons which are unavoidable or justified, such as illness or days of religious observance;
- g) always notify the school on the first morning of any absence;
- h) confirm this in writing when the child returns to school;
- i) avoid booking family holidays during term-time;
- j) talk to the school if they are concerned that their child may be reluctant to attend for any reason, more especially if they feel there is an issue either of bullying or safeguarding;

Role of the EWS Service

The EWS will employ a range of inter-connected and inter-dependent strategies to ensure that registered pupils of compulsory school age attend school regularly and punctually. These are:

- a) as authorised representatives of Local Authorities within the SEWC, they will monitor attendance through the regular inspection of registers and liaison with school staff;
- b) in order to comply with the law, these registers must be available for designated public officials, including the police and courts, to inspect. Failure to do so can lead to head teachers being fined by the courts;
- c) by undertaking individual casework with non-attending pupils and their parents;
- d) by offering strategic advice, support and challenge to enable schools to develop improved systems and practices for managing attendance and improving school attendance;
- e) by holding and attending regular meetings on individual and groups of pupils' attendance both in and out of school as well as issues on attendance and related issues within their designated school/s;
- f) by providing feedback to schools on the results of court hearings or proceedings, casework and case conferences, including inter-disciplinary work;
- g) by participating in regular data analysis and feedback exercises including, as necessary, the provision of specialist reports;
- h) by undertaking participation in such training or feedback as may be required for selected school staff;

- i) by undertaking all requisite duties on managing and improving school attendance as may be required by Local Authorities within the SEWC.

EWS Casework

When a pupil with attendance difficulties is referred to the EWS, the relevant officer may engage in such individual casework or follow up action as required. Case work is normally undertaken with pupils and their parent/s in order to bring about a pupil's return to regular attendance. The EWS will recognise and take account of individual circumstances and will respond accordingly. The speedy return of the pupil to regular attendance at his or her school will however, always be the prime aim. The EWS will employ a range of practice and strategies in his or her casework and will, when necessary, utilise such other appropriate services as may be available and, if required, progress the case through such legal processes that are available.

All EWS casework will involve the setting of targets for improvement subject to regular review and all subsequent actions fed back to schools in a timely manner. In some instances, EWO intervention may be limited to a single preliminary assessment home visit in order to remind parents of their legal responsibilities or to help resolve a particular and identified difficulty. In other instances, there may be complex and deep-seated reasons why the pupil is not attending. In such situations the EWO may negotiate a plan of support (this might involve referral to, or the involvement of, other agencies, convening a multi-agency meeting, etc) and seeing that it is implemented.

All EWS casework will normally involve a close and continuous liaison with the pupil's school. Ideally the EWS should ensure that schools receive regular, written feedback on pupils with whom work is being undertaken. In cases where the main causes of the non-attendance may be school-related (e.g. alleged bullying, cyber-bullying or racism, peer pressure, difficulties with a particular lesson or teacher), the relevant officer will discuss these issues with the appropriate post holder/s at the school in order for the school to develop specific, and often, individual or group strategies to overcome these difficulties.

Appendix 2a

Audit Sheets

25 Steps to improve school attendance a quick checklist

Improvement Strategy	Is it in place in the school?		Comments
	YES	NO	
1 Does the school have an adequate and up-to-date school policy document?			
2 Does the school have a satisfactory first day absence system in place which is working well?			
3 Do all staff in the school use the correct attendance codes accurately?			
4 Does the school have a senior manager in place in charge of school attendance?			
5 Is the school making effective use of the education welfare service?			
6 Does the school use the possible sanctions against parents and carers whose children regularly miss school, are persistent absentees or truants?			
7 Does the school detect initial unauthorised absences correctly and act soon enough and act accordingly?			
8 Does the school inform parents/carers as soon as their children's absences are becoming a cause for concern?			
9 Does the school maintain and monitor its vulnerable or 'at risk' pupils register daily?			
10 Does the school use attendance panels to combat pupils' non-attendance?			
11 Does the school use case reviews and/or conferences to review individual pupils with unsatisfactory attendance patterns regularly?			
12 Does the school instigate individual pupil plans (IPP) for pupils whose attendance is a cause for concern?			
13 Does the school have a sensible and workable early			

intervention strategy in place?			
14 Does the school have satisfactory re-integration strategies in place?			
15 Does the school facilitate its absentee pupils (and others) through the use of catch up classes?			
16 Does the school have satisfactory reward schemes in place?			
17 Does the school use the regulations for families to take holidays during term-time sensibly and consistently?			
18 Does the school make referrals to the education welfare service and other external agencies consistently and wisely?			
19 Does the school include attendance as a standing item on all staff meetings and board of governors agenda?			
20 Does the school use the school council properly on all attendance and attendance-related issues?			eg bullying, behaviour. Use of school rules, etc.
21 Does the school make it clear to all its pupils and their parents that their attendance matters and they expect children to attend every day, unless there are legitimate extenuating circumstances?			
22 Does the school use its pattern of home visits astutely and effectively and with good purpose?			
23 Does the school have some alternative curriculum programmes in place for pupils with literacy and numeracy weaknesses, special or additional learning needs or for those with other learning support needs or for those who have known particular learning or personal needs?			
24 Is the school's anti-bullying policy document and practice closely related to its policy and practice on school attendance?			
25 Does the school use and interpret all its attendance data expeditiously, well and to maximum effect?			

Suggested school responsibilities on school attendance

Role	Responsibility
Head Teacher	<p>Provides effective day-to-day leadership on school attendance and all other school-related issues and sets a high leadership role for all staff to follow through the provision of an exemplary leadership role model.</p> <p>Determines all operational management of the school attendance/behaviour/anti-bullying/well-being policies, as appropriate in conjunction with SMT and all staff;</p> <p>Determines which member of the SMT to place i/c of school attendance and related issues.</p> <p>Reviews the school attendance policy document (and related documents) annually to ensure they are working effectively and are up-to-date.</p> <p>Considers requests for authorised absence. Give approval in advance in appropriate circumstances, after taking account of the child's attendance record.</p> <p>Authorises absence after it occurs when a satisfactory explanation is accepted.</p> <p>Ensures that anti-bullying and behaviour policies are followed and ensure action is taken in response to any difficulties reported and [e.g. bullying/behaviour] which may have an impact upon attendance.</p> <p>Considers the use of a Penalty Notice for unauthorised absence or lateness.</p> <p>Completes HT witness statements on pupil absence for court use.</p> <p>Makes sure the day-to-day responsibilities for school attendance are clear and implemented effectively.</p> <p>Makes sure first day absence system is operating effectively.</p> <p>Make sure school is managing its specific lessons absences and post registration truancy cases effectively.</p> <p>Ensure appropriate reward systems are in place (eg use of attendance certificates).</p> <p>Presents reports to the Board of Governors as required for all their meetings as well as an annual report on school attendance/behaviour/bullying/well-being (dependent upon a school's practice).</p> <p>Makes sure all staff are properly trained on managing the school's attendance policy, good practice, early intervention and re-integration strategies.</p> <p>Ensures the school has appropriate 'catch-up' classes/sessions in place as well as other help and support for pupils with literacy and numeracy weakness,</p>

	<p>special or additional learning needs.</p> <p>Makes sure all safeguarding processes are fully maintained and on alert, especially for absentee/truant pupils, missing pupils, vulnerable or at-risk pupils, or for those who have or are being bullied.</p> <p>Takes the lead in school attendance panel/Governor's attendance panel/Head teacher's attendance panel meetings as required (see Chapters 9 and 10).</p> <p>Monitors the work of the Deputy Head Teacher i/c attendance and the role of the Attendance Officer regularly.</p> <p>Takes overall responsibility for home visit policy, case reviews and interdisciplinary and multidisciplinary practice, especially as envisaged by the Children Act agenda.</p> <p>Takes overall responsibility for liaison with the wide range of external agencies involved with the school including health, social services, YOP's, police, behaviour support, courts, etc.</p> <p>Monitors staff attendance regularly and make sure all staff are providing appropriate role models.</p>
Attendance Officer* (AO)	<p>Oversees day-to-day attendance when there is cause for concern, working closely with parents and children to improve poor attendance.</p> <p>Provides daily absent lists in conjunction with designated office staff.</p> <p>Provides lists of all pupils who have missed school for three consecutive days without good reason.</p> <p>Monitors pupil 'at risk' register for priority/ vulnerable pupils daily.</p> <p>Monitors pupil attendance monthly, report to the Head Teacher and take action according to this policy.</p> <p>Presents evidence on school attendance notice boards or through staff e-mail accounts, dependent upon a school's policy.</p> <p>Analyses trends in attendance data to identify appropriate action.</p> <p>Presents regular reports on these data.</p> <p>Investigates reasons for absence exploring any underlying cause either at home or in school.</p> <p>Liaises with the Education Welfare Officer and make referrals as necessary, especially on persistent school absentees and for those children who engender a number of unauthorised absences or who play truant.</p> <p>Works with the EWO towards improved patterns of attendance for referred pupils identifying the course of action that should be taken after consulting</p>

	<p>SMT.</p> <p>Attempts to detect and spot 'patterned absences.'</p> <p>Makes referrals to other agencies where appropriate.</p> <p>Works with class/form teachers to agree and implement strategies needed to re-engage pupils with emerging or persistent attendance problems.</p> <p>Works with the Inclusion Leader and Head Teacher/SMT to plan both early intervention and reintegration strategies for pupils who have been absent for a period.</p> <p>Organises or helps to organise school attendance panels in conjunction with school procedures, create agenda for particular meetings and present minutes of meetings and agreed actions, including any individual implementation plans (IIP), in accord with specific school policies and practice (see Chapters 9 and 10).</p> <p>With the Attendance Secretary, compiles and updates standard letters re: % attendance notification, reasons for absence letters and lateness and send to parents as and when necessary (see Reid, 2013, Chapter 9).</p>
Class or Form Teachers	<p>Prepare and deliver stimulating and enjoyable lessons and learning activities for all children.</p> <p>Ensure the accurate registration of all pupils at the start of morning and afternoon sessions using correct attendance codes.</p> <p>Alert the Attendance Secretary/Attendance Officer (AO) of any children who demonstrate an unsettled pattern of attendance or whose attendance pattern changes.</p> <p>Provide daily list of non-attendees to AO.</p> <p>Return registers to the designated place immediately after registration.</p> <p>Report percentage attendance at relevant parent consultations.</p> <p>Encourage regular punctual attendance and work to secure this happens for all pupils.</p> <p>Ensure all absence notes are passed to the attendance secretary via the class register folder or by using the agreed alternative in-school processes.</p> <p>Work with the Deputy Head Teacher (i/c attendance) to agree and implement strategies to re-engage pupils with emerging attendance problems.</p>
Attendance Secretary	<p>Print weekly registers.</p> <p>Print daily absent lists.</p> <p>Print lists of those pupils who have missed school on three consecutive days</p>

	<p>without good reason.</p> <p>Print urgent lists of pupils suspected of requiring a home visit to be made.</p> <p>Make calls to parents when first day of absence contact has not been made by parents.</p> <p>Accurately record attendance data daily using agreed codes.</p> <p>Record late arrivals and the reasons for it.</p> <p>Ensure reasons for absences are accurately recorded.</p> <p>Prepare standard letters requesting reasons for absence when this is unexplained.</p> <p>Prepare letters to inform parents when a child's attendance is giving cause for concern and is thus being regularly monitored.</p> <p>Collect absence notes and record reasons for absence.</p> <p>Meet with the Head Teacher reporting monthly attendance monitoring and take agreed action.</p> <p>Provide attendance reports when requested and ensure Department for Education (DfE) or equivalent attendance returns are accurate.</p> <p>Help organise and participate in attendance panels as required.</p>
Parents	<p>Ensure their child/ren attend school daily and on time.</p> <p>Keep the school fully informed on all matters that might affect attendance and their child's progress in school.</p> <p>Telephone the school on the first day of any absence to inform school of the reason/s for it.</p> <p>Provide a note confirming the reason for absence on the child's return to school.</p> <p>If attendance becomes a problem – work with the school to improve matters.</p> <p>Give serious consideration to whether it is appropriate or necessary to request term- time absence.</p> <p>Make application for any term-time leave of absence or period of any extended absences prior to proposed dates.</p> <p>Make sure they support the school at all times.</p> <p>Attend all parents' meetings/evenings or other designated functions such as admissions events or transition arrangements.</p>

	<p>Facilitate their children's homework;</p> <p>Provide suitable role models at all times.</p>
Education Welfare Officer	<p>Work closely with school and families to resolve attendance issues.</p> <p>Visit school for meetings at agreed times.</p> <p>Identify, with school, cases of persistent unauthorised absences which necessitate action and advise on appropriate responses.</p> <p>Provide written reports to school in the form of consultation sheets.</p> <p>Complete regular register checks.</p> <p>On receipt of a written referral, take appropriate action, which may include:</p> <ul style="list-style-type: none"> • advice on strategies to improve attendance • assessment and reports on particular home visits • action planning • agreed time-limited intervention • attendance at school meetings • written record of work undertaken • verbal feedback where appropriate • written response to referrals within a maximum 10 day period or sooner, dependent upon LA policies • liaise with other agencies • progress referrals onwards to other agencies as necessary, including those parent/s/carer/s recommended for court action • liaison with other local authority departments as necessary • helping to prepare cases for prosecution, including the prior sending out of designated warning letters • preparing witness statements for use in the Magistrates Court.
Governing Body	<p>It is the responsibility of the governors to monitor overall attendance.</p> <p>The Governing Body also has the overall responsibility for oversight of the school's Attendance Policy, and for seeing that all the functions outlined in it are carried out effectively and efficiently.</p> <p>The Governors will therefore, examine closely the information provided to them, and seek to ensure that the school's attendance figures remain high.</p>

	<p>Attendance Policy will be reviewed by the Governing Body at least once every three years, or earlier if considered necessary. Annual reviews are considered to be good practice.</p> <p>The Governors should receive up-to-date reports on a school's data on school attendance. Ideally, this should be a standing item on every GB agenda.</p> <p>The Chair and/or Vice Chair will Include issues relating to attendance/behaviour et seq as part of the Head Teacher's/ SMT's annual performance review.</p> <p>Invite governors/designated governors to INSET events on school attendance or related issues.</p>
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Effective Practice	Benefits
Clear policy on attendance that is communicated to all parties.	<p>Pupils and parents know what is expected and why;</p> <p>Emphasises the link between attendance and attainment;</p> <p>Helps teachers to be consistent.</p>
Head teacher and the SMT provide good leadership of the school's attendance strategy on a daily basis.	<p>Staff are more willing and able to give high priority to attendance and related issues;</p> <p>Helps to provide sufficient resources to improve attendance, including making appropriate staff appointments.</p>
Utilise electronic registration at the start of each lesson.	<p>When used well, it is both efficient and productive;</p> <p>Provides reliable information;</p> <p>Supports monitoring schemes and first day calling systems;</p> <p>Helps to identify both lateness and pupils who are consistently late;</p> <p>Helps identify pupils who participate in post-registration truancy or specific lesson absence.</p>
Collecting and making regular analysis of a school's own attendance data.	<p>Allows patterns to be identified by year, house, group, class, gender, teacher, weekday or individual pupil;</p> <p>Helps to identify pupils with problems and</p>

	<p>who may need pastoral care or counselling support apart from straightforward attendance issues or otherwise;</p> <p>Helps to facilitate office staff, attendance officers, EWS, SMT as well as ensuring the school's data is both accurate and fully understood;</p> <p>When well communicated, this helps all staff and pupils to both understand about all attendance and its related issues within the school.</p>
First day calling of all absentee pupils.	<p>Fulfils a school's statutory and health and safety responsibilities that their child is absent and has been noted;</p> <p>Helps to identify those cases where further support may be necessary, including a possible home visit;</p> <p>Parents will recognise the school has a zero tolerance policy towards non-attendance.</p>
Using reward schemes properly.	<p>Encourages and supports pupils' regular attendance, especially for younger-age pupils;</p> <p>Increases the profile of attendance within a school.</p>
Providing appropriate alternative curriculum/vocational opportunities both in-or-out-of schools.	<p>Will stimulate the interest of some less academic pupils who are unlikely to achieve the highest grades in traditional academic-focussed external exams;</p> <p>May be linked successfully with careers work and future lifelong employment opportunities as well as with work placement schemes.</p>
Paying proper regard to an LA's school attendance policies, including legal sanctions and the possible prosecution of parents.	<p>In the final analysis, all staff, pupils and parents will know and understand that legal sanctions may be used for persistent absentees and truants.</p>

Effective practice to reduce poor attendance in schools

School	Outcome
The attendance leader is a member of the Senior Leadership Team (SLT) within the school and is respected by colleagues.	Actions to reduce persistent absence are promoted actively and there is an expectation that all personnel (teaching and non-teaching) contribute to the attendance agenda.
	Links to teaching and learning are explicit, and this is reflected in departmental/year/key stage plans.
	Registration practice is adhered to by all staff, where this does not occur, action is taken swiftly.
Data on attendance and absence are collated, analysed and used to inform actions.	All members of school staff have a clear picture of the issues that need to be addressed and can measure the impact of the interventions used (this will help to ensure ownership and clarity of data).
The school uses the framework for persistent absence to identify areas for development, and this is linked to an improvement plan. Both are updated on a half-termly basis.	The resource of the school is focused appropriated. Actions needed to be taken are clear and have a timescale for implementation.
Specific escalation of intervention is consistent and prevents pupils from becoming persistent absentees.	Pupils and parents/carers have a clear understanding of the importance of attendance and the actions that will occur if attendance falls.
	Parental responsibility and support mechanisms are promoted, and parents and pupils receive support from the school and other agencies.
	Levels of condoned absence and unauthorised absence are challenged at an early stage.

<p>Attendance panels are used within the school.</p>	<p>All pupils and parents/carers are aware of the panels, which are used as an early intervention, but the formal panel sets clear expectations for improvement.</p>
<p>Pupils with persistent absence have an action plan for improvement within a fast-track time frame. The plans are owned by the school but supported by a wide range of agencies.</p>	<p>The needs of all pupils are considered and addressed at individual level with no pupils slipping through the net.</p>

A checklist on good practice on attendance for schools

	Staff/School	Pupils	Parents/Carers	EWS/LEA
Celebrating good attendance	<ul style="list-style-type: none"> • Verbal Praise • Foyer Displays • Assemblies • Contact Parents • Certificates • Postcards • Posters • Setting class/dept/school targets • Punctuality Posters • Parents meetings • Web 	<ul style="list-style-type: none"> • Postcards • Certificates • Prizes • Shared ethos • Peer/buddy support • Use of school council • Use of pupil questionnaires (see Reid, 2000) 	<ul style="list-style-type: none"> • Postcards • Letters • Text • Shared ethos 	<ul style="list-style-type: none"> • LA award to school • LA award to individuals • Use of media • Helpline • Reinforce link between parent, pupil and school

Appendix 2b

A Checklist on a whole school attendance strategy

Issue	Yes	No	Action required	Comments
Does the school have a written policy document on school attendance?				
If so, is it up-to-date?			When was the document last modified?	
Is school attendance a high priority within the school?				
Is the school's policy document and practice helping the school to improve its rates of attendance?				
Is the school's attendance policy written in a clear and concise manner?				
Have all the school staff been inducted into its use and application, perhaps through an INSET event?				
Has the document been disseminated to all pupils in the school?				
Was the school council involved in this process?				
Has the policy document been given and discussed with all parents/carers?				

If so, how?				Was the whole document sent home/ given to parents or just a summary version?
Were the governors involved in the process?				
If so, at what stage?				Final stage or throughout the process?
Was the education welfare service involved in the development of the policy?				
If so, how?				
Was the Education Department involved in the process?				
If so, how?				
Is there a member of staff identified with overall responsibility for attendance within the school?				Who is it? Name and position.
Have the school's office staff/administrators been involved in developing the policy?				
Have the school's para professional and occasional school staff been involved in developing the policy?				This may include such staff as: classroom assistants, learning school mentors. Home-school visitors, home-school liaison officers, one-to-one tutors, part-time staff, special needs facilitators/support workers/assistants.

Does the school set itself a clear and realistic attendance target for the year?				Who sets it? SMT or governors? Both?
If applicable, does this differ from the target given by the LA for the school?				What is the difference?
If so, how?				Which target is most sensible and helpful?
Does the school's annual report on school attendance provide evidence on improvements/deteriorations and reasons for these results?				
Is this report shared with: a) governing body; b) EWS; c) LA; d) outside agencies; e) parents f) pupils?				All or some? Which?
Have the governors been trained on the management of school attendance issues and their role in it?				If so, when? Are they up-to-date?
Is the education welfare officer involved in training events for the school staff and/or governing body?				Neither? Both or one?
Does the school attendance policy include appropriate intervention strategies?				
If so, which intervention strategies does it use?				

Does the school attendance policy document include an early intervention strategy?				
Does the school attendance policy document include some re-integration strategies?				If so, what are they?
Does the school attendance document include a section on the proper use of codes?				Is this section up-to-date?
Does the school attendance document include a section on the law and the possible use of legal sanctions for persistent absenteeism?				Is this section accurate and up-to-date? For example, does it contain a section on the use of fixed-penalty notices? Are the maximum possible fine levels correct and up-to-date?
Does the policy document include a section on the internal processes which the school uses to improve attendance and manage pupils' non-attendance?				If so, what are they?
Does the school use any form of attendance or review panels (see Chapters 9 and 10)?				If so, which?
Does the school use an annual action plan on school attendance?				
Does the school use attendance notice boards?				
Does the school use specialist 'praise' assemblies on attendance?				

Are the school's reward systems on attendance in the policy document used properly and effectively?				If so, which rewards are particularly effective?
Do you get a sense and a feel that ALL staff in the school take their responsibilities for managing attendance seriously and well?				If not, why not? Are there any particular areas within the school which need improvement?
Are the policy document and its application applied consistently by all staff?				

A checklist on the effective monitoring of school attendance

Issue	YES	No	Action Required	Comments
Are all staff clear about using the correct procedures for the registration of their pupils' attendances and absences?				
Do all staff have a copy?				
Does this include part-time, office and administrative staff?				
Does the school use an electronic registration process?				
Does the school take a manual register and then transfer these data subsequently onto their electronic system?				<p>If so, what is the time lag?</p> <p>Is this done for all pupils or only those who were missing at registration?</p> <p>If so, is this for reasons of accuracy or consistency or both?</p>
Does the school provide a daily up-to-date list of non-attendees to staff?				
Does the school have a satisfactory first day absence system?				
Does the school use the daily list of absentees to implement its first day absence system?				If not, how is it done?
Who makes the phone calls home to parents and carers?				Is this done in every case? When, or is, an electronic system used? In certain cases or for all missing pupils?

Who decides when an urgent home visit is required?				Who makes the final decision on this action?
Is the first day absence system in the school working satisfactory?				Is there good evidence for this?
How often does the senior management/school leadership team review school attendance issues or pupils' persistent absences?				
How are referrals made to the school attendance officer or education welfare officer?				
How are referrals made from the school to the EWS and through to the LA for possible prosecutions or use of fixed-penalty notices?				Is this process used properly? Is it operating effectively?
Is the school's referral process consistent?				
Are the arrangements between the school and the EWS satisfactory and working effectively?				
Does the school use standard pro-forma letters home on all attendance-related matters?				
Who is overall responsible for the oversight of school attendance within the school?				
How often does this person organise regular action or follow up meetings on pupils whose non-attendance is a cause for concern?				
Does the school have a strategy in place to reduce its level of authorised absences?				
Does the school have in place a strategy to reduce its number of				

unauthorised absences?				
<p>Do parents/carers of pupils in the school receive:</p> <p>a) Prompt notification of any concerns with regard to their children's absences?</p> <p>b) Follow up action taken on their children's absences?</p> <p>c) Letters requiring them to visit the school to discuss their children's absences?</p> <p>d) Requests to attend a school attendance panel or progress review panel meeting, as appropriate?</p>				
Does any unexplained absence immediately trigger contact with parents?				
Does the school have in place a system for detecting specific lesson absences?				
Does the school have in place a system for detecting post-registration truancy?				
How often does the school review its attendance data?				
<p>Is this done on the school's:</p> <p>a) Overall data;</p> <p>b) By gender;</p> <p>c) By year group;</p> <p>d) By form;</p> <p>e) By pupils with special educational needs;</p> <p>f) By ethnicity;</p>				

g) By pupils on the free schools meals register; h) By pupils educated part-time off site?				
Does the school manage to spot any profiles of certain pupils' patterned absences and, if so, what does it do about it?				
Does the school's SMT/SLT regularly compare and contrast its own attendance data with: a) other local schools; b) other schools in the LA/district or regional; c) other similar schools in England/UK?				This includes schools with similar numbers of pupils by background/ethnicity and for example, on the free school meals register or on related variables which are applicable in individual situations.
Does the school participate in any LA monitoring of these data?				This might include with for instance, local school inspection or school improvement teams.
How does the school interface with the EWS on these data and any action planning?				
Does the school and/or EWS agree on individual action plans (IAP's) for use with its regular or persistent absentees?				
How often does the school/EWS hold regular review meetings on its persistent non-attendees?				
How does the school define persistent absence?				Does it use national guidelines or utilise its own definition?
Is there a relationship between				

unauthorised absence in the school and pupils on free school meals?				
Is there a relationship between unauthorised absence in the school and ethnicity?				
Are there any noticeable patterns of unexplained or specific pupils' absences in the classes taught by individual teachers?				If so, what does the school do about it?
Does the school carry out its own attendance spot checks?				
Does the school conduct random register checks?				
Does the school monitor the daily transition of its pupils in and out of school?				If so, how? Throughout the day? At breaks and lunch-times?
What is the link between absenteeism and attainment within the school?				
What is the link between pupils' literacy and numeracy deficits with school attendance?				
Is there a link between staff and pupils' absenteeism?				

A checklist on preventing school absenteeism

Issue	YES	NO	Action Required	Comments
Is the school's attendance policy discussed with parents/carers at admissions meetings?				
Does the school make use of home-school attendance contracts?				
Does the school always receive its pupils' attendance records at the point of transfer?				For year 7 pupils in secondary schools. For all other transfer points: primary, secondary and special schools or out-of-school/alternative education provision
Does the school system identify initial absenteeism at the earliest possible point?				.
Does the school make best use of its first day absence process?				
Does the school have a system in place to ascertain and manage: a) Post-registration truancy; b) Specific lesson absences?				Do these work effectively?
Does the school use and maintain a daily persistent absentee's early warning list?				
Does the school use and make best use of attendance notice boards?				
Does the school's premises contain any 'truancy hot-spot's'?				

Does the school have a procedure in place for when: a) Pupils miss school for more than three consecutive days without good reason; b) Patterned absence is detected; c) Pupils become identified as persistent absentees?				At what point does a pupil's continued absence trigger a review of his or her individual circumstances?
Does the school make best use of analysing and interpreting its attendance data?				
Does the school's management team undertake regular spot checks on pupils' attendance through for example, daily walkabouts or unannounced register checks?				
Does the school welcome those pupils returning from periods of absence (irrespective of reason) with enthusiasm?				
How does the school manage its arrangements for pupils' taking holidays in term-time?				
How does the school manage requests for pupils to undertake periods of long-term absence				eg visits to the sub-continent; Temporary school transfer arrangements.
Does the school have satisfactory systems in place to allow pupils who have been absent to re-integrate back into school?				
Does the school provide returning pupils with 'catch up' classes?				
How is this achieved?				eg one-to-one processes; using learning school

				mentors, classroom assistants or in other ways? Group work?
What reward systems for making regular school attendance does the school utilise?				List
Are these reward systems effective?				
Could they be improved?				
Does the school make use of 'reward' or 'praise' assemblies' or both?				
Does the school council regularly get involved in discussions about improving pupils' attendance?				
Does the governing body agenda contain a regular item on school attendance?				
Do staff meetings contain a regular item on attendance?				
Do SMT/SLT meetings contain a regular agenda item on attendance?				
Is staff absence monitored regularly and effectively?				
Is there any link between staff absence and pupils' attendance?				In cases of either individual pupils or groups of pupils/forms?
Does the school make use of attendance panels and/or progress review panels?				
Does the school make use of Individual Pupil Plans (IPP)?				
Are the school's arrangements on punctuality satisfactory?				

Are the school's arrangements on lateness sensible, effective and enforced uniformly?				Often this is best identified through a pattern of observation over a 2/3/4 day period.
How often and when are parents/carers invited into school when their children's attendance becomes a cause for concern?				
How are letters about their children's attendance sent home?				
If necessary, are these translated?				
How often is the curriculum reviewed to meet pupils' learning and attendance needs?				
Is there an alternative curriculum strategy in place?				
Does the school make use of out-of-school work placements with its disaffected pupils?				
Does the school use links with its local FE college to provide better vocational learning opportunities?				How do these affect pupils' attendance?
Does the school use links with local businesses to facilitate its disaffected pupils?				
Does the school make use of 'at risk' or vulnerable pupil lists?				eg for teenage mothers
Does the school use its INSET days to minimise disruption to families and pupils alike?				
Does the school use its study leave/revision periods correctly and sufficiently flexibly for pupils engaged in exams and/or work experience?				For use of secondary schools only
Does the school use out-of-school				If so, how does

learning provision opportunities?				this involve parents?
Does the school use and promote attendance certificates or improving school attendance certificates?				
How are staff engaged in discussions about taking possible legal action against the parent/s/carer/s of persistent absentees?				Including the use of fixed-penalty notices?
How many pupils in the schools have had their parent/s/carer/s prosecuted over the last: a) six months; b) year; c) two years; d) five years?				
Does the school receive any special funding from the government or LA to improve its school attendance?				
If so, how has it used it?				Describe process
In your estimation, is this money being spent wisely and providing good value?				

Promoting good attendance at school: Quality enhancement procedures

Issue	YES	NO	Action required	Comments
The school has a positive attitude towards improving school attendance?				
The school has a range of initiatives about how to promote and improve school attendance?				
Does this apply to all staff or only to some?				If not, why not?
Are the staff generally in favour of social inclusion policies?				
Promoting school attendance is given a high priority in major school documents?				
Does this include the prospectus?				
Does this include the school/staff handbook?				
Does it include the schools own improvement policy?				
Is it apparent in any self-assessment exercises?				
Is the excellent attendance of pupils rewarded?				Are these rewards effective? Could they be improved or enhanced?
How is this achieved?				
Are school attendees making much improved attendance rewarded?				eg use of school attendance certificates
How?				

Does the school set itself realistic attendance targets?				
By year?				
By gender?				
By pupils with special educational needs?				
By pupils on the free school meals register?				
By ethnicity?				
By those engaged in some out-of-school provision?				
By the whole-school?				
Are all these targets amended and/or modified year upon year?				
Does the school monitor the attendance of specific groups of pupils such as its persistent absentees and its most vulnerable students?				
Is it made clear to all pupils that poor attendance in school can seriously blight their academic attainment in school as well as their long-term prospects in life?				
Does the SMT/SLT use the School Council as effectively as it might on attendance issues?				
Is the school involved in effective campaigns locally to promote school attendance?				eg through the use of local campaigns utilising leaflets, newsletters, the local paper and radio, amongst other possibilities

Does the school use questionnaires with pupils to ascertain the reasons for their pupils' non-attendance?				
How is this undertaken?				
Does the school make use of parents' views to improve attendance?				
Are parent and/or pupil focus groups used?				
Does the school use a suggestion box to encourage new ideas on improving the culture/organisation/management of the school, including any possible changes to attendance strategies?				
Does the school understand the link between bullying and cyber bullying with non-attendance?				
Do year 7 and 8 pupils feel safe and welcome throughout the school?				
Are the school buildings well maintained and conducive to learning?				

School culture and attendance

Issues relating to pupils' well-being	YES	NO	Action required	Comments
Is it safe to walk around the school at all times?				
Is there a positive and welcoming atmosphere throughout the school?				
Are parents welcome inside the school buildings?				
How are visitors made to feel?				
Is the school in a good state of decorative repair?				
What are the facilities for pupils like?				Excellent? Good? Adequate? Fair? Poor?
How could these be improved?				
How are pupils with special or additional learning needs looked after?				
How are pupils with disabilities looked after?				
How are parents treated inside the school?				
Is a reception area available for their use?				
Are there good meeting rooms available?				
Does the school use quiet areas for its pupils?				
What are toilet facilities like?				

Are these well maintained throughout the school?				For every year group, gender, for pupils with disabilities, etc
What is the school food like at lunch-times?				
Does the school make good and effective use of displays?				
What is the school library like?				
Does the school have good ICT facilities?				
How does the staff speak to pupils?				All of them?
How do pupils speak to the staff?				
Does the staff have respect for pupils?				
Are there a wide range of facilities/clubs available at lunch-times?				
Are there a wide range of clubs available after school?				Sport/recreational/music/drama/ICT/any others
Does the staff willingly engage in extracurricular activities?				A few, some or all of them?
Does the school use after school or catch up clubs for slow learners, absentees or other groups of pupils?				
Are classrooms well resourced?				
Do classrooms manifest signs that learning activities take place within them?				
How is the transition stage managed?				Well? Could do better? Needs improvement?

				Better in some schools than in others? Does the school organise pre-school visits, access courses, etc
Are pupils given every chance to choose their future external examination subjects appropriately?				Secondary schools only
Do pupils like their school?				Are you sure? Do you know?
How do parents and carers feel about the school?				
Would parents recommend the school to other new parents whose children are due to enrol shortly?				How do you know?
Is there an effective PTA?				
Are parents involved in helping with activities inside the school?				eg parents involved in drama, music, sports teams, etc
Are parent helpers used inside the school?				
The pastoral care systems and caring support available to pupils within the school is excellent?				

Links between school attendance and the local community

Issue	YES	NO	Action required	Comments
The transport links between the school and pupils homes are well established?				
All pupils feel safe on-their-way to-and-from the school?				Does this apply to all pupils? Are you sure?
Are there known 'risk areas'?				
If so, how are these managed?				
Are all road crossings adequately supervised?				
Can parents park safely near the school?				If at all?
When can parents park inside the school?				
Are the school's starts and finish times reasonable and suit local parents' needs?				
What is the relationship like between the school and local community?				
With local shops?				
With other local businesses?				
Is the local community involved a great deal with the school?				
Is the local community involved in a Truancy Watch scheme?				
Is the local community represented on the school governing body?				
How?				
Is the local community engaged in any other local initiatives with the				eg work placements,

school?				assisting with clubs/sports teams
Are the local traditions, culture and religions of the local community represented inside the school?				
Does the local community reinforce the importance of school attendance?				
Discourage: Victimisation Bullying; Underage drinking; The use of drugs; Vandalism Communal theft?				

Resources and school attendance

Issue	YES	NO	Action required	Comments
The school allocates sufficient resources for its work on school attendance				
Designated staff have sufficient time allocations to manage school attendance				
The person i/c school attendance within the SMT/SLT has sufficient time to manage the role effectively?				
The school allocates special funding or uses additional funding from the government/LA to manage and improve school attendance adequately?				
<p>The school allocates sufficient resources for work on attendance with:</p> <p>Parents;</p> <p>Individual pupils;</p> <p>Persistent absentees;</p> <p>Class groups;;</p> <p>Assemblies;</p> <p>Attendance panels;</p> <p>Promotional campaigns;</p> <p>External agencies;</p> <p>Case reviews and/or conferences</p>				
<p>The school provides adequate support for its incentive initiatives on school attendance such as the use of:</p> <p>Reward schemes;</p>				

Certificates; Other rewards and incentives used by the school?				
The school awards prizes and attendance certificates: Weekly; Every half-term; Each term; Yearly?				
The school accesses additional rewards from local businesses and other community links to improve school attendance?				
The school has built up and developed a useful library of resources and other materials which are used to improve school attendance?				eg ICT, software, games, project materials, etc
The school puts valuable resources into its early intervention schemes?				
The school puts valuable resources into its reintegration strategies?				
The school puts valuable time and effort into working with parents and carers to improve school attendance?				
Other pupils in the school are used in initiatives to help their peers improve their attendance?				eg peer group tutoring schemes
No pupil is forced to miss school for reasons related to poverty?				eg parents unable to afford a school uniform
Parents and pupils feel they can approach the school when they have financial needs?				

The link between school attendance and bullying

Issues	YES	NO	Action required	Comments
The school has an anti-bullying policy?				
Is the policy clear and appropriate?				
What processes does the school use to prevent bullying from taking place?				List
Are these measures: a) sufficient; b) working well in practice?				
How does the school reprimand bullies?				
How does the school support pupils who are being bullied?				List
Are bullied pupils always supported well by the school?				
Is it apparent that pupils being bullied are never inadvertently victimised by the school?				
Is there a link being pupils being bullied and non-attendance within the school?				
If so, how is this monitored and established?				
Does the school have rules on the use of mobile phones during the day?				
Does the school have a policy on cyber-bullying?				
If so, is this included in the anti-bullying policy document?				
Does the school have a policy on gender bullying?				
Does the school have a policy on				

homophobic bullying?				
Does the school have a policy on anti-racial bullying?				
Does the school have a respect policy in place?				
How does the school log and record incidents of bullying within the school?				
Are victims of bullying within the school able to seek support from named staff?				
Have these staff been appropriately trained?				
Does the culture within the school allow bullied pupils to be able to speak out?				
The school has support systems in place for victims of bullying?				Are these effective?
The school also has support systems in place for bullies?				Are these effective?
There is an atmosphere within the school that any form of bullying will not be tolerated?				
Does the school use incidents of bullying report/incident forms?				
Incidents of bullying are always addressed within the school?				
All school staff share in the collective responsibility to prevent bullying?				
When and how are parents/carers involved in incidents of reportable bullying?				
How is this done?				
Does the school involve the police in serious incidents of bullying?				

How does the school report serious incidents of bullying to the LA?				
Is there a link between bullying and exclusion within the school? If so, what is it?				
Does this involve: a) fixed-term exclusions; b) permanent exclusions; c) both?				
Is the school aware of major incidents of bullying within the local community?				
Is the school aware of major incidents of bullying on-the-way to and from school?				eg on school buses?
What has it done about it?				
Does the staff handbook include a policy on bullying and victimisation?				
How is this overseen?				
Who has overall responsibility for the day-to-day management, implementation and oversight of the school's anti bullying policy?				
Are these managerial responsibilities working satisfactory?				
Are YOU satisfied that the school is doing everything possible to prevent bullying from happening?				
Are YOU satisfied that when incidents of bullying occur, the school is implementing its own procedures: a) fairly; b) rigorously; c) well?				

School attendance, the EWS and links with external agencies

Issue: EWS and use of EWO	YES	NO	Action required	Comments
Is there a named education welfare officer (EWO) linked to the school?				
If not, is there an alternative person/position that fulfils this role?				
Is there an identified senior manager within the school who has day-to-day responsibility for links with the education welfare officer?				
Is there a written and up-to-date written partnership agreement between the school, Education welfare Service (EWS) and/or the LA/district in place?				
Is this agreement working well?				
Does the EWO have sufficient time to undertake her role?				
How many schools does she/he support: a) in total; b) primary; c) secondary; d) special; e) others;				
In total, how many cases of: a) persistent absence; b) regular absence; c) occasional absence; does this mean this person could be dealing with at any time?				
How many cases is she/actually				

managing at present?				
How many home visits a week is she/he making?				
Is the school satisfied with its current EWO allocation?				
Does the school fund the EWO member out of its own resources: a) fully; b) partially?				
Regular review meetings between the EWO and key school are held?				
There are clear referral procedures to the EWO and EWS within the school?				
Are these consistent?				
How are emergency cases prioritised?				
Are other school staff involved in making home visits?				If so, when?
Is the EWO provided with a security alarm?				
A list of cases which cause concern is kept: a) daily; b) weekly; c) fortnightly; d) over a longer period?				For d), how often?
Case conferences on pupils' irregular or persistent absence are held within the school?				
If so, how often?				
Attendance panels (AP's) are used within the school?				
If so, which type/s?				See chapters

				9 and 10
How often are they used?				
Does the EWO organise them?				
If not, who does?				
Who maintains the AP records?				
Does the school use Progress Review Panels?				
Is this part of the AP process or separate?				
Does the EWO serve on all forms of AP's?				
There is a shared responsibility for action agreed between the EWO school/senior member of staff i/c attendance in every case?				
If not, why not?				
Does the school delegate responsibility/authority to the EWO?				
If so, for what type of cases?				
When?				
The EWO meets with the SMT/SLT as part of their regular meetings?				
If so, how often?				
If not, why not?				
Who prioritises the EWO's workloads: a) the school; b) the principal education welfare officer; c) both?				
The EWO is involved in all school INSET events?				

<p>The EWO is only involved in school INSET events on:</p> <ul style="list-style-type: none"> a) attendance; b) behaviour; c) bullying; d) exclusion; e) equality issues; f) others? 				For f), please list
The EWO is fully engaged in monitoring the school's attendance policy document?				
<p>The EWO:</p> <ul style="list-style-type: none"> a) leads; b) is involved in; c) presents the INSET; <p>in all reviews on the school's attendance policy document?</p>				
The EWO is involved in all parents' evenings?				
The EWO is involved in all transition arrangements?				
The EWO has good working arrangements with all parents/carers				
The EWO and school take legal action against parents as appropriate?				
The EWO and school use the full range of possible sanctions and penalties available to them?				
<p>Is the EWO responsible for coordinating the school's links with other external agencies?</p> <ul style="list-style-type: none"> a) All of them; 				eg Behaviour support, Social Services, Health, Police,

b) Some of them; c) Only in attendance cases?				etc
Is joint reintegration work between the EWO and the school encouraged?				
Is it operating effectively?				
Does the EWO provide regular updates on pupils' attendance to: a) All staff; b) Selected staff only? c) Heads of year/ Senior Managers only; d) Form tutors? e) All those with an interest involvement in specific cases?				Is this true in both primary and secondary schools? If not, what are the differences?
Does the EWO provide this information: a) Orally; b) Through the use of regular bulletins; c) Via e-mail; d) Through attendance notice boards in the staff room; e) In other ways?				
How do the school and EWO use other agencies in attendance cases?				
Do the school and EWO fully implement the Children Act (2004) protocols?				
Does the School Improvement Team regularly advise the EWO and school on attendance issues?				
Is the EWO satisfied with:				

<ul style="list-style-type: none"> a) The school's progress on managing pupils' non-attendance; b) Persistent absence; c) Stance on prosecution policy; d) Use of other penalties and sanctions; e) Progress being made to improve school attendance; f) Existing policy document on attendance; g) Support received from parents/carers? h) Pupils' attitudes towards attendance in the school? 				
Is the EWO involved with the School Council?				

Use of other external agencies

Issue: Use of other external agencies	YES	NO	Action required	Comments
Are there clear established links from the school to: <ul style="list-style-type: none"> a) Health; b) Social Services; c) School Improvement; d) Psychological Services; e) Behaviour Support; f) YOS; g) ALN Team; h) Police; i) Others 				
Regular overall updates are sent to all these external agencies on the school's attendance;				
Regular updates are sent to these agencies on cases involving: <ul style="list-style-type: none"> a) Vulnerable pupils; b) Pupils deemed to be 'at risk.'? 				
Which of these external agencies is involved with the school and EWS on its Truancy Sweeps <ul style="list-style-type: none"> a) Every time; b) Occasionally; c) Never? 				
Positive links are made between the school and local voluntary agencies?				
Alternative providers are working in effective partnership with the school?				eg PRU's, FE colleges, alternative

				curriculum centres, etc
Is the school informed on matters of importance which affect them or their pupils by these external agencies?				
Is the school involved in: a) Interdisciplinary; b) Multidisciplinary; Case conferences on individual pupils with attendance problems?				
Who convenes these meetings?				
Who is responsible for calling follow up meetings?				
Who is responsible for individual pupil action plans?				

**SOUTH EAST WALES CONSORTIUM-
Monmouthshire**

Appendix 3 Fixed Penalty Notices

**Local Code of Conduct
Education Fixed Penalty
Notices**

1. Legal Framework

- 1.1. The law empowers designated Local Authority (LA) Officers, head teachers, including their nominated deputies and the Police to issue Fixed Penalty Notices to the parents of children who have unauthorised absence from schools that fall within the South East Wales Consortium (SEWC) area. In Monmouthshire if Head Teachers wish to issue a Fixed Penalty Notices they will discuss this with an Education Welfare Officer who will liaise with the Principal Officer Inclusion.

The rules governing the implementation of these powers and the factors that should be taken into account when issuing a Fixed Penalty Notice are outlined In:

- The Education Act 1996;
- The Education & Inspections Act 2006;
- The Education (Penalty Notices) (Wales) Regulations 2013

The South East Wales Consortium is responsible for developing a protocol with which all the partner agencies named in legislation will work.

2. Rationale

1.

- 2.1. Section 7 of the Education Act 1996 states that:
- “The parent of every child of compulsory school age shall cause him to receive efficient full-time education suitable to his age, ability aptitude and to any special educational needs he may have, either by regular attendance at school or otherwise”
- 2.1.1. Regular and punctual attendance at school or alternative provision is a legal requirement and is essential to enable children to maximise their educational attainments and opportunities available to them.
- 2.1.2. Evidence shows that children with poor attendance are unlikely to succeed academically and they are more likely not to be in education, employment or training (NEET) when they leave school. NEET young people are likely to have a history of non- attendance and persistence absences in years 10 and 11.
- 2.1.3. Section 444 of the Education Act 1996, makes it a criminal offence for a parent’s failure to secure their child’s attendance at the school at which they are registered and where absences are not authorised.
- 2.1.4. The definition of “parent” includes all biological parents, whether they are married or not and includes any person who, although not a biological parent, has the parental responsibility and/or care for a child or young person.
- 2.1.5. Targeted intervention plays a vital role in resolving issues of poor school attendance, however where this fails to have the desired effect there are a number of sanctions available to Local Authorities (LAs) to try and secure improvements.
- 2.2. Fixed Penalty Notices are one of the sanctions available for this offence and offer a means of suitable and effective intervention for improving levels of unauthorised absences, before they become entrenched and persistence absences, whilst reducing the need for lengthy and costly prosecutions.
- 2.3. Fixed Penalty Notices and other sanctions will only be used where parental co-operation with this process is either absent or deemed to be insufficient to resolve the

problem. They will be used as a means to support parents to meet their legal responsibilities and only where there is a reasonable expectation that their use will secure improved school attendance.

3. Policy and Publicity.

2.

- 3.1. School Attendance Policies will include information on the issuing of Fixed Penalty Notices and this will be brought to the attention of parents.

4. Monitoring and review.

3.

SEWC and LAs will monitor and evaluate the effectiveness of Fixed Penalty Notices annually and amend its general enforcement strategy as appropriate. Reports will be made available to Consortium Directors, Local Authority Heads of Service and Strategy Committee and the Welsh Government as required.

Appendices

Appendix 1	Protocols and procedures in relation to Fixed Penalty Notices
Appendix 2	Advisory letter for issue by schools
Appendix 3	Fixed Penalty Notice request check list (to be submitted with Request)
Appendix 4	Penalty Notice request - Unauthorised Holiday
Appendix 5	Penalty Notice request - Unauthorised Absence
Appendix 6	Penalty Notice pro-forma
Appendix 7	Relevant legislation

Appendix 1

Protocols and procedures in relation to Fixed Penalty Notices

Issue of a Fixed Penalty Notice

- A Fixed Penalty Notice can only be issued in cases of unauthorised absence;
 - Fixed Penalty Notices will be restricted to one notice per parent of a pupil in an academic year;
 - In cases where there is more than one poorly-attending pupil in a family, notices may be issued for more than one child;
 - There will be no restriction on the number of times a parent may receive a formal warning of a possible Fixed Penalty Notice
- 4.

Fixed Penalty Notices may be considered appropriate when:

- At least 10 sessions (5 school days) are lost due to unauthorised absence during the current term. These do not need to be consecutive;
- Unauthorised absences of at least 10 sessions (5 school days) due to holidays in term time or delayed return from extended holidays; or
- Persistent late arrival at school, i.e. after the register has closed, in the current term. "Persistent" means at least 10 sessions of late arrival;
- Truancy, where the child has come to the attention of the Police or public during school hours for being absent from school, without an acceptable reason.

With regard to a request from a school for a Fixed Penalty Notice linked to a holiday related unauthorised absence, Monmouthshire Local Authority will only issue a Notice where the school has provided the necessary paperwork and evidence. This paperwork should comprise:

- A copy of newsletter or letter sent to all parents during the current Academic year which clearly states that parents may receive a Fixed Penalty Notice for an authorised holiday in term time. (The LA will not need a hard copy of this newsletter/letter each time a school applies for an unauthorised holiday Fixed Penalty Notice, just on the first occasion each academic year);
- A copy of the holiday request form submitted by a parent, and a copy of the response sent to the parent by school. In the event of the holiday request is being denied the school's response should state the reason why the holiday is unauthorised and should again advise the parent that they may receive a Fixed Penalty Notice if they take their child out of school;
- A copy of the letter sent by school to the parent advising that the school has referred the matter to the Local Authority and that a Fixed Penalty Notice may be issued;
- Signed registration certificate from the Head Teacher or their nominated deputy confirming that non-attendance during the period was unauthorised;

Considerations and Assessment as to whether a Fixed Penalty Notice should be issued.

Head Teachers, their nominated deputies and the Education Welfare Service (EWS) will take into account the following when determining whether a Fixed Penalty Notice should be issued:

- Level of absence;
- Any Equalities considerations relating to the child or family (as listed in the Council's Strategic Equality Plan);
- Any Special Educational Needs and or Additional Learning Needs (ALN). LAs should consider whether attendance problems may be related to a pupil's ALN. Schools should be able to demonstrate that they have made appropriate provision for the pupil's needs, which may include consideration to support through School Action, School Action Plus or in collaboration with the LA, carry out a statutory assessment.
- History of the attendance issues and action taken;
- Welsh Government (WG) Guidance;
- Likely effectiveness of Fixed Penalty Notice as a tool for obtaining compliance;
- Level of parent engagement/cooperation;

Procedure for Issuing Fixed Penalty Notices

The designated officer within the Local Authority will be the only individuals permitted to issue Fixed Penalty Notices, which will ensure consistent and equitable delivery and allow schools to maintain good relationships with parents and ensure that they reinforce any other enforcement sanctions.

Fixed Penalty Notices will never be issued as an instant action, e.g. during a Truancy Sweep. This will enable officers to ensure that all evidential requirements are in place and limit the health and safety risks to individuals.

Requests for issue of a Fixed Penalty Notice

Where schools, Police or neighbouring LAs request the issue of a Fixed Penalty Notice, their request will be investigated and actioned by the EWS, provided that:

- The circumstances of the case meet the criteria specified in this Code of Conduct;
- The pupil is registered within a school within the SEWC area;
- All necessary evidence is provided to the EWS to establish whether an offence under Section 444(1) or 444(1A) of the Education Act 1996 or Section 108 of the Education and Inspections Act 2006 has been committed;
- Issuing a Fixed Penalty Notice would not conflict with another intervention strategy already in place or another enforcement sanction already being processed and there is a reasonable expectation that the use of a Fixed Penalty Notice would improve the child's school attendance.

Responding to requests for the issuing of a fixed penalty notices

Following the warning notice issued by the school or Police, parents have a period of 15 school days within which to respond. During this time, the pupil must have no unauthorised absence. This information can be included in the formal written warning letter, where one has been issued.

The Education Welfare Service will respond to all requests from schools or Police within 10 school days of receipt of a request. When satisfied that all of the relevant criteria have been met the Local Authority will then issue a fixed penalty notice.

Fixed Penalty Notices for unauthorised holidays.

Where the requested Fixed Penalty Notice is in response to a holiday related unauthorised absence, or is in relation to an offence under section 108 of the Education and Inspections Act 2006, the formal warning letter and 15 day improvement period will not apply.

Monitoring and Review

All Fixed Penalty Notices will be entered onto a database maintained by individual Local Authorities to ensure that no duplicate Fixed Penalty Notices are issued and to evaluate the effectiveness of the process.

Excluded Pupils

The basis of the fixed penalty notice powers, do not extend to excluded pupils. Section 108 of the Education and Inspections Act 2006 came into force in October 2010 and amends section 16 of the Crime and Disorder Act 1998 to extend Police powers for the removal of excluded pupils to designated premises, if a child or young person excluded from school is found in a public place in a specified area during a specific period and during school hours.

Procedure for the Withdrawal of Fixed Penalty Notices

Once issued, a Fixed Penalty Notice can only be withdrawn if the EWS is satisfied that:

- The Fixed Penalty Notice was issued to the wrong person;
- The use of the Fixed Penalty Notice did not conform to this Code of Conduct;
- The Fixed Penalty Notice was delivered to the wrong address;
- The circumstances of the case warrant its withdrawal (reasonable justification).

Right of appeal

There is no statutory right of appeal, but where a parent contests the issuing of a Fixed Penalty Notice, they can submit any complaints to the EWS and/or opt to face proceedings in the Magistrates' Court under section 444 of the Education Act 1996, where all of the issues relating to their Fixed Penalty Notice can be fully debated heard.

Payment of Fixed Penalty Notices

Arrangements for payment will be detailed on the Penalty Notice. Payment of a Fixed Penalty Notice discharges the parent's liability for the period in question and they cannot subsequently be prosecuted under other enforcement powers for the period covered by the Fixed Penalty Notice.

If the Fixed Penalty Notice is paid within 28 days, the penalty payable is £60, or £120 if within 42 days. Payments will not be accepted from parents after 42 days has elapsed and cannot be paid either by instalments.

Individual Local Authorities will only be able to retain enough revenue from the Fixed Penalty Notices, to cover administration costs for the process of issuing Fixed Penalty Notice, the surplus is to be surrendered to the Welsh consolidated fund.

Non-Payment of Fixed Penalty Notices

Non-payment of a Fixed Penalty Notice will result in prosecution for the period covered by the Fixed Penalty Notice under Section 444 of the Education Act 1996.

Equalities and Welsh Language

The issuing of Fixed Penalty Notices must comply with other related legislation and regulations, in order to ensure that they are used in a fair and consistent manner and have paid due regard to the circumstances of the child/children and families involved. These include, but are not limited to the following:-

- Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011
- Welsh Language (Wales) Measure 2011
- Human Rights Act 1998

Councils' Strategic Equalities Plan covers the full range of issues that may need to be considered, depending on the individual case.

ADVISORY LETTER FOR SCHOOLS**Appendix 2**

Dear (Parent name)
Name of pupil:
Date of birth:

Date:

I have reviewed your child's attendance record and am concerned to note that he/she has incurred at least 5 sessions (2.5 school days) of unauthorised absence in the current term.

I enclose a copy of your child's attendance record and remind you that as a parent/carer of a child who is a registered pupil at this school, you have the legal responsibility for ensuring your child attends regularly.

All schools share the Welsh Government's determination to raise levels of pupil attendance and achievement in order to ensure the best possible start in life for our children.

Under the Antisocial Behaviour Act 2003, the Local Authority has the power to issue parents/carers with a Fixed Penalty Notice for each of their children, who fail to attend school regularly.

A Fixed Penalty Notice is an early deterrent intended to prevent more extended periods of unauthorised absence developing and incur a fine of £120, reduced to £60 if paid within 28 days of the notice being served. Failure to pay a penalty notice will result in prosecution under the Education Act 1996.

I can therefore advise you that the school will be closely monitoring your child's attendance from the date of this letter and should the level of unauthorised absence reach 10 sessions this term, then consideration will be given to the issue of a Fixed Penalty Notice.

Support and guidance regarding attendance is available from school or the Local Authority, however should you have any specific queries in relation to this letter, please contact me on the above telephone number.

Yours sincerely,

Head Teacher

Appendix 3

**FIXED PENALTY NOTICE
UNAUTHORISED HOLIDAY PROCESS**

1. Who has parental responsibility over the pupil? Please name the person who has day to day care if different

Parental Responsibility.....

Day to Day care.....

2. Has the period of absence meant the pupil has missed at least 10 school sessions?

Yes/ No

3. Has the parent named in response to question 1 previously received a Fixed Penalty Notice?

Yes/No

If yes please give details:

.....
.....
.....

4. Was a request made to the school by the parent for holiday leave during the period you wish to issue a Fixed Penalty Notice for?

If 'yes' what was the reason for refusal? Please attach copies of the correspondence exchanged.

If 'no' please explain why an unauthorised holiday is suspected.

.....
.....
.....
.....
.....
.....
.....

5. What is the pupil's attendance history?

.....
.....
.....

6. Does the pupil have any Additional Educational Needs (ALN) and is s/he maintained on a Statement of ALN?

.....
.....
.....

7. Does the pupil have a Disability under the Equality Act 2010?

.....
.....
.....

8. What is known of the pupil's personal circumstances?

.....
.....
.....

9. Are there any exceptional circumstances that the Council should be aware of?

.....
.....
.....

10. Has the pupil had a previous holiday or long period of absence in the academic year the unauthorised holiday was taken in?

.....
.....
.....

11. Has parent been in contact with the school in relation to the absence?

.....
.....
.....

12. Has SEWC's Code of Conduct been considered?

.....
.....
.....

Education Welfare Officer
Principal Officer Inclusion

Date
Date

Appendix 4

**FIXED PENALTY NOTICE REQUEST
UNAUTHORISED HOLIDAY ABSENCE**

Registered pupil at:School

Pupil Details:

Name:MALE/FEMALE

D.O.B.

Address:

.....
.....
.....

Postcode:

Telephone No:

Mobile No:

Parent/Carer

Name:

.....

Address (if different from above):

.....
.....

Postcode:

Telephone No:

Mobile No:

Name:

.....

Address (if different from above):

.....

.....

Postcode:

Telephone No:

Mobile No:

Dates of Absence:

The above named pupil was absent from school on the following dates and are recorded in the school register as unauthorised. (Please attach a registration certificate showing the period)

Declaration

I am the Head teacher/Acting Head Teacher of the School named. I certify that this holiday request has been considered in line with the School Attendance Policy. To the best of my knowledge there are no exceptional circumstances to consider.

Did parents request authorisation prior to holiday: Yes / No.

School response in writing to decline authorisation of holiday: Yes / No.

Deleted:

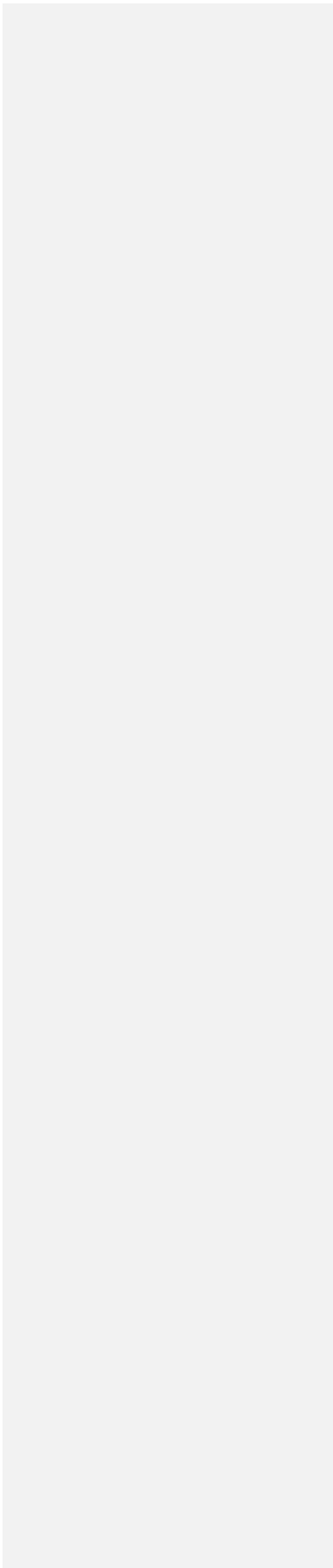
If no authorisation, the school will be referring the case to the Education Welfare Service/Legal Team for consideration of a fixed penalty notice

PLEASE ATTACH COPIES OF ALL CORRESPONDENCE.

Name:

Signature:Date:

Designation.....



Appendix 5

**FIXED PENALTY NOTICE REQUEST
UNAUTHORISED ABSENCE - Section 444, Education Act 1996**

Information contained in the form will be used in legal action under the above Act relating to non-attendance at school in the event that an Education Penalty Notice is issued and remains unpaid. I request that the Local Authority consider issuing a Penalty Notice to the parent(s)* of the following pupil:

Pupil Details

Registered School.....

Name of Pupil DOB Year

Address.....

.....

Parent 1

Full name DOB.....

Address.....

Parent 2

Full name..... DOB.....

Address.....

The expression "parent", in relation to a child or young person, includes any person who is not a parent of the child but who has parental responsibility for him or her, or who has care of the child.

In making this request, I confirm that such action would not conflict with other intervention strategies already in place or other enforcement measures already being processed. I can also confirm that the governing body of this school has reviewed its attendance policy and agreed that this school will request the Local Authority to issue a Fixed Penalty Notices in appropriate cases.

How has the parent been contacted regarding the unauthorised absences?

School Meeting Letter Telephone Call

Is the family known to other Services, eg: Children's Services, YOS, CAMHS?

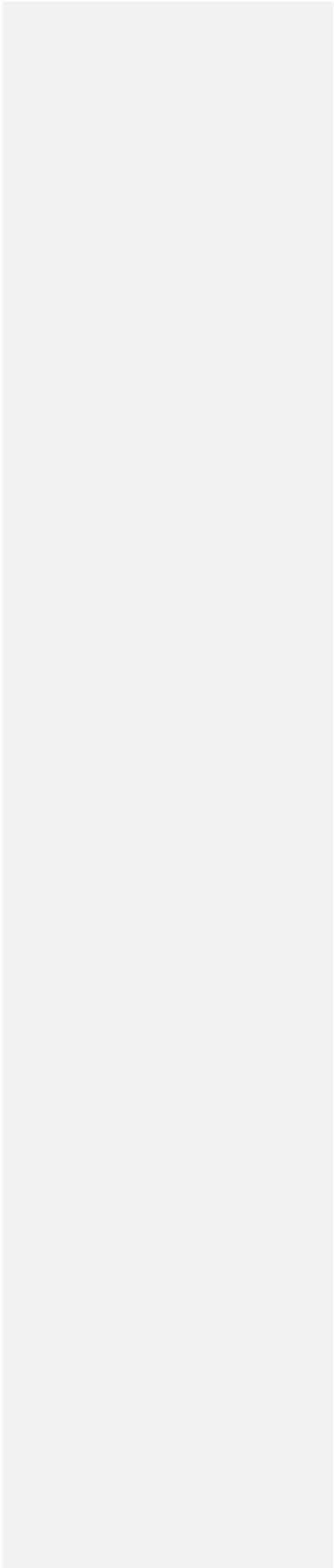
Yes / No

Are there any notable circumstances to consider, eg: mental health, bereavement, family dynamics/domestic violence? Yes / No

If yes, please give full details:

Signed Designation Date:.....

Please enclose an up to date registration certificate.



Appendix 6

FIXED Penalty Notice [S.444A EDUCATION ACT 1996]

Please read the notes below carefully.

Part 1

If a child of compulsory school age who is a registered pupil at a school fails to attend regularly at the school, or fails to attend regularly at alternative provision, the child's parent/guardian is guilty of an offence under s.444 Education Act 1996.

To: (Title)

(Forenames)

(Surname)

Of: (address)

(Postcode)

You are a parent/guardian of (name and address of child) (called in this notice "the pupil") who is a registered pupil at (name of school) and has been directed to attend alternative provision/ is not registered at a school but for whom the local authority has made arrangements to attend alternative educational provision.

On (date/dates)/ between (date) and (date) the pupil (name) failed to attend regularly at the (Name of) school. This notice gives you the opportunity to pay a penalty fine instead of being prosecuted for the offence given above. The amount of the penalty is £60. If you pay this penalty within the time limits set out below, no further action will be taken against you in connection with the offence as set out in this notice.

Payment should be made within 28 days. If paid after 28 days but within 42 days the penalty is doubled to £120. Payment should be made to **Monmouthshire County Council**, for payment and can be made in person during office opening hours between **9 and 5 in Magor @Innovation House, Wales 1, Magor NP263DG** or by posting this notice with a cheque or postal order to **Mrs D Mountfield, @Innovation House, Wales 1, Magor NP263DG**.

Late or part payments will not be accepted and no reminders will be sent. If payment is not received by (insert date 42 days from date of issue), you will be prosecuted for the offence and could be subject to a fine of up to £2,500.

This notice is issued by **Richard Austin, Principal Officer Inclusion** within **Monmouthshire**.

Date of issue:

Part 2

Please complete the following and return this notice with your payment to:

Mrs D Mountfield, Head of Achievement and Learning Infrastructure, @Innovation House, Wales 1, Magor, NP26 3DG

Name:

Address:

I attach payment in the sum of £.....

Signed:

Date:

NOTES

Contact details

If you have any queries about this notice, please contact Mr R Austin, Principal Officer Inclusion, Directorate of Children and Young People, @Innovation House, Wales 1, Magor, NP26 3DG via email Richardaustin@monmouthshire.gov.uk or by telephone 01633 644559 or 07799034670.

Amount of penalty

The amount of the penalty is as follows:

If paid within 28 days £60 If paid within 42 days £120.

Code of conduct

This notice is issued in accordance with a local code of conduct (we should include the full title together with its date or Edition) drawn up by The South East Wales Consortium and **Monmouthshire** Any questions or correspondence about the code should be addressed to Richard Austin, Principal Officer Inclusion, Directorate of Children and Young People 01633 64459..

Withdrawal

This notice may be withdrawn by **Monmouthshire** if it is shown that it should not have been issued to you or has not been issued to you in accordance with the SEWC code of conduct. If you believe that the notice was wrongly issued you must contact the issuing Local Authority as soon as possible to ask for it to be withdrawn, stating why you believe the notice to have been incorrectly issued.

The issuing Local Authority will consider your request and contact you to let you know whether the notice is withdrawn. If the notice is not withdrawn and you do not pay, you will be liable to prosecution for the offence.

Payment

You should complete the notice above and send or deliver it to the address given a.

Prosecution

If you do not pay the penalty, and the notice is not withdrawn, you will be prosecuted for the offence of failing to ensure your child's regular attendance at school.

You will receive a separate summons for this which will give you notice of the time and date of the court hearing. You will be able to defend yourself and you would be advised to seek legal representation;

Deleted: ¶

Deleted:

Appendix 7

Relevant legislation that relates to Fixed Penalty Notices includes:

The Children Act 1989

The definition of “parent” means all biological parents, whether they are married or not; and includes any person who, although not a biological parent, has parental responsibility and/or care for a child or young person.

The Education Act 1996

Section 7	Duty of parents to secure education of children of compulsory school age;
Section 8	Definition of compulsory school age;
Section 444(1)	Offence: Failure to secure regular attendance at school of registered pupil;
Section 444A	Penalty notice in respect of failure to secure regular attendance at school of registered pupil;
Section 444B	Penalty notices: supplemental;
Section 444ZA	Application of section 444 to alternative educational provision
Section 576	Meaning of “parent”

Education & Inspections Act 2006

Section 108	Duty of parent in relation to excluded pupil.
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Appendix 4: Latest data**Latest available Primary attendance data for the past four years**

Local Authority	2009/10			2010/11			2011/12			2012/13		
	Att	Auth	Un	Att	Auth	Un	Att	Auth	Un	Att	Auth	Un
Blaenau Gwent	92	7.5	0.5	92.5	7	0.5	93.1	6.5	0.4	93.1	6.4	0.5
Caerphilly	92.5	6.1	1.4	92.8	5.9	1.3	93.1	5.8	1.1	93.2	5.8	1.0
Newport	92.7	5.6	1.7	93	5.4	1.6	93.4	5.1	1.5	93	5.2	1.8
Monmouthshire	94.5	5.3	0.2	94.4	5.4	0.2	94.7	5.1	0.2	94.4	5.4	0.2
Torfaen	92.5	6.1	1.4	93.2	6.1	0.7	94	5.1	0.9	93.6	5.1	1.3
Wales	93.2	5.8	1	93.3	5.8	0.9	93.8	5.5	0.7	93.7	5.4	0.9

Latest available Secondary attendance data for the past 4 years

Local Authority	2010/11			2011/12			2012/13			2013/14		
	Att	Auth	Un	Att	Auth	Un	Att	Auth	Un	Att	Auth	Un
Blaenau Gwent	89.4	8.5	2.1	90.4	7.2	2.4	91	6.7	2.3	92.2	5.5	2.3
Caerphilly	90.7	7.2	2.1	91.7	6.5	1.8	92	6.4	1.6	92.9	5.7	1.4
Newport	91.9	6.2	2	91.9	6	2.1	92.1	5.8	2.1	92.9	4.7	2.4
Monmouthshire	92.2	7.2	0.6	93	6.4	0.6	93.4	6.1	0.5	94.5	4.7	0.8
Torfaen	91.7	7	1.3	92.3	7.5	1.2	92.5	6.5	1.0	93.5	5.7	0.8
SEWC	91.2	7.1	1.7	91.9	6.4	1.7	92.2	6.2	1.6	93.1	5.3	1.6
Wales	91.4	7.1	1.5	92.2	6.4	1.4	92.6	6.1	1.3	93.6	5.1	1.3

Appendix 5: The Role of the SEWC Attendance Group

A SEWC Attendance Group, comprising Principal Challenge Advisers and managers from relevant Education Welfare Services will meet regularly and at least once each half-term. This group meets as a consortia group to consider a range of management information, current legislation, guidance and data related to school attendance and other related issues in order to:

- i) verify and quality control check this information and data;
- ii) ensure that officers from a range of appropriate professional disciplines are able to contribute to the interrogation and analysis of the information and data;
- iii) monitor performance against established performance indicators;
- iv) identify and plan responses to issues which are identified through the interrogation and analysis of the data;
- v) open discussions with schools;
- vi) refer particular issues to the appropriate officers/services – whether at School, Local Authority or Consortia level;
- vii) help ensure that any necessary responses are properly coordinated, monitored and actioned;
- viii) advise on the application of practice standards with regard to the management of attendance and behaviour across the county and to report on the application of these practice standards;
- ix) ensure the development of consistent, consortia-wide policies in relation to behaviour and attendance;
- x) ensure that county plans, in particular the Children and Young People's Plan and relevant School Improvement Plans are properly informed by behaviour and attendance issues;
- xi) inform the DfES and Welsh Government as well as Consortia processes and arrangements.

Appendix 6: List of key documents relating to attendance in Wales

- All Wales Attendance Framework and strategies for schools to improve attendance and manage lateness
<http://wales.gov.uk/docs/dcells/publications/110308section3en.pdf>
- All Wales protocol missing children
<http://www.caerphilly.gov.uk/cscb/pdfs/national/All%20Wales%20Missing%20Child%20July%202011%20pdf.pdf>
- Children Missing Education (CME)
<http://new.wales.gov.uk/topics/educationandskills/publications/guidance/missingeducation/?lang=en>
- Inclusion and Pupil Support document, National Assembly for Wales Circular No: 47/2006;
<http://new.wales.gov.uk/topics/educationandskills/schoolshome/pupilsupport/inclusionpupilsupportguidance/?lang=en>
- Section 4 of the Inclusion and Pupil Support, Summary on attendance 4(i) Guidance on Registration Practices and codes.
- WG Guidance on School Attendance Codes 2010, that contains information on the revised school attendance codes and legislative changes in relation to Pupil Registration;
<http://new.wales.gov.uk/topics/educationandskills/schoolshome/pupilsupport/inclusionpupilsupportguidance/section4/?lang=en>
- Special Educational Needs Code Of Practice for Wales
<http://wales.gov.uk/docs/dcells/publications/111221senbestpracen.pdf>
- National Behaviour and Attendance Review Action Plan
<http://wales.gov.uk/docs/dcells/publications/090327nbaractionplanen.pdf>
- Children and Young Persons Act (1969)
- The Education Act (2002)
- The Education (Pupil Registration) (Wales) Regulations 2010
- The Education (Penalty Notices) (Wales) Regulations 2013
- The Education (School Day and School Year) (Wales) (Amendment) Regulations 2012
- The Education (School Performance and Unauthorised Absence Targets) (Wales) (Amendment) Regulations 2006.
<http://www.legislation.gov.uk>
- WG guidance on penalty notices for regular non-attendance at school
<http://wales.gov.uk/docs/dcells/publications/130925-guidance-regular-non-attendance-en.pdf>

Richard Austin
Principal Inclusion Officer on behalf of SEWC Attendance Group

Monmouthshire Revised School Attendance Policy

November 2014

Review date: September 2015

1. Introduction

Monmouthshire Inclusion Service aims to:

Promote and support excellent school attendance by direct work with schools, pupils, their families and secure the engagement of appropriate agencies where their support is critical towards securing improved attendance

The importance of regular attendance cannot be overestimated. It is a prerequisite to a good education and securing it must be a high priority for schools and their governing bodies, as well as for parents and pupils. Pupils who fail to attend regularly not only diminish the value of the education provided but may also jeopardise their future life chances to succeed.

The Local Authority (LA) encourages schools to adopt a **whole school approach** to attendance. This requires commitment from all staff employed within the school, together with governors, parents, pupils and the LA.

This approach relates to a wide range of other issues, including punctuality, rewards and incentives, re-integration of long-term absentees, curricular differentiation, home-school links and the role of the Education Welfare Service (EWS).

2. Legal Framework

Section 7 of the Education Act 1996 states that “..... *the parent of every child of compulsory school age shall cause him/her to receive full-time education suitable to his/her age, aptitude and ability and to any special education needs he/she may have, either by regular attendance at school or otherwise*”

Section 444 further states that “... .. *the parent of a child of compulsory school age registered at school and failing to attend regularly is guilty of an offence punishable in law*”

An offence is not committed if it can be demonstrated that:

- the pupil was absent with leave (authorised absence)
- the pupil was ill or prevented from attending by unavoidable cause
- the absence occurred on a day set aside for religious observance by the religious body to which the pupil/parents belong

- the school is not within the prescribed walking distance of the child's home and suitable transport arrangements have not been made by the LA

The Act also places a legal obligation on:

- the LA to provide and enforce attendance
- the schools to register attendance and notify the LA of a child's absence from school. (Welsh Assembly circular 47/2006) and the Education (Pupil Registration) (Wales) Regulations 2010.

The Legislative Framework:

- The following legislation, guidelines and documents underpin this policy:
- Education Act 1996
- Children Act 1989
- Children Act 2004
- Education and Inspections Act 2006
- SEN Code of Practice for Wales 2004
- The Learning Country and Learning Country II: Vision into Action, WAG (2006)
- School Effectiveness Framework
- The National Model for School Improvement
- National Service Framework for Children, Young People and Maternity Services in Wales, WAG (2005)
- Children and Young People's Workforce Development Strategy
- Behaving and Attending: Action Plan Responding to the National Behaviour and
- Attendance Review, WAG (2009)
- Inclusion and Pupil Support, WAG Circular 47/2006
- Exclusion from Schools and Pupil Referral Units, WAG Circular 001/2004
- Improving Attendance 2006, Estyn
- Education (Admission of Looked After Children) (Wales) Regulations 2009
- The Education (Penalty Notices) (Wales) Regulations 2013
- Right of the Children and Young Persons (Wales) Measure 2011
- United Nations Convention on the Rights of a Child (the right to an education)

Services for children and young people with emotional and mental health needs, Wales Audit Office and Healthcare Inspectorate Wales, 2009

Definitions

- a) Compulsory school age - Under Section 8 of the Education Act 1996, children and young people should attend school from the start of the first term commencing after their fifth birthday. The end of term dates are 31 March, 31 August and 31 December. A young person ceases to be of compulsory school age on the last Friday in June of the school year in which they have their 16th birthday.

- b) The definition of 'parent' is set out in section 576 of the Education Act 1996 and includes:
- i. all natural parents, whether they are married or not;
 - ii. any person who, although not a natural parent, has parental responsibility (as defined in the Children Act 1989) for a child or young person; and
 - iii. any person who, although not a natural parent, has care of a child or young person.
- c) Having care of a child or young person means that a person with whom the child lives and who looks after the child, irrespective of what their relationship is with the child, is considered to be a parent in education law.
- d) Walking Distance - As defined by Section 3 of the Learner Travel (Wales) Measure 2008:
- i. in relation to a primary school aged child receiving education at a maintained school, a non-maintained special school, a Pupil Referral Unit or independent school named in a statement maintained for the child, means two miles (3.218688 kilometres), **NB within Monmouthshire we currently use 1 and ½ miles for primary school aged children - this could be lower if the route is an unsafe walking route**
 - ii. in relation to a secondary school aged child receiving education at a maintained school, a non-maintained special school, a Pupil Referral Unit or independent school named in a statement maintained for the child, means three miles (4.828032 kilometres). **NB within Monmouthshire we currently use 2 miles for secondary school aged children - this could be lower if the route is an unsafe walking route**
 - iii.

In each case measured by the nearest available route which is safe to walk either escorted or unescorted.

- e) Full-time education - Inclusion and Pupil Support 47/2006 defines full time education as:
- Key Stage 1: 21 hours
 - Key Stage 2: 23.5 hours
 - Key Stage 3 / 4 (Including Year 10 only): 24 hours
 - Key Stage 4 (Year 11): 25 hours

3. School Attendance Register

Schools are required under The Education (Pupil Registration) (Wales) Regulations 2010, to take an attendance register twice a day; at the start of the morning session and once during the afternoon session. The register may be requested in a court of law as evidence in a prosecution for non-attendance. It may also contribute information to pupils' end-of-term reports, records of achievement and leavers' references. An accurate and consistent registration system is crucial if poor

attendance and punctuality within a school are to be tackled. It is vital that pupils are aware that registration is a significant part of the school day.

All staff involved with the registration process should be made aware that the law is specific regarding the keeping of registers. Marking and keeping the register is of the utmost importance.

Unauthorised absence is absence without approval from an authorised representative of the school and 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 as prosecution is only possible for unauthorised absences. There will be occasions when the school may authorise a pupil's absence and hence no offence is deemed to have been committed.

It is important that schools exercise caution in the authorisation of absence. If they are suspicious of the explanation given by parents, the absence should be further investigated and left unauthorised until the matter has been clarified to the satisfaction of the school. The decision taken by the school to authorise absence or not, is of critical importance in determining the level of involvement of the EWS. 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 to answer.

It should be noted that it is an offence not to maintain accurate registers. Detailed guidance on attendance codes (revised 2010) can be found in Annex 4i in the Pupil Support Guidance Document

4. School Attendance Policy

Schools are encouraged to develop a whole school policy on attendance in discussion with staff, governors, parents and pupils taking account of Assembly Government guidance on Inclusion and Pupil Support and good practice identified by the local authority. The School Model is the Authority's preferred approach for schools. This policy should:

- give a high priority to attendance and punctuality;
- ensure compliance with all statutory requirements;
- ensure that clear information is regularly communicated to parents and pupils;
- collect and make effective and constructive use of attendance data;
- provide clear guidance to staff on the process of registration and on such connected issues as the appropriate categorisation of absence;
- contain clear procedures to identify and follow up all absence and lateness;
- recognise the importance of early intervention;
- make provision for first-day of absence contact;
- monitor post-registration truancy through the taking of class registers and spot checks;
- be alert to critical times (e.g. Key Stage 2/3 transfer);
- identify a range of strategies to deal with absenteeism / lateness;
- provide for a clear and unambiguous hierarchy of sanctions;

- develop attendance incentive schemes which recognise pupils' attendance achievements;
- consider the setting of targets for individuals, classes, year groups, etc.;
- establish procedures for identifying and reintegrating long-term absentees;
- provide for regular structured meetings between school staff and the EWO
- ensure that reasonable steps are taken by the school before an appropriate referral is made to the EWO;
- stress to parents the importance of continuity of learning, particularly in relation to requests for family holidays during term-time which will only be considered in exceptional and extenuating family circumstances; See Family Holidays during Term Time
- use opportunities such as parents' evenings and the school prospectus / brochure to remind parents of the school policy on attendance;
- involve governors;
- identify a key senior member of staff with overall responsibility for attendance;
- ensure that good practice is identified and disseminated;
- be regularly monitored and reviewed; and
- take steps to create a culture which encourages attendance, addressing school based causes of poor attendance such as bullying, racism, the curriculum, etc.

5. Absence

It is important to emphasise that there are two different types of absence, **authorised** and **unauthorised**, and that unauthorised absence is perceived as truancy which could ultimately result in the Education Welfare Service (EWS) having to prosecute parents for the non school attendance of their child/ren.

Parents should be reminded that **it is only the head teacher who may decide whether an absence is to be authorised or unauthorised**. Parents should also be made aware that a letter does not in itself authorise an absence, only the school's acceptance of the explanation offered by the letter authorises the absence. It is important to clarify precisely what constitutes authorised or unauthorised absence. Examples of authorised absence include:

- Sickness
- Unavoidable medical/dental appointments
- Days of religious observance
- Exceptional family circumstances, such as bereavement

Authorised Absence

Only a Head teacher can authorise an absence. Parents and the LA do not have the power to authorise absences.

The key points head teachers should consider when deciding to authorise absence are:

- It is a legal requirement that registered pupils of compulsory school age attend school regularly and punctually

- Schools are not obliged to accept a parental explanation for pupil absence where there is doubt as to the validity of that explanation
- Parents should be aware that only **the head teacher** has the right to agree to a pupil's absence for family holidays in term time. Each application for leave should be considered in view of the specific circumstances of the family
- Schools should always expect regular and punctual attendance, even when the school is aware of family difficulties
- An explanation is required for every absence. If one is not forthcoming the absence will be treated as unauthorised
- Where absence is authorised, schools should remain vigilant to emerging patterns of non-attendance
- Lateness should be actively discouraged and persistent lateness treated in the same way as irregular attendance

Unauthorised Absence

Unauthorised absence is absence without approval from the head teacher of the school and includes all unexplained absences. Thus, the decision taken by the head teacher to give, or withhold, authorisation for an absence, is critical in determining the LA's approach to any attendance case; for if a child's absence is approved by the Head teacher, for whatever reasons, no offence is deemed to have been committed and the EWS cannot consider prosecuting parents.

If schools are suspicious of the explanation given by parents, the absence should be recorded as unauthorised until further investigations have clarified the circumstances to the satisfaction of the school.

6. The Role of Parents

- Parents and guardians have a duty to ensure that their child of compulsory school age receives suitable full-time education (Education Act 1996, Section 7) suitable to his/her age, ability and aptitude and any special educational needs s/he may have
- They are responsible for ensuring their child arrives at school on time
- They should ensure that their child stays at school for the day unless alternative arrangements are made
- Parents and guardians are responsible for informing schools of the reason for their child's absence as soon as possible, preferably on the first day of absence
- Parents may allow their child to be absent from school:
 - i. with the permission of the head teacher for a day of religious observance
 - ii. because they live beyond the statutory walking distance and no transport has been provided by the LA (unless the parent has chosen a school outside the prescribed catchment area)
 - iii. because he or she is prevented from attending school by an unavoidable cause directly affecting the pupil (e.g. illness)

- Parents are discouraged from taking their child out of school for holidays, even though head teachers may authorise up to 10 days per academic year
- They are encouraged to see themselves as partners with schools in the education of their children

Parentally Condoned Absence

Parentally condoned absence is more difficult to identify than any other form. If there is reason to doubt that the explanation offered about a particular absence is genuine, the absence should be treated as unauthorised. Since all absences are to be treated as unauthorised unless and until schools agree on a satisfactory explanation, it is important that schools have procedures, consistently applied, to pursue explanations and for amending registers (Welsh Assembly Circular 47/2006, p. 73). Such procedures would indicate a request for medical advice from the school nurse regarding non-school attendance.

- Pupils are not expected to attend school when they are not well enough to do so whether as a result of short term, long term or recurring illnesses. However, they should not be kept away from school when they are well enough to go to lessons or when they have minor ailments which do not prevent them from taking part in their education. It would be useful to consider whether the ailment would keep parents and teachers away from work.
- Schools should have an established system in place to enable parents / carers to report their child's absence because of illness. It is reasonable for the school to ask the nature of the illness, ask the parent the expected length of absence and make arrangements for the parent to call the school again if the situation changes.
- Schools have the right to consider whether to accept the parent / carers position with regard to medical absence as there are occasions when parents report parentally condoned absence to the school as medical absence. If the school has concerns that the illness may not either be genuine or warrant the amount of absence accruing, the school may ask the parent to substantiate the illness by asking to see additional evidence such as a medical appointment card.
- However, staff should not request additional evidence every time pupils miss school due to illness. Restricting such requests to when the school has concerns that a pupil was not ill or that the illness was trivial and did not warrant time off reduces the administrative burden on schools. Schools and local authority staff should also be aware of the pressure they could place on doctors' appointment systems if they request a Doctor's Note every time pupils are ill. They should also be aware of the limited value that such notes have if a doctor did not treat the pupil for the illness.
- Schools should have a clear policy to address incidences of recurring absence where illness is given as a reason, but where there are indications or concerns that this may not be the case. In schools, where there is illness that appears unfounded, this can result in the pupil and parent or carer being offered an appointment with the school nurse.

Absence during term time

Parents do not have an automatic right to withdraw pupils from school for a holiday and, in law, have to apply for permission in advance. Monmouthshire County Council advises all Governing Bodies not to authorise any holiday requests during term time, except where there are exceptional and extenuating circumstances.

Exceptional and extenuating circumstances include and would normally be limited to:

- i. family holiday request from parents who are employed by the Ministry of Defence;
- ii. family requests for holiday due to religious beliefs.

Such considerations, in exceptional circumstances, may result in the school agreeing with the request and authorising the absence accordingly.

This means that holiday requests during term time **will not be authorised** by the school unless there is agreement between the school and the parent/carer that exceptional and extenuating circumstances apply, as aforementioned.

There is an expectation that parents and carers will abide by these arrangements in order to continue to secure the best possible educational outcomes for their child/children during their time in schools in Monmouthshire.

However, where parents fail to abide by the agreement reached with the school and keep a child away from school or where parents fail to seek permission, the time taken will be treated as an **unauthorised absence** in accordance with the application of this policy.

Where schools are experiencing difficulties with family holidays taken during term time, they may wish to:

- issue a letter on the matter to parents, requesting a meeting to discuss further; or
- contact the school EWO for advice and support.

All requests for holiday in exceptional circumstances during term time should be in writing, which should be made by a parent / carer of the child even if they are not going on holiday with them. If the parent with whom the child lives does not give consent to the holiday, leave cannot be given lawfully by the school except by a court order.

Extended overseas trips

When making judgements about extended absence for pupils from minority ethnic families, schools should ensure that full account has been taken, not only of the Regulations and Welsh Assembly Government guidance, but also of the situation of minority ethnic families in general and the particular circumstances relating to each individual case. It is important that schools show an understanding of the parents'

perspective even though the school may not be able to comply with a request for absence.

Schools should ensure that all parents are aware of the school's policy on absence.

In the case of minority ethnic parents, special care should be taken to ensure that the Regulations are fully explained and understood. Interpreters should be used if necessary or, where a number of parents are concerned, the school may wish to consider organising a special meeting for these parents.

Schools should take account of the following:

- a visit involving a family overseas has an entirely different significance from the normal associations with 'holiday' which is the category recognised by the Welsh Assembly Government;
- visits may be very important in terms of children's identity and self-esteem as they grow up;
- parents may feel that the planned visit outweighs the importance of their child's uninterrupted attendance at school - maintaining family links may involve greater significance and greater pressure in some societies than it does in the UK; and
- the reasons for parents making a visit may be similar to those for indigenous parents, e.g. family illness, bereavement, etc.

However, schools should explain to parents that:-

- advance permission in the exceptional circumstances as aforementioned, must be agreed;
- the absence should be planned carefully with the school;
- if holiday leave must be taken during term time due to the exceptional and extenuating circumstances in the family, absence should not exceed more than ten school days;
- their child's name may be removed from the register if he or she has not returned to school within ten school days of the expected date of return.

7. Overview of Roles and Responsibilities of Education Welfare Service and School Attendance Leads:

The EWS and School Attendance Leads provide support to schools, pupils and parents to ensure regular attendance and address problems relating to absenteeism. The Service liaises with other agencies and provides an important link between home and school helping parents and teachers to work in partnership in order that pupils benefit from the educational opportunities available locally.

The EWS acts on behalf of the local authority in enforcing a parent's duty to provide appropriate education. The main function of the EWS is to improve overall attendance and pupil wellbeing and to reduce persistent absence in all schools and alternative education provision. However, in many instances the EWS also undertake other related duties, which may include:

- working with other agencies to address underlying issues which may impact upon attendance
- playing an active role in the safeguarding agenda.
- regulating child employment and performance licences for school age children;

The main role of the EWS in Monmouthshire is to:

- contribute to the local authority and school's drive for school effectiveness;
- work in partnership with schools, pupils, parents and communities to ensure educational entitlement and regular attendance;
- link with a network of agencies providing education, health and social services for individuals with specific needs; and
- Work effectively and proactively with School Attendance Leads to increase attendance, reduce absence and improve pupil wellbeing.

This is sought to be achieved through:

- promoting and supporting whole school attendance policies, particularly the local authority Strategy for Improving Attendance
- providing advice on proven good practice;
- working together with school staff, pupils, parents and relevant others on programmes designed to improve attendance level;
- undertaking individual work with pupils;
- undertaking family centred work;
- developing group work with pupils and parents; and
- initiating statutory proceedings on behalf of the LA.

Importantly, legal action to enforce attendance can only be taken by Monmouthshire Council through its EWS.

Engaging and Working with Parents

Parentally condoned absence is, in many ways, more difficult to identify than any other form of pupil absence. This form of absence is equally as damaging to the pupil's educational experience as any other form of absence. The parents, in many cases, perceive that they are keeping their child away from school for legitimate reasons. They may feel that they are protecting their child/children. It is essential when school staff feel that a pattern of non-attendance is emerging, they work closely with education, social and health support services to ensure the most appropriate and effective intervention is available to the pupil and parents.

Effective engagement is the bedrock on which all work with parents is built. Engagement should be underpinned by the values and principles that guide the work of the EWS. Key to this is respecting parents' rights and supporting them in meeting their responsibilities.

Parents of children from different cultures may feel that the school is not a safe or proper environment for their child. It is vital that schools investigate and endeavour to recognise cultural issues that may prevent a pupil from attending school. There are support services that will assist and advise schools and parents on ways forward when these difficulties arise.

A pupil's punctuality is a legal requirement and the parents / carers of a pupil who is persistently late are guilty of an offence. The law treats persistent lateness (after the close of the Register) in the same way as irregular attendance and parents can be prosecuted if late arrival is not resolved.

Parents can do a great deal to support the regular and punctual attendance of their children. In Monmouthshire we are committed to working with our parents and schools to support and encourage them to:

- take an active interest in their child's school life and work;
- attend, when possible, parents' evenings and other school events;
- ensure that their child completes his / her homework and goes to bed at an appropriate time;
- be aware of letters from school which their child brings home;
- ensure that their child arrives at school on time each day;
- ensure that their child only misses school for reasons which are unavoidable or justified, such as illness or days of religious observance;
- always notify the school as soon as possible - preferably on the first morning of any absence;
- confirm this in writing when the child returns to school;
- to ensure family holidays do not take place during term-time; and
- talk to the school if they are concerned that their child may be reluctant to go to school.

The Attendance Strategy sets out the following:

- a clear agreement between the school and the local authority Education Welfare Service on the actions to be taken by the school, the EWS and the School Attendance Lead;
- the amount of support that schools can expect based on clear criteria including staff responsible for attendance as well as the responsibilities of the school on the appropriateness and timeliness of referrals etc.

8. The Role of the Local Authority

Under section 437 of the Education Act 1996, Monmouthshire Council has a duty to ensure that a child for whom they are responsible is receiving a suitable education either by regular attendance at school or otherwise. Further information can be found in Section 4 of the 'Inclusion and Pupil Support' guidance document.

In September 2009 the Welsh Assembly Government commenced Section 436A of the Education and Inspections Act 2006 which requires that local authorities must

make arrangements to enable them to establish (so far as it is possible to do so) the identities of children residing in their area who are not receiving a 'suitable education'.

Implementation of the duty under section 436A should be integrated with the wider range of duties placed on local authorities, including the Children's Act 2004 (sections 25-29) and the Welsh Assembly Government's Safeguarding Children Working Together under the Children's Act 2004 that aims to improve outcomes, and safeguard and promote the welfare of children.

New legislation has empowered a designated officer from Monmouthshire to issue Fixed Penalty Notices (FPNs) to parents of children and young people who have unauthorised absence from school. The issuing of FPNs will be the responsibility of the Principal Officer Inclusion in response to requests made by head teachers, their nominated deputies and the police. (See Local Authority's Code of Conduct – Fixed Penalty Notice for Non-Attendance at School).

A School Attendance Order (SAO) applies in cases when a parent of a child of compulsory school age fails to prove that the child is receiving suitable education and where the authority believes the child should attend school. A SAO may be used to direct a parent to send their child to a specified school, and should be used when a pupil is not on roll at any school. They are not intended for pupils who attend irregularly.

- The LA is charged in law with enforcing attendance
- The LA can apply to the courts for an Education Supervision Order (Children Act 1989, Section 36) and where necessary can prosecute parents who fail to ensure their child's attendance at school (Education Act 1996, Section 444)
- The Education Welfare Service works on behalf of the LA with schools, Social Services, Youth Offending Service (YOS), the Police and other relevant agencies in helping parents and the LA to meet their statutory obligations on school attendance
- The LA works with schools to develop whole-school policies to improve pupils' attendance at school
- The LA liaises with the police in arranging and conducting truancy patrols when appropriate

Information on pupils; attendance is monitored by the Inclusion Service. This data is used to support schools in increasing their attendance levels and decreasing their frequency of unauthorised absence, particularly in relation to vulnerable groups.

- All schools to make data available to the LA, ideally in electronic format.
- The LA will collate and analyse attendance data to provide an appropriate targeted provision of services
- The figures are reported to the Directorate Management Team and reviewed as part of the progress report of the directorate's service plans
- The Governing Body of each school should review its attendance policy on a regular basis

9. Target Setting

There is a statutory requirement to set attendance targets yearly, which have to be agreed by the school governors. These targets are set in consultation between the Principal Officer Inclusion and Schools and shared with the EAS. The targets should be both realistic and sufficiently challenging in order to raise school attendance in general.

Schools need to be aware of the interventions that have been successful as part of their evaluation process. Evaluation might usefully be an annual item on the agenda of the governing body, with termly updates in the school governors' meetings at Primary and Secondary level. When evaluating procedures, the school will consider whether or not:

- Attendance has improved
- Punctuality has improved
- Parental response to absences has improved
- Reintegration plans have been successful
- The school has been successful in raising the profile of attendance, with the school, the governing body, parents and the local community

Should further advice or guidance on this policy be required please contact Richard Austin- Principal Officer Inclusion on 01633 644559.

**SOUTH EAST WALES CONSORTIUM-
Monmouthshire**

Local Code of Conduct Education Fixed Penalty Notices



in partnership with



1. Legal Framework

- 1.1. The law empowers designated Local Authority (LA) Officers, head teachers, including their nominated deputies and the Police to issue Fixed Penalty Notices to the parents of children who have unauthorised absence from schools that fall within the South East Wales Consortium (SEWC) area. In Monmouthshire if Head Teachers wish to issue a Fixed Penalty Notices they will discuss this with an Education Welfare Officer who will liaise with the Principal Officer Inclusion.

The rules governing the implementation of these powers and the factors that should be taken into account when issuing a Fixed Penalty Notice are outlined In:

- The Education Act 1996;
- The Education & Inspections Act 2006;
- The Education (Penalty Notices) (Wales) Regulations 2013

The South East Wales Consortium is responsible for developing a protocol with which all the partner agencies named in legislation will work.

2. Rationale

- 2.1. Section 7 of the Education Act 1996 states that:
 “The parent of every child of compulsory school age shall cause him to receive efficient full-time education suitable to his age, ability aptitude and to any special educational needs he may have, either by regular attendance at school or otherwise”
- 2.1.1. Regular and punctual attendance at school or alternative provision is a legal requirement and is essential to enable children to maximise their educational attainments and opportunities available to them.
- 2.1.2. Evidence shows that children with poor attendance are unlikely to succeed academically and they are more likely not to be in education, employment or training (NEET) when they leave school. NEET young people are likely to have a history of non- attendance and persistence absences in years 10 and 11.
- 2.1.3. Section 444 of the Education Act 1996, makes it a criminal offence for a parent’s failure to secure their child’s attendance at the school at which they are registered and where absences are not authorised.
- 2.1.4. The definition of “parent” includes all biological parents, whether they are married or not and includes any person who, although not a biological parent, has the parental responsibility and/or care for a child or young person.
- 2.1.5. Targeted intervention plays a vital role in resolving issues of poor school attendance, however where this fails to have the desired effect there are a number of sanctions available to Local Authorities (LAs) to try and secure improvements.
- 2.2. Fixed Penalty Notices are one of the sanctions available for this offence and offer a means of suitable and effective intervention for improving levels of

unauthorised absences, before they become entrenched and persistence absences, whilst reducing the need for lengthy and costly prosecutions.

- 2.3. Fixed Penalty Notices and other sanctions will only be used where parental co-operation with this process is either absent or deemed to be insufficient to resolve the problem. They will be used as a means to support parents to meet their legal responsibilities and only where there is a reasonable expectation that their use will secure improved school attendance.

3. Policy and Publicity.

- 3.1. School Attendance Policies will include information on the issuing of Fixed Penalty Notices and this will be brought to the attention of parents.

4. Monitoring and review.

SEWC and LAs will monitor and evaluate the effectiveness of Fixed Penalty Notices annually and amend its general enforcement strategy as appropriate. Reports will be made available to Consortium Directors, Local Authority Heads of Service and Strategy Committee and the Welsh Government as required.

Appendices

Appendix 1	Protocols and procedures in relation to Fixed Penalty Notices
Appendix 2	Advisory letter for issue by schools
Appendix 3	Fixed Penalty Notice request check list (to be submitted with Request)
Appendix 4	Penalty Notice request - Unauthorised Holiday
Appendix 5	Penalty Notice request - Unauthorised Absence
Appendix 6	Penalty Notice pro-forma
Appendix 7	Relevant legislation

Appendix 1

Protocols and procedures in relation to Fixed Penalty Notices

Issue of a Fixed Penalty Notice

- A Fixed Penalty Notice can only be issued in cases of unauthorised absence;
- Fixed Penalty Notices will be restricted to one notice per parent of a pupil in an academic year;
- In cases where there is more than one poorly-attending pupil in a family, notices may be issued for more than one child;
- There will be no restriction on the number of times a parent may receive a formal warning of a possible Fixed Penalty Notice

Fixed Penalty Notices may be considered appropriate when:

- At least 10 sessions (5 school days) are lost due to unauthorised absence during the current term. These do not need to be consecutive;
- Unauthorised absences of at least 10 sessions (5 school days) due to holidays in term time or delayed return from extended holidays; or
- Persistent late arrival at school, i.e. after the register has closed, in the current term. "Persistent" means at least 10 sessions of late arrival;
- Truancy, where the child has come to the attention of the Police or public during school hours for being absent from school, without an acceptable reason.

With regard to a request from a school for a Fixed Penalty Notice linked to a holiday related unauthorised absence, Monmouthshire Local Authority will only issue a Notice where the school has provided the necessary paperwork and evidence. This paperwork should comprise:

- A copy of newsletter or letter sent to all parents during the current Academic year which clearly states that parents may receive a Fixed Penalty Notice for an authorised holiday in term time. (The LA will not need a hard copy of this newsletter/letter each time a school applies for an unauthorised holiday Fixed Penalty Notice, just on the first occasion each academic year);
- A copy of the holiday request form submitted by a parent, and a copy of the response sent to the parent by school. In the event of the holiday request is being denied the school's response should state the reason why the holiday is unauthorised and should again advise the parent that they may receive a Fixed Penalty Notice if they take their child out of school;
- A copy of the letter sent by school to the parent advising that the school has referred the matter to the Local Authority and that a Fixed Penalty Notice may be issued;
- Signed registration certificate from the Head Teacher or their nominated deputy confirming that non-attendance during the period was unauthorised;

Considerations and Assessment as to whether a Fixed Penalty Notice should be issued.

Head Teachers, their nominated deputies and the Education Welfare Service (EWS) will take into account the following when determining whether a Fixed Penalty Notice should be issued:

- Level of absence;
- Any Equalities considerations relating to the child or family (as listed in the Council's Strategic Equality Plan);
- Any Special Educational Needs and or Additional Learning Needs (ALN). LAs should consider whether attendance problems may be related to a pupil's ALN. Schools should be able to demonstrate that they have made appropriate provision for the pupil's needs, which may include consideration to support through School Action, School Action Plus or in collaboration with the LA, carry out a statutory assessment.
- History of the attendance issues and action taken;
- Welsh Government (WG) Guidance;
- Likely effectiveness of Fixed Penalty Notice as a tool for obtaining compliance;
- Level of parent engagement/cooperation;

Procedure for Issuing Fixed Penalty Notices

The designated officer within the Local Authority will be the only individuals permitted to issue Fixed Penalty Notices, which will ensure consistent and equitable delivery and allow schools to maintain good relationships with parents and ensure that they reinforce any other enforcement sanctions.

Fixed Penalty Notices will never be issued as an instant action, e.g. during a Truancy Sweep. This will enable officers to ensure that all evidential requirements are in place and limit the health and safety risks to individuals.

Requests for issue of a Fixed Penalty Notice

Where schools, Police or neighbouring LAs request the issue of a Fixed Penalty Notice, their request will be investigated and actioned by the EWS, provided that:

- The circumstances of the case meet the criteria specified in this Code of Conduct;
- The pupil is registered within a school within the SEWC area;
- All necessary evidence is provided to the EWS to establish whether an offence under Section 444(1) or 444(1A) of the Education Act 1996 or Section 108 of the Education and Inspections Act 2006 has been committed;
- Issuing a Fixed Penalty Notice would not conflict with another intervention strategy already in place or another enforcement sanction already being

processed and there is a reasonable expectation that the use of a Fixed Penalty Notice would improve the child's school attendance.

Responding to requests for the issuing of a fixed penalty notices

Following the warning notice issued by the school or Police, parents have a period of 15 school days within which to respond. During this time, the pupil must have no unauthorised absence. This information can be included in the formal written warning letter, where one has been issued.

The Education Welfare Service will respond to all requests from schools or Police within 10 school days of receipt of a request. When satisfied that all of the relevant criteria have been met the Local Authority will then issue a fixed penalty notice.

Fixed Penalty Notices for unauthorised holidays.

Where the requested Fixed Penalty Notice is in response to a holiday related unauthorised absence, or is in relation to an offence under section 108 of the Education and Inspections Act 2006, the formal warning letter and 15 day improvement period will not apply.

Monitoring and Review

All Fixed Penalty Notices will be entered onto a database maintained by individual Local Authorities to ensure that no duplicate Fixed Penalty Notices are issued and to evaluate the effectiveness of the process.

Excluded Pupils

The basis of the fixed penalty notice powers, do not extend to excluded pupils. Section 108 of the Education and Inspections Act 2006 came into force in October 2010 and amends section 16 of the Crime and Disorder Act 1998 to extend Police powers for the removal of excluded pupils to designated premises, if a child or young person excluded from school is found in a public place in a specified area during a specific period and during school hours.

Procedure for the Withdrawal of Fixed Penalty Notices

Once issued, a Fixed Penalty Notice can only be withdrawn if the EWS is satisfied that:

- The Fixed Penalty Notice was issued to the wrong person;
- The use of the Fixed Penalty Notice did not conform to this Code of Conduct;
- The Fixed Penalty Notice was delivered to the wrong address;
- The circumstances of the case warrant its withdrawal (reasonable justification).

Right of appeal

There is no statutory right of appeal, but where a parent contests the issuing of a Fixed Penalty Notice, they can submit any complaints to the EWS and/or opt to face proceedings in the Magistrates' Court under section 444 of the Education Act 1996, where all of the issues relating to their Fixed Penalty Notice can be fully debated heard.

Payment of Fixed Penalty Notices

Arrangements for payment will be detailed on the Penalty Notice. Payment of a Fixed Penalty Notice discharges the parent's liability for the period in question and they cannot subsequently be prosecuted under other enforcement powers for the period covered by the Fixed Penalty Notice.

If the Fixed Penalty Notice is paid within 28 days, the penalty payable is £60, or £120 if within 42 days. Payments will not be accepted from parents after 42 days has elapsed and cannot be paid either by instalments.

Individual Local Authorities will only be able to retain enough revenue from the Fixed Penalty Notices, to cover administration costs for the process of issuing Fixed Penalty Notice, the surplus is to be surrendered to the Welsh consolidated fund.

Non-Payment of Fixed Penalty Notices

Non-payment of a Fixed Penalty Notice will result in prosecution for the period covered by the Fixed Penalty Notice under Section 444 of the Education Act 1996.

Equalities and Welsh Language

The issuing of Fixed Penalty Notices must comply with other related legislation and regulations, in order to ensure that they are used in a fair and consistent manner and have paid due regard to the circumstances of the child/children and families involved. These include, but are not limited to the following:-

- Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011
- Welsh Language (Wales) Measure 2011
- Human Rights Act 1998

Councils' Strategic Equalities Plan covers the full range of issues that may need to be considered, depending on the individual case.

Appendix 2

ADVISORY LETTER FOR SCHOOLS

Dear (Parent name)
Name of pupil:
Date of birth:

Date:

I have reviewed your child's attendance record and am concerned to note that he/she has incurred at least 5 sessions (2.5 school days) of unauthorised absence in the current term.

I enclose a copy of your child's attendance record and remind you that as a parent/carer of a child who is a registered pupil at this school, you have the legal responsibility for ensuring your child attends regularly.

All schools share the Welsh Government's determination to raise levels of pupil attendance and achievement in order to ensure the best possible start in life for our children.

Under the Antisocial Behaviour Act 2003, the Local Authority has the power to issue parents/carers with a Fixed Penalty Notice for each of their children, who fail to attend school regularly.

A Fixed Penalty Notice is an early deterrent intended to prevent more extended periods of unauthorised absence developing and incur a fine of £120, reduced to £60 if paid within 28 days of the notice being served. Failure to pay a penalty notice will result in prosecution under the Education Act 1996.

I can therefore advise you that the school will be closely monitoring your child's attendance from the date of this letter and should the level of unauthorised absence reach 10 sessions this term, then consideration will be given to the issue of a Fixed Penalty Notice.

Support and guidance regarding attendance is available from school or the Local Authority, however should you have any specific queries in relation to this letter, please contact me on the above telephone number.

Yours sincerely,

Head Teacher

Appendix 3

**FIXED PENALTY NOTICE
UNAUTHORISED HOLIDAY PROCESS**

1. Who has parental responsibility over the pupil? Please name the person who has day to day care if different

Parental Responsibility.....

Day to Day care.....

2. Has the period of absence meant the pupil has missed at least 10 school sessions?

Yes/ No

3. Has the parent named in response to question 1 previously received a Fixed Penalty Notice?

Yes/No

If yes please give details:

.....
.....
.....

4. Was a request made to the school by the parent for holiday leave during the period you wish to issue a Fixed Penalty Notice for?

If 'yes' what was the reason for refusal? Please attach copies of the correspondence exchanged.

If 'no' please explain why an unauthorised holiday is suspected.

.....
.....
.....
.....
.....
.....
.....

5. What is the pupil's attendance history?

.....
.....
.....

6. Does the pupil have any Additional Educational Needs (ALN) and is s/he maintained on a Statement of ALN?

.....
.....
.....

7. Does the pupil have a Disability under the Equality Act 2010?

.....
.....
.....

8. What is known of the pupil's personal circumstances?

.....
.....
.....

9. Are there any exceptional circumstances that the Council should be aware of?

.....
.....
.....

10. Has the pupil had a previous holiday or long period of absence in the academic year the unauthorised holiday was taken in?

.....
.....
.....

11. Has parent been in contact with the school in relation to the absence?

.....
.....
.....

12. Has SEWC's Code of Conduct been considered?

.....
.....
.....

Education Welfare Officer
Principal Officer Inclusion

Date
Date

Appendix 4

**FIXED PENALTY NOTICE REQUEST
UNAUTHORISED HOLIDAY ABSENCE**

Registered pupil at:School

Pupil Details:

Name:MALE/FEMALE

D.O.B.

Address:

.....
.....
.....

Postcode:

Telephone No:

Mobile No:

Parent/Carer

Name:

.....
.....

Address (if different from above):

.....
.....

Postcode:

Telephone No:

Mobile No:

Name:

.....

Address (if different from above):

.....

.....

Postcode:

Telephone No:

Mobile No:

Dates of Absence:

The above named pupil was absent from school on the following dates and are recorded in the school register as unauthorised. (Please attach a registration certificate showing the period)

Declaration

I am the Head teacher/Acting Head Teacher of the School named. I certify that this holiday request has been considered in line with the School Attendance Policy. To the best of my knowledge there are no exceptional circumstances to consider.

Did parents request authorisation prior to holiday: Yes / No.

School response in writing to decline authorisation of holiday: Yes / No.

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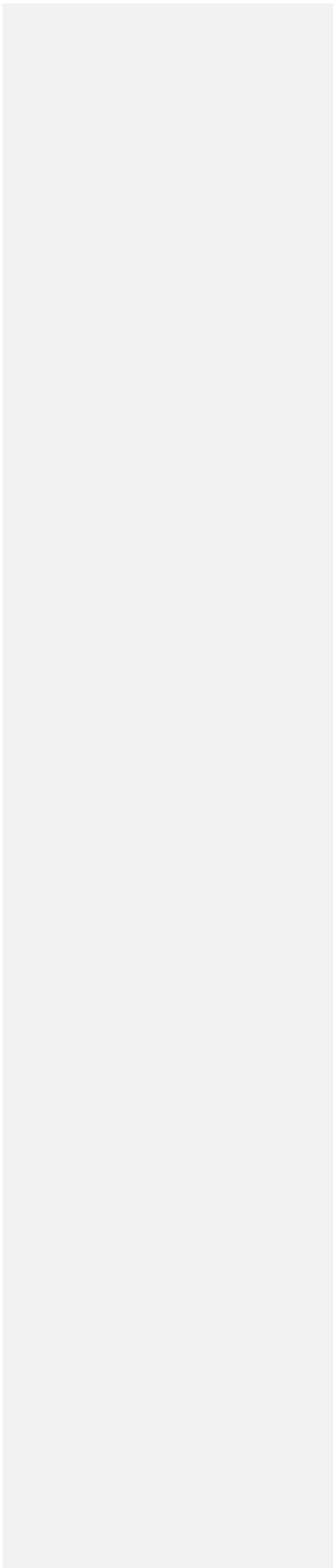
If no authorisation, the school will be referring the case to the Education Welfare Service/Legal Team for consideration of a fixed penalty notice

PLEASE ATTACH COPIES OF ALL CORRESPONDENCE.

Name:

Signature:Date:

Designation.....



Appendix 5

FIXED PENALTY NOTICE REQUEST
UNAUTHORISED ABSENCE - Section 444, Education Act 1996

Information contained in the form will be used in legal action under the above Act relating to non-attendance at school in the event that an Education Penalty Notice is issued and remains unpaid. I request that the Local Authority consider issuing a Penalty Notice to the parent(s)* of the following pupil:

Pupil Details

Registered

School.....

Name of Pupil DOB Year

Address.....

.....

Parent 1

Full name DOB.....

Address.....

Parent 2

Full name..... DOB.....

Address.....

The expression "parent", in relation to a child or young person, includes any person who is not a parent of the child but who has parental responsibility for him or her, or who has care of the child.

In making this request, I confirm that such action would not conflict with other intervention strategies already in place or other enforcement measures already being processed. I can also confirm that the governing body of this school has reviewed its attendance policy and agreed that this school will request the Local Authority to issue a Fixed Penalty Notices in appropriate cases.

How has the parent been contacted regarding the unauthorised absences?

School Meeting Letter Telephone Call

Is the family known to other Services, eg: Children's Services, YOS, CAMHS?

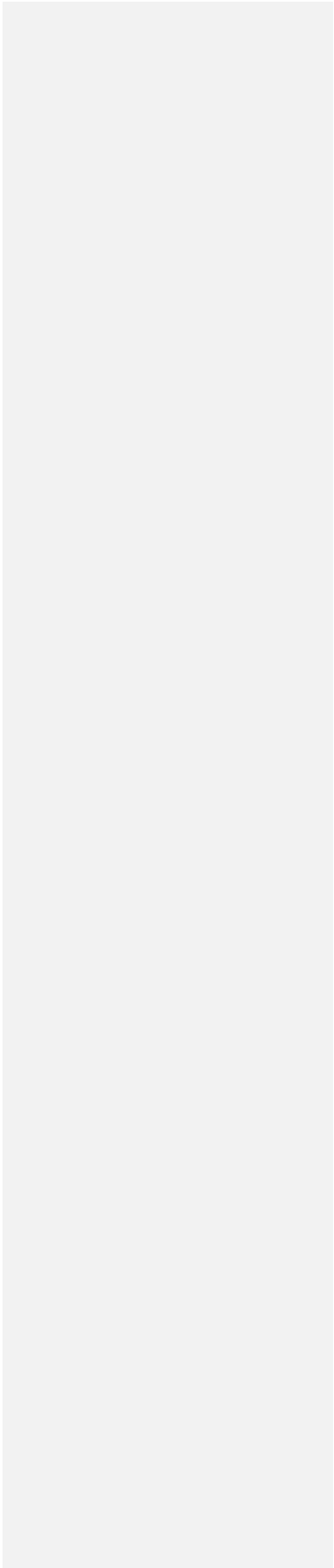
Yes / No

Are there any notable circumstances to consider, eg: mental health, bereavement, family dynamics/domestic violence? Yes / No

If yes, please give full details:

Signed Designation Date:.....

Please enclose an up to date registration certificate.



Appendix 6

FIXED Penalty Notice [S.444A EDUCATION ACT 1996]

Please read the notes below carefully.

Part 1

If a child of compulsory school age who is a registered pupil at a school fails to attend regularly at the school, or fails to attend regularly at alternative provision, the child's parent/guardian is guilty of an offence under s.444 Education Act 1996.

To: (Title)

(Forenames)

(Surname)

Of: (address)

(Postcode)

You are a parent/guardian of (name and address of child) (called in this notice "the pupil") who is a registered pupil at (name of school) and has been directed to attend alternative provision/ is not registered at a school but for whom the local authority has made arrangements to attend alternative educational provision.

On (date/dates)/ between (date) and (date) the pupil (name) failed to attend regularly at the (Name of) school. This notice gives you the opportunity to pay a penalty fine instead of being prosecuted for the offence given above. The amount of the penalty is £60. If you pay this penalty within the time limits set out below, no further action will be taken against you in connection with the offence as set out in this notice.

Payment should be made within 28 days. If paid after 28 days but within 42 days the penalty is doubled to £120. Payment should be made to **Monmouthshire County Council**, for payment and can be made in person during office opening hours between **9 and 5 in Magor @Innovation House, Wales 1, Magor NP263DG** or by posting this notice with a cheque or postal order to **Mrs D Mountfield, @Innovation House, Wales 1, Magor NP263DG**.

Late or part payments will not be accepted and no reminders will be sent. If payment is not received by (insert date 42 days from date of issue), you will be prosecuted for the offence and could be subject to a fine of up to £2,500.

This notice is issued by **Richard Austin, Principal Officer Inclusion** within **Monmouthshire**.

Date of issue:

Part 2

Please complete the following and return this notice with your payment to:

**Mrs D Mountfield, Head of Achievement and Learning Infrastructure,
@Innovation House, Wales 1, Magor, NP26 3DG**

Name:

Address:

I attach payment in the sum of £.....

Signed:

Date:

NOTES

Contact details

If you have any queries about this notice, please contact Mr R Austin, Principal Officer Inclusion, Directorate of Children and Young People, @Innovation House, Wales 1, Magor, NP26 3DG via email Richardaustin@monmouthshire.gov.uk or by telephone 01633 644559 or 07799034670.

Amount of penalty

The amount of the penalty is as follows:

If paid within 28 days £60 If paid within 42 days £120.

Code of conduct

This notice is issued in accordance with a local code of conduct (we should include the full title together with its date or Edition) drawn up by The South East Wales Consortium and **Monmouthshire** Any questions or correspondence about the code should be addressed to Richard Austin, Principal Officer Inclusion, Directorate of Children and Young People 01633 64459..

Withdrawal

This notice may be withdrawn by **Monmouthshire** if it is shown that it should not have been issued to you or has not been issued to you in accordance with the SEWC code of conduct. If you believe that the notice was wrongly issued you must contact the issuing Local Authority as soon as possible to ask for it to be withdrawn, stating why you believe the notice to have been incorrectly issued.

The issuing Local Authority will consider your request and contact you to let you know whether the notice is withdrawn. If the notice is not withdrawn and you do not pay, you will be liable to prosecution for the offence.

Payment

You should complete the notice above and send or deliver it to the address given a.

Prosecution

If you do not pay the penalty, and the notice is not withdrawn, you will be prosecuted for the offence of failing to ensure your child's regular attendance at school.

You will receive a separate summons for this which will give you notice of the time and date of the court hearing. You will be able to defend yourself and you would be advised to seek legal representation;

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Appendix 7

Relevant legislation that relates to Fixed Penalty Notices includes:

The Children Act 1989

The definition of "parent" means all biological parents, whether they are married or not; and includes any person who, although not a biological parent, has parental responsibility and/or care for a child or young person.

The Education Act 1996

Section 7	Duty of parents to secure education of children of compulsory school age;
Section 8	Definition of compulsory school age;
Section 444(1)	Offence: Failure to secure regular attendance at school of registered pupil;
Section 444A	Penalty notice in respect of failure to secure regular attendance at school of registered pupil;
Section 444B	Penalty notices: supplemental;
Section 444ZA	Application of section 444 to alternative educational provision
Section 576	Meaning of "parent"

Education & Inspections Act 2006

Section 108	Duty of parent in relation to excluded pupil.
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SUBJECT:	WELSH CHURCH FUND WORKING GROUP
MEETING:	Special Cabinet
DATE:	18th March 2015
DIVISIONS/WARD AFFECTED:	All

1. PURPOSE:

- 1.1 The purpose of this report is to make recommendations to Cabinet on the Schedule of Applications for 2014/15 meetings 5 and 6 held on the 22nd January and the 26th February 2015

2. RECOMMENDATION:

- 2.1 We resolved that the following grants be awarded to:

MEETING 5 (22nd January 2015)

- (1) Tintern Village Hall & Recreation Centre requested a £1,500 contribution towards essential replacement to the gas supply and ancillary equipment at the Hall

Recommendation – £1,088 awarded towards the cost of equipment required to bring the gas supply up to standards required for Health & Safety in this Community Building.

- (2) Alexander Lovell requested £1,570 for living maintenance whilst studying for his Masters course

Recommendation – The Committee felt that they could not support the request of this applicant for advanced educational funding

- (3) Swansea City Opera requested £2,000 towards the cost of putting on an operatic performance of 'Faust' at the Abergavenny Borough Theatre involving the 'Gwent Bach Choir'.

Recommendation – £500 awarded to assist in aiding this cultural event for the citizens of Monmouthshire.

- (4) Chepstow Tennis Club requested £5,000 towards the provision of a new all weather playing surface, maintenance equipment and safety fencing

Recommendation - £1,000 awarded to contribute to the provision of facilities that support this sports club in enabling the youth of Chepstow and greater community to participate in activity leisure activities.

Deferred Applications:

Louise Giovanelli requested £150 to assist in providing resource materials for her Fine Arts further education course

No recommendation made – agreed to defer pending due to the request for further information.

MEETING 6 (26th February 2015)

- (5) Caldicot Musical Theatre Society – requested £1,000 to assist in financing the cost of the society's production of 'Oliver'

Recommendation – £500 awarded to the community arts group to assist in the production and sustainability of live theatre in the county

- (6) Usk in Bloom – requested £1,000 to assist in replacing shrub and flower containers in the town as been invited by the Royal Horticultural Society to compete in a Uk wide 'Champion of Champions' Britain in Bloom competition

Recommendation - £1000 was awarded to help enhance the environment and profile of Usk Town and that of the County of Monmouthshire within this national competition

- (7) St Arvans Memorial Hall – requested £250 to assist in the purchase of black out blinds for the hall to enhance privacy for community groups using the facility

Recommendation – £250 was awarded to the community hall for improvements in its physical environment to ensure a relaxed and safe environment for users.

- (8) Shirenewton Recreation Association – requested £1.100 for the purchase and installation of security cameras and recording equipment

Recommendation – £250 was awarded to assist in the purchase of security equipment for this community asset.

- (9) St Cadoc's Church, Llangattock, Usk – requested £600 to assist in the cost of the Architect's fees for the assessment and survey of the church roof which is in need of replacement

Recommendation - £600 was awarded towards the project costs for essential maintenance of the church

- (10) Louise Giovanelli requested £150 to assist in providing resource materials for her Fine Arts further education course

Recommendation – That £150 be awarded to alleviate poverty and support educational achievement

2.2 KEY ISSUES

The nature of the request in each case is set out in the attached schedule.

3. REASONS

MEETING 5 22nd January 2016

A meeting took place on Thursday, 22nd January 2015 of the Welsh Church Fund Cabinet Working Group to recommend the payment of grants as detailed in the attached schedule.

County Councillors in attendance:

D. Edwards (Chairman), B. Strong and A. E. Webb

Officers in attendance:

Mr D. Jarrett

Apologies for absence:

D. Evans

Declarations of Interest:

County Councillor A. E. Webb declared an interest pursuant to the Members Code of Conduct, Local Government Act 2000, within the capacity of signatory of the application from the Tintern Village Hall & Recreation Centre and took no part in the decision.

County Councillor B. Strong declared an interest pursuant to the Members Code of Conduct, Local Government Act 2000, within the capacity of signatory of the application from Louise Giovanelli and took no part in the decision.

MEETING 6 - 26th February 2016

A meeting took place on Thursday, 26th February 2015 of the Welsh Church Fund Cabinet Working Group to recommend the payment of grants as detailed in the attached schedule.

County Councillors in attendance:

D. Edwards (Chairman), B. Strong and D. Evans

Officers in attendance:

Mr D. Jarrett, Miss Nicola Perry

Apologies for absence:

A Webb

Declarations of Interest:

County Councillor B. Strong declared an interest pursuant to the Members Code of Conduct, Local Government Act 2000, within the capacity of signatory of the application from Usk in Bloom and took no part in the decision.

County Councillor B. Strong declared an interest pursuant to the Members Code of Conduct, Local Government Act 2000, within the capacity of signatory of the application from Louise Giovanelli and took no part in the decision.

4. RESOURCE IMPLICATIONS

A total of £2.588 was allocated at meeting 5 of the Welsh Church Fund Committee, Thus, £12,186 remains available for distribution within the financial year.

A total of £2.750 was allocated at meeting 6 of the Welsh Church Fund Committee, Thus, £9,436 remains available for distribution within the financial year. .

5. SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS:

There are no equality or sustainable development implications directly arising from this report. The assessment is contained in the attached appendix.

6. CONSULTEES:

Senior Leadership Team
All Cabinet Members
Head of Legal Services
Head of Finance
Central Management Accountant

7. BACKGROUND PAPERS:

Welsh Church Fund Schedule of Applications 2014/15 – Meeting 5 & 6 (Appendix 2)

8. AUTHOR:

David Jarrett – Central Finance Management Accountant

9. CONTACT DETAILS

Tel. 01633 644657

e-mail: daveJarrett@monmouthshire.gov.uk

The “Equality Initial Challenge”

Name: Dave Jarrett		Please give a brief description of what you are aiming to do.	
Service area: Central Finance		To assess the Grant Allocation Processes of the Welsh Church Fund for the meetings of the Welsh Church Fund Working Group on the 22 nd January and 26 th February 2015.	
Date completed: 26 th February 2015			
Protected characteristic	Potential Negative impact Please give details	Potential Neutral impact Please give details	Potential Positive Impact Please give details
Age		Neutral	
Disability		Neutral	
Marriage + Civil Partnership		Neutral	
Pregnancy and maternity		Neutral	
Race		Neutral	
Religion or Belief		Neutral	
Sex (was Gender)		Neutral	
Sexual Orientation		Neutral	
Transgender		Neutral	
Welsh Language		Neutral	

Please give details about any potential negative Impacts .	How do you propose to MITIGATE these negative impacts
➤ <i>NONE</i>	➤
➤	➤
➤	➤
➤	➤

Signed D Jarrett Designation Central Finance Management Accountant

Dated 26th February 2015

EQUALITY IMPACT ASSESSMENT FORM

What are you impact assessing	Service area
Welsh Church Fund Working Group Meetings 5 and 6 2014/15	Central Finance
Policy author / service lead	Name of assessor and date
Joy Robson	D Jarrett, 26 th February 2015

1. What are you proposing to do?

To assess the Grant Allocation Processes of the Welsh Church Fund for the meeting of the Welsh Church Fund Working Group on the 22nd January and the 26th February 2015

2. Are your proposals going to affect any people or groups of people with protected characteristics in a **negative** way? If **YES** please tick appropriate boxes below.

Age		Race	
Disability		Religion or Belief	
Gender reassignment		Sex	
Marriage or civil partnership		Sexual Orientation	
Pregnancy and maternity		Welsh Language	

3. Please give details of the negative impact

No Negative consequences towards any groups with protected characteristics

4. Did you take any actions to mitigate your proposal? Please give details below including any consultation or engagement.

Applications are considered and decisions made by the Welsh Church Fund Working Group

5. Please list the data that has been used to develop this proposal? eg Household survey data, Welsh Govt data, ONS data, MCC service user data, Staff personnel data etc..

Applications to Welsh Church Fund Working group on a standard application form where questions and requirements are consistent across all applications

Signed D Jarrett...**Designation**...Central Finance Management Accountant.....**Dated**.....26th February 2015.....

The “Sustainability Challenge”

Name of the Officer completing “the Sustainability challenge” Dave Jarrett		Please give a brief description of the aims proposed policy or service reconfiguration The Purpose of the Working Group is to assess and consider applications and grant aid from the Welsh Church Fund in line with the Charitable Objectives of the Trust.	
Name of the Division or service area Central Finance		Date “Challenge” form completed 22nd January & 26th February 2015	
Aspect of sustainability affected	Negative impact Please give details	Neutral impact Please give details	Positive Impact Please give details
PEOPLE			
Ensure that more people have access to healthy food		No effect at these meetings	
Improve housing quality and provision		No effect at these meetings	
Reduce ill health and improve healthcare provision			Grant awarded to organization that promotes health and well being through sport
Promote independence		No effect at these meetings	
Encourage community participation/action and voluntary work			Grants for Community Projects

Targets socially excluded		No effect at these meetings	
Help reduce crime and fear of crime			Grant awarded to assist in reducing crime and the fear of crime
Improve access to education and training			Grant awarded to assist in educational training
Have a positive impact on people and places in other countries		No effect at these meetings	
PLANET			
Reduce, reuse and recycle waste and water		No effect at these meetings	
Reduce carbon dioxide emissions			Grant awarded for effective management of energy supply
Prevent or reduce pollution of the air, land and water			Grant awarded for effective management of energy supply
Protect or enhance wildlife habitats (e.g. trees, hedgerows, open spaces)		No effect at these meetings	
Protect or enhance visual appearance of environment			Grant awarded to enhance the visual appearance of the environment
PROFIT			
Protect local shops and services		No effect at these meetings	

Link local production with local consumption		No effect at these meetings	
Improve environmental awareness of local businesses		No effect at these meetings	
Increase employment for local people		No effect at these meetings	
Preserve and enhance local identity and culture		No effect at these meetings	
Consider ethical purchasing issues, such as Fairtrade, sustainable timber (FSC logo) etc		No effect at these meetings	
Increase and improve access to leisure, recreation or cultural facilities			Grants for Community and Sporting Projects

What are the potential negative Impacts	Ideas as to how we can look to MITIGATE the negative impacts (include any reasonable adjustments)
➤ None, as grants for benefit of Applicants	➤
➤	➤
➤	➤

➤	➤
---	---

The next steps

- If you have assessed the proposal/s as having a **positive impact please give full details** below

There are positive outcomes in relation to age (mainly as most organisations that apply seem to contain a higher majority of older retired people). The churches and applications with religious protected characteristics have the most positive outcome as the applications from this area tend to receive the highest awards as the fund was initially set up to support churches by charitable donations. The grant aid supports and highlights the positive effect that future decisions have on the Religious, Age, Planet and People characteristics, with particular emphasis on helping religious organisational applicants.

The Grant Allocation Policy is set in accordance with the charitable objects of the Trust.

- If you have assessed the proposal/s as having a **Negative Impact** could you please provide us with details of what you propose to do to mitigate the negative impact:

No adverse effects can be detected in regard to who can apply for budgeted funding based upon any of the characteristics.

Signed

D Jarrett

Dated 26th February 2015

WELSH CHURCH FUND - APPLICATIONS 2014/15
MEETING 5 & 6- 22nd January & 26th February 2015

	<u>ORGANISATION</u>	<u>ELECTORAL DIVISION</u>	<u>Signed by Councillor</u>	<u>REQUEST</u>	<u>DECISION</u>	<u>NATURE OF REQUEST</u>	<u>APPROX COST</u>	<u>DATE Received</u>	<u>D of I*</u>	<u>Comments</u>
				£	£		£			
	NEW APPLICATIONS AWAITING DECISION									
	MEETING 5									
1	Tintern Village Hall & Recreation Centre	St Arvans with Tintern	A Webb	£1,500	£1,088	Funding required for Major overhaul of the gas supply and necessary essential equipment to meet current safety standards. This consists of equipment that has failed safety tests and beyond economic repair	£3,026	01/12/2014	Yes	Survey of Gas equipment identified larger supply required to meet safety standards and pass safety checks. Current system is now obsolete and spares no longer available
2	Alexander Lovell	Green Lane	John Marshall	£1,570	n/a	Require funding for living maintenance as a supplement to part time work to enable the basic costs of living whilst continueing to study for his Masters course through a research (Mres) programme	£1,570	02/12/2014	No	The applicant has successfully obtained a grant that covers his cost of tuition in the current academic year
3	Swansea City Opera	Crucorney	David W.H. Jones	£2,000	£500	Funding required to help facilitate the Operas' 10th Anniversarry Tour performance of Faust at the Abergavenny Borough Theatre on May 6th involving the local Community Choir	£12,135	06/01/2015	No	The Opera is in Partnership with the 18 memebers of the Gwent Bach choir. They are looking to engage with local scholls in this performance and have sent out educational packs to help facilitate this.
4	Louise Giovanelli	Usk	Brian Strong	£150	defer	Funding required for Materials, paints, canvas, wood and oils as well as fine art publications to assist in the third year of a Fine Arts Course at ManachesterSchool of Art	£230	10/01/2015	Yes	I am in my fourth year as I did a foundation year before my degree
	Deferred Applications									
	Chepstow Tennis Club	St Christopher's	D. Batrouni	£5,000	£1,000	Contribution for the refurbishment of Tennis Court all weather surface as possessing risk to H&S	£48,070	15/10/2014	No	Provide facilities and opportunities for the playing of social and competitive tennis
	MEETING 6									
	Caldicot Musical Theatre Society	Severn	R Higginson	£1,000	£500	Contribution towards the Society's performance of 'Oliver'	£7,800	03/02/2015	No	Local not for profit musical theatre society whose mission is to encourage and promote the development of live theatre in the locality and to put on productions of the highest possible standard
	Usk in Bloom	Usk	B Strong	£1,000	£1,000	funding for the replacement of 3 barrel containers, a 1 meter sq planter and repairs to 3 metal and wood containers	£1,000	05/02/2015	Yes	A voluntary community group aimed at improving Usk by imaginative planting of floral displays, shrubs and trees including the maintenance of some 85 containers & flower beds
	St Arvans Memorial Hall	St Arvans	A Webb	£250	£250	Assist in the purchase of vertical black out blinds to provide privacy during classes run at the hall	£425	12/02/2015	Yes	Users of the hall include the W.I., Gardening Club, Yoga and dance classes, parties and social events. Blinds have been fitted to front of the hall, grant to assist in rear blind installation
	Shirenewton Recreation Association	Shirenewton	G Down	£1,100	£250	Assist in the purchase and installation of security cameras and recording equipment, result of Lower wye application	£3,120	17/02/2015	No	The recreational association maintains and manages the Village Hall and the QE11 Recreational field
	St Cadoc's Church Llangattock Usk	Llanover	Sarah Jones	£600	£600	Assist in the cost of professional Architect fees in regard to re-roofing the church	£600	17/02/2015	No	Recent Architect's rep[ort recommends re-roofing the church due to worsening problems with the tiled roof
	Deferred Applications									
	Louise Giovanelli	Usk	Brian Strong	£150	£150	Funding required for Materials, paints, canvas, wood and oils as well as fine art publications to assist in the third year of a Fine Arts Course at Manchester School of Art	£230	10/01/2015	Yes	I am in my fourth year as I did a foundation year before my degree
	SUB TOTAL Meeting 5									
	SUB TOTAL Meeting 6									
				£10,220	£2,588					
				£4,100	£2,750					
					6,236					
					3,000					
					1,950					
					4,500					
					2,588					
					2,750					
	TOTAL AWARDED FOR 2014/15 TO DATE									
					21,024					
	BUDGET 2014/15									
					20,401					
	BALANCE B/F TO 2014/15									
					£10,059					
	Monmouthshire's Allocation for 2014/15									
					£30,460					
	REMAINING BALANCE AVAILABLE IN 2014/15									
					£9,436					



SUBJECT: 2014/15 EDUCATION AND WELSH CHURCH TRUST FUNDS INVESTMENT AND FUND STRATEGIES

MEETING: Special Cabinet

DATE: 18^h March 2015

DIVISION/WARDS AFFECTED: All Authority

1. PURPOSE:

- 1.1 The purpose of this report is to present to Cabinet for approval the 2015/16 Investment and Fund strategy for Trust Funds for which the Authority acts as sole or custodian trustee for adoption and to approve the 2015/16 grant allocation to Local Authority beneficiaries of the Welsh Church Fund.

2. RECOMMENDATIONS:

- 2.1 That the proposed Investment and Fund Strategy for 2015/16 for the Monmouthshire Farm School Endowment Trust Fund be approved.
- 2.2 That the proposed Investment and Fund Strategy for 2015/16 for the Welsh Church Fund be approved.
- 2.3 To delegate responsibility for the execution and administration of treasury management decisions to the Head of Finance (S151 officer) who will act in accordance with the Investment and Funds Strategy (appendix 2).
- 2.4 To extend the contract with Arlingclose as treasury advisor to the Welsh Church Act Fund to provide ongoing advice and support on investments from 1st April 2015 until 31st March 2016 in line with the Treasury Management contract for the Council.
- 2.5 To approve the 2015/16 grant allocation to Local Authority beneficiaries to the Monmouthshire Welsh Church Act Fund of £160,000 to be distributed in accordance with population shares as per the 2010 Census.

3. KEY ISSUES:

- 3.1 The Authority acts as the sole trustee for the Welsh Church Fund and the custodian with responsibility for financial arrangements for the Monmouthshire Farm School Endowment Trust Fund and is required annually to approve Investment and Fund Strategies for them. In addition, for the Welsh Church Fund the Authority is required to determine the grant allocation for the forthcoming year.

Investment and Fund Strategy

- 3.2 In acting in its capacity as either sole trustee or custodian, the Authority is required to have Investment policies in place for the Monmouthshire Farms Endowment Trust Fund and the Welsh Church Fund in order to comply with the [Trustee Act 2000](#). The policies ensure that monies are invested in the best interests of the Trusts.

The Annual Investment and Fund strategies for the Monmouthshire Welsh Church Act Fund and Monmouthshire Farm School Endowment Trust Fund set priorities are, in the order shown, to;

- a) Maintain security of the invested capital;
- b) Maintain the liquidity of the invested capital;
- c) Maintain an optimum yield which is commensurate with security and liquidity.

- 3.3 As a result of reducing investment returns over the previous two financial years, in 2012/13 the Welsh Church Act Fund Trust commissioned an independent review by Arlingclose, the Authority's Treasury advisors, of the Trust's Investment Strategy and its treasury performance over the preceding five years. The independent review concluded that the Trust should look to move the majority of its investment balances from cash based investments to real assets within pooled funds (Collective Investment Funds) such as to increase the average annual income stream to the Trust over a 3-5 year business cycle. The review was scrutinized by Audit Committee and subsequently adopted as the Investment Strategy for the WCF in 2013/14. Arlingclose as treasury advisors to the Welsh Church Fund have supported the Welsh Church fund in making these types of investments, and new investments were taken out between May 2013 and January 2014.
- 3.4 The current view from investment market projections continues to be that base rates will remain static for the first 6 months of 2015-16 and then slowly rise over the following 2 years. The basis for the change in investment strategy advised a year ago is still relevant today as investments based on cash will still provide low returns.
- 3.5 Pooled funds are suited to bodies such as the Welsh Church Fund which are looking for a steady and/or higher average income streams and who are able to leave the principal in place for a business cycle as they do not need to access the principal over the medium term. This enables the Trust to benefit from good years despite lower returns in poorer years.

- 3.6 There is an increased risk relating to the use of these funds in that the principal amount can go down as well as up in value. Again this is suited to the Welsh Church Fund as the Trust can tolerate these movements over a business cycle. The movements are expected to be neutral over a business cycle and the earning power of these investments is not largely affected by the market value.
- 3.7 In their capacity as Treasury Advisors to the Welsh Church Fund, Arlingclose have prepared an annual review of the Welsh Church Fund's Investments to date. Key points from this report include:
- 3.8 In financial year to date, the WCF has received income of £139,000 from its investment funds. The forecast for accrued income for the full year 2014/15 including its Government Bond and cash pooled with Monmouthshire County Council is £185,000. This is above the current grant allocation budget and it compares well to the investment income received in 2013/14 of £162,000.
- 3.9 In the last financial year, the income received was offset by a paper net capital loss of £28,801. As indicated in point 3.5, a movement in capital value is expected with these types of investments and not expected to impact the fund in the long term. For this reason, Arlingclose strongly recommend continuing to spread the investments over a number of assets classes, equity, property and bonds to reduce the risk of losses.
- 3.10 A revised Investment and Fund strategy is contained in Appendix 2.

The strategies state that the balance of cash not invested directly by the Trust Funds can be managed on a pooled basis by Monmouthshire County Council to maximize investment returns and to minimise exposure to investment losses.

- 3.11 Following recommendations from Treasury Advisors Arlingclose, The Monmouthshire Farm School Endowment Trust has adopted a similar risk and investment strategy to that of the Welsh Church Fund, with all pooled investments being on a pro-rata basis. A report ratifying this new strategy was presented to, and approved by the Monmouthshire Farm School Endowment Trust Board in January 2015. Appendix 1 outlines the Annual Investment and Fund Strategy 2015/16.

Grant Allocation of the Welsh Church Fund

- 3.12 The Monmouthshire Welsh Church Fund was established on 1st April 1996 from the former Gwent Fund and part of the former Mid Glamorgan Fund. The Fund covers the administrative areas of Blaenau Gwent, Caerphilly, Newport, Torfaen and Monmouthshire, with Monmouthshire being designated as the lead Authority.
- 3.13 Since 1996 trustees have sought to obtain a satisfactory rate of return from the fund's investments thereby enabling grants to beneficiaries after meeting expenses, whilst maintaining the capital value of the fund in real terms.

3.14 The fund balance held by the trust was £4,658,456 at 31st March 2014 (£4,657,009 at 31st March 2013). It is recommended that the grant allocation be set at £160,000 in 2015/16 (£130,000 in 2014/15). The allocation level has increased as higher investment returns have been achieved within 2013-14 and are being forecasted by Arlingclose to be at the same or greater level in 2014/15, this will enable grants in future years to be maintained at this higher level.

3.15 . This will result in the following distribution being recommended:

AUTHORITY	POPULATION (000)**	PERCENTAGE SPLIT	BUDGET*
Blaenau Gwent CBC	68.4	12.2	19,494
Caerphilly CBC	173.1	30.8	49,334
Monmouthshire CC	88.1	15.7	25,109
Newport CBC	141.3	25.2	40,271
Torfaen CBC	90.5	16.1	25,793
TOTAL	561.4	100.0	£160,000

*The above figures do not include any brought forward unspent grant allocations

**Source: 2010 Census ONS

Risk Assessment of the Welsh Church Fund

3.16 The financial assistance provided by the Welsh Church Fund supports a very wide range of community activities, including voluntary and sporting organisations. Annually, monies are distributed and the key risk faced by the Welsh Church Fund is loss or reduction in the amount of monies available.

3.17 The risk assessment is undertaken to ensure that risks faced by the Trust are identified and mitigated through appropriate and robust controls put in place by the Authority in its position as sole and corporate Trustee. The existing risk assessment policy has been reviewed and is considered to be adequate and sufficiently robust to continue during the 2015/16 financial year. The risk assessment is attached for information at appendix 5.

Risk Assessment of the Monmouthshire Farm School Endowment Trust

3.18 The financial assistance provided by the Monmouthshire Farm Endowment Trust supports a very wide range of students, studying at agricultural based colleges in the UK. Applicants must live in the former Gwent area (excluding Newport) and preference is given to those under 25 years old. Annually, monies are distributed and the key risk faced by the Monmouthshire Farm Endowment Trust is loss or reduction in the amount of monies available for distribution.

- 3.19 A risk assessment is undertaken to ensure that risks faced by the Trust are identified and mitigated through appropriate and robust controls put in place by the Authority, in its position as the Trustee with responsibility for financial arrangements. A new risk assessment policy has been presented to the board of trustees in January for the 2015/16 financial year. This is attached for information at appendix 4.

4. REASONS:

- 4.1 To produce an annual Investment and Fund Strategy in order that the Authority fulfills its responsibilities as corporate and sole trustee in order to comply with the Trustee Act 2000.
- 4.2 To approve the 2015/16 grant allocation for the Welsh Church Fund, enabling constituent Local Authorities to make qualifying grant allocations under the Welsh Church Fund Trust Scheme.

5. RESOURCE IMPLICATIONS:

- 5.1 The grant allocation to beneficiaries of the Welsh Church Fund is set in the context of the fund balance being maintained over the long term. It is funded through net income generated through investment returns.
- 5.2 The appointment of a dedicated treasury advisor to the Welsh Church Fund will be an ongoing annual charge against the Fund. However, in light of the revised treasury strategy which attracts more treasury risk it is deemed prudent and it is anticipated will be more than outweighed by increased investment returns. The fee negotiated is considered to be competitive and further efficiencies are generated from the Authority dealing with one advisor for its treasury advice.

6. EQUALITY AND SUSTAINABLE DEVELOPMENT IMPLICATIONS:

- 6.1 There are no sustainability implications arising directly from this report.
- 6.2 The approval of the Investment and Fund Strategies do not require any specific decisions to be made which could have an adverse impact on any group or individual within the Council. The approval of the Welsh Church Fund budget for 2015-16 is seen to have a neutral impact on the sustainability of the fund going forward. The equality impact assessment screening form is attached under appendix 6.

7. CONSULTEES:

Strategic Leadership Team
Cabinet Members

Head of Legal Services

Results of Consultation

No adverse comments received

8. BACKGROUND PAPERS:

Appendix 1 – Monmouthshire Farm School Endowment Trust – Annual Investment and Fund Strategy 2015/16

Appendix 2 – Monmouthshire Welsh Church Fund – Investment and Fund Strategy 2015/16

Appendix 3 – Monmouthshire Farm School Endowment Trust – Risk Assessment Policy 2015/16

Appendix 4 – Monmouthshire Welsh Church Fund – Risk Assessment Policy 2015/16

Appendix 5 – Equality Impact Assessment Screening Form

9. AUTHOR:

Joy Robson - Head of Finance

10. CONTACT DETAILS:

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1. Background

- 1.1 The Trustees shall each year consider for approval an annual Investment Strategy. The Trustees may also request submission of a longer term investment strategy for approval. Any proposed in-year modification to the Investment Strategy must be approved by the Trustees.
- 1.2 This investment strategy has been prepared with the assistance of Arlingclose, the current treasury advisor to both the Monmouthshire Farm Endowment Trust and also Monmouthshire County Council.
- 1.3 The Trustees have agreed to a continued relationship with a Treasury advisor to provide expert advice on the continued suitability of a variety of investment vehicles for inclusion in its portfolio. This will carry a small charge.

2. Interest Rate Forecast

- 2.1 Arlingclose forecast is for the Bank Rate to remain flat at 0.5% until Aug/Sept 2015 and a gradual pace of increases thereafter with the average for 2015/16 being around 0.75%. Arlingclose believes the normalized Bank rate post crisis to range between 2.5% and 3.5%. The risk to the upside (i.e. rates being higher) are weighted more towards the end of the forecast horizon. Risks to the downside relate to Eurozone and global weakness and the threat of deflation which could restrict UK growth.
- 2.2 The economic and interest rate forecast provided by Monmouthshire County Council's treasury management advisor is attached at Appendix A. The Trustees will reappraise their strategies from time to time in response to evolving economic, political and financial events.
- 2.3 With short term interest rates still low, an investment strategy historically would have typically resulted in a lengthening of investment periods, where cash flow permits, in order to lock in higher rates of acceptable risk adjusted returns. The problem in the current environment is finding an investment counterparty providing acceptable levels of counterparty risk for investments of that duration and also an acceptable return.
- 2.4 The Monmouthshire Farm Endowment Trust, by means of this Investment strategy is permitted to utilise suitable Collective Investment Schemes/Pooled Funds, which enable the Authority to diversify the assets and thereby reduce the underlying risk in the investment portfolio and at the same time providing the potential for enhanced returns.

3. Annual Investment and Fund Strategy

- 3.1 The Trustees shall invest Monmouthshire Farm Endowment Trust monies in accordance with Section 15 of the Scheme made by the County Council of Monmouthshire.
- 3.2 Day to day activities required to implement this shall be delegated to the S151 Officer and the Treasury team of Monmouthshire County Council. This can include a change to investment vehicle providing it still lies within the scope of this Investment strategy and is approved by the current Treasury Management advisors.
- 3.3 In accordance with best practice, the Monmouthshire Farm Endowment Trust must consider the three objectives of security, liquidity and yield in relation to the investment of its funds when making any investment. Maintaining a high level of security of investment ensures the long term income generating capacity of the fund. The liquidity or accessibility of a portion of the investments ensures in the short term expenses of the fund can be met.
- 3.4 The Overall Fund Strategy of the Monmouthshire Farm Endowment Trust Fund is to generate investment returns which after meeting the expenses of managing the Fund, can be distributed to selected beneficiaries. The investment strategy is therefore to maximise returns commensurate with appropriate levels of security and liquidity. Investments in Collective Investment Funds are likely to result in fluctuations in principal. It is acceptable to allow this, if having taken appropriate advice; they are expected to be temporary in nature, in order to improve total returns over a 3-5 year business cycle.
- 3.5 At 31st March 2014, the Monmouthshire Farm Endowment Trust had £43,736 of investments and £586,342 of cash.
- 3.6 Investments can be taken out by the Fund without specific reference to the Treasury Advisors at the time providing they are sterling denominated investments with a maximum maturity of one year and also meet the “high credit quality” criteria determined by the Trustees and set out in paragraph 3.9 and are not deemed capital expenditure investments under Statute.
- 3.7 Investments which do not meet the strict definition below of high credit quality and which have a longer term Investment horizon can be made but only after consulting with the Monmouthshire Farm Endowment Trust Fund treasury advisors and the Head of Finance (S151 Officer) at Monmouthshire County Council, who represents the Trustees, to ensure the level of risk is in line with the Monmouthshire Farm Endowment Trust Fund’s other current investment options. Monmouthshire Farm Endowment Trust Fund currently have government stock with no maturity date. This is accepted by the Treasury advisors and Trustees as a suitable investment in terms of security and yield currently and would only be considered for sale in the future if this could be improved.
- 3.8 The types of investments that are permitted to be used by the Monmouthshire Farm Endowment Trust from the date of approval of this report by the Trustees (19th January 2015) to the 31st March 2016 are as follows:

Table 2: Investments

Investment	
Term deposits or Cash Deposits with banks and building societies	✓
Gilts, Treasury-bills or the UK Debt Management Office	✓
Collective Investment Schemes	✓
Pooled funds with Monmouthshire County Council	✓

3.9 The Trustees and its advisors select countries and financial institutions after analysis and ongoing monitoring of:

- Published credit ratings for financial institutions (counterparties):
 - Investments are classed as having high credit quality if they have minimum long term ratings by each of Fitch, Moody's and Standard & Poors' of A-, A3 and A- and
 - AA+ or equivalent for non-UK sovereigns
- Credit Default Swaps (where quoted)
- Sovereign Support mechanisms
- Economic fundamentals (for example Net Debt as a percentage of GDP) and Economic trends
- Sovereign support mechanisms
- Share Prices
- Corporate developments, news, articles, markets sentiment and momentum
- Historical performance and expected future trends of Collective Investment Funds
- Subjective overlay – or, put more simply, common sense.

Any institution can be suspended or removed should any of the factors identified above give rise to concern. The Monmouthshire Farm Endowment Trust fund will not enter into any investment if it is outside the advice given by its Treasury advisors which is updated monthly, weekly and daily according to the movements in the worldwide backdrop. This includes guidance on the maximum maturity of investments with approved counterparties.

3.10 New Investments made directly by the Monmouthshire Farm Endowment Trust Fund will be restricted in the following ways to ensure diversification and hence reduction of both credit risk and interest rate risk.

- A minimum of £40,000 (at the time of investment) needs to be held in investments which are sufficiently liquid such as cash or other investments less than one year so that grants can still be made if investment returns are low or to allow for the lead time for realising certain investments. The full remaining balance can be invested in Collective Investment funds to maximise returns if this is in line with the requirements of this strategy.
- The maximum amount which can be invested directly by the Monmouthshire Farms Endowment Trust Fund [MFETF] in any one Collective Investment Fund (at the time of investment) is 45% of the total MFETF investment balance.

The amount invested should be spread across different asset classes such as Property, Bonds and Equity to diversify and reduce overall risk. This spread should be viewed collectively with the funds invested by the Roger Edwards Educational Trust [REET] and from which the MFETF benefits (£650,000 purchase price). As the REET Investments are weighted towards Equity it is not possible to achieve an equal split across asset classes but a level of between 20% and 45% for at least three asset classes should be aimed for. Appendix B includes an example of such a portfolio.

- Up to 100% of the total investment balance can be held with Monmouthshire County Council or Instruments issued by the UK Government, if required
- Up to 100% of the total investment balance can be invested as term deposits, CDs or call accounts with banks and building societies. The maximum amount which can be invested with any one financial counterparty is £100,000 if of high credit quality (approx 15% of the total MFETF investment balance) or £50,000 if approved by the Treasury advisors although not considered high credit quality.
- The maximum duration of term deposits and CDs with banks and building societies shall be in line with the ongoing advice given by the Trust's treasury advisors which varies with world economic factors.

3.11 It is anticipated that the total return on the MFET Fund will be between 3.5% and 4.5% i.e. £22,000 and £28,000 per annum.

3.12 At the end of each financial year the Trustees shall consider the actual return on investments & the extent to which the investment objectives have been achieved.

3.13 The Trustees shall observe the following constraints in pursuing the investment objectives:

- The restrictions on investments contained within Section 15 of the scheme made by Monmouthshire County Council.

- A proportion of the funds held may be pooled with Monmouthshire County Council's overall investment portfolio, which is invested in line with the Authority's Treasury Management Strategy. Interest earned by the Authority and any investment losses incurred by the Authority will be apportioned proportionally between the Local Authority and Monmouthshire Farm Endowment Trust in line with the total investments held by each party.

NB: Any investments which move outside of the above criteria with time will be reinvested within the above criteria on maturity.

- 3.14 There are currently no ethical constraints on investment of funds and this matter will be reviewed if there are any changes in charity law or other requirements.

4. Training

- 4.1 The Head of Finance (S151 Officer) will ensure all staff are suitable trained to assist with this process and will organise awareness training to Trustees, Cabinet and Audit Committee where appropriate.

5. Investment Consultants/ Treasury Advisors

- 5.1 The Monmouthshire Farm Endowment Trustees will appoint a Treasury Management Consultant to provide information, advice and training relating to investments. Information relating to investments is provided from publicly available data and is summarised in order to assist with decision making within the Authority. The information and advice covers the level of risk of investment and the variety of options available.
- 5.2 The quality of the advice is assessed at the contract tender stage, carried out by Monmouthshire County Council, by comparing to other market leaders and their historical track record. It is then monitored by on-going interaction with internal MCC Treasury personnel.

Appendix A - Arlingclose Economic & Interest Rate Forecast October 2014

Underlying assumptions:

- The UK economic recovery has continued. Household consumption remains a significant driver, but there are signs that growth is becoming more balanced. The greater contribution from business investment should support continued, albeit slower, expansion of GDP throughout this year.
- We expect consumption growth to slow, given softening housing market activity, the muted outlook for wage growth and slower employment growth. The subdued global environment suggests there is little prospect of significant contribution from external demand.
- Inflationary pressure is currently low and is likely to remain so in the short-term. Despite a correction in the appreciation of sterling against the US dollar, imported inflation remains limited. We expect commodity prices will remain subdued given the weak outlook for global growth.
- The MPC's focus is on both the degree of spare capacity in the economy and the rate at which this will be used up, factors prompting some debate on the Committee.
- Nominal earnings growth remains weak and below inflation, despite large falls in unemployment, which poses a dilemma for the MPC. Our view is that spare capacity remains extensive. The levels of part-time, self-employment and underemployment are significant and indicate capacity within the employed workforce, in addition to the still large unemployed pool. Productivity growth can therefore remain weak in the short term without creating undue inflationary pressure.
- However, we also expect employment growth to slow as economic growth decelerates. This is likely to boost productivity, which will bear down on unit labour costs and inflationary pressure.
- In addition to the lack of wage and inflationary pressures, policymakers are evidently concerned about the bleak prospects for the Eurozone. These factors will maintain the dovish stance of the MPC in the medium term.
- The continuing repair of public and private sector balance sheets leave them sensitive to higher interest rates. The MPC clearly believes the appropriate level for Bank Rate for the post-crisis UK economy is significantly lower than the previous norm. We would suggest this is between 2.5 and 3.5%.
- While the ECB is likely to introduce outright QE, fears for the Eurozone are likely to maintain a safe haven bid for UK government debt, keeping gilt yields artificially low in the short term.
- The probability of potential upside risks crystallising have waned a little over the past two months. The primary upside risk is a swifter recovery in the Eurozone.

Forecast:

- Arlingclose continues to forecast the first rise in official interest rates in Q3 2015; general market sentiment is now close to this forecast. There is momentum in the economy, but inflationary pressure is benign and external risks have increased, reducing the likelihood of immediate monetary tightening.
- We project a slow rise in Bank Rate. The pace of interest rate rises will be gradual and the extent of rises limited; we believe the normalised level of Bank Rate post-crisis to range between 2.5% and 3.5%.
- The short run path for gilt yields is flatter due to the deteriorating Eurozone situation. We project gilt yields on an upward path in the medium term.

	Dec-14	Mar-15	Jun-15	Sep-15	Dec-15	Mar-16	Jun-16	Sep-16	Dec-16	Mar-17	Jun-17	Dec-17	Mar-18
Official Bank Rate													
Upside risk		0.25	0.25	0.25	0.25	0.25	0.50	0.50	0.50	0.50	0.50	0.50	0.50
Arlingclose Central Case	0.50	0.50	0.50	0.75	0.75	1.00	1.00	1.25	1.25	1.50	1.50	1.75	1.75
Downside risk				0.25	0.25	0.50	0.50	0.75	0.75	1.00	1.00	1.00	1.00
3-month LIBID rate													
Upside risk	0.05	0.35	0.40	0.45	0.50	0.50	0.50	0.50	0.50	0.50	0.50	0.50	0.50
Arlingclose Central Case	0.55	0.60	0.65	0.85	1.00	1.15	1.30	1.45	1.60	1.75	1.85	2.05	2.15
Downside risk	0.10	0.15	0.20	0.30	0.40	0.55	0.65	0.75	0.85	-0.95	-0.95	-0.95	-1.00
1-yr LIBID rate													
Upside risk	0.10	0.35	0.40	0.45	0.50	0.50	0.50	0.50	0.50	0.50	0.50	0.50	0.50
Arlingclose Central Case	0.95	1.00	1.05	1.20	1.35	1.50	1.65	1.80	1.95	2.10	2.20	2.40	2.50
Downside risk	-0.30	-0.35	-0.40	-0.45	-0.50	-0.55	-0.60	-0.65	-0.70	-0.75	-0.80	-0.80	-0.80
5-yr gilt yield													
Upside risk	0.30	0.35	0.40	0.45	0.50	0.50	0.50	0.50	0.50	0.50	0.55	0.55	0.55
Arlingclose Central Case	1.70	1.75	1.90	2.00	2.10	2.20	2.30	2.40	2.50	2.60	2.70	2.90	2.95
Downside risk	-0.30	-0.35	-0.35	-0.35	-0.40	-0.45	-0.50	-0.55	-0.60	-0.65	-0.70	-0.70	-0.70
10-yr gilt yield													
Upside risk	0.30	0.35	0.40	0.45	0.50	0.50	0.50	0.50	0.50	0.50	0.55	0.55	0.55
Arlingclose Central Case	2.40	2.45	2.55	2.60	2.65	2.70	2.75	2.80	2.85	2.90	2.95	3.05	3.10
Downside risk	-0.30	-0.35	-0.35	-0.35	-0.40	-0.45	-0.50	-0.55	-0.55	-0.55	-0.60	-0.60	-0.60
20-yr gilt yield													
Upside risk	0.30	0.35	0.40	0.45	0.50	0.50	0.50	0.50	0.50	0.50	0.55	0.55	0.55
Arlingclose Central Case	2.90	2.95	3.05	3.10	3.15	3.20	3.25	3.30	3.35	3.40	3.45	3.50	3.55
Downside risk	-0.30	-0.35	-0.35	-0.35	-0.40	-0.45	-0.50	-0.50	-0.55	-0.55	-0.60	-0.60	-0.60
50-yr gilt yield													
Upside risk	0.30	0.35	0.40	0.45	0.50	0.50	0.50	0.50	0.50	0.50	0.55	0.55	0.55
Arlingclose Central Case	3.00	3.05	3.10	3.15	3.20	3.25	3.30	3.35	3.40	3.45	3.50	3.55	3.60
Downside risk	-0.30	-0.35	-0.35	-0.35	-0.40	-0.45	-0.50	-0.55	-0.55	-0.55	-0.60	-0.60	-0.60

Appendix B - Example of Investment portfolio which would satisfy this Investment Strategy at the time of writing the report

Investing body	Fund Name	Purchase Details					
		Purchase Date	Number of Years Owned	Number of Units	Purchase Price Per Unit	Purchase Price (£)	Initial / Transaction Fee
MON FARMS	UBS MULTI ASSET INCOME FUND	Proposed	0.00	450,000.00	0.5221	234,945.00	-
MON FARMS	M&G CHARIBOND FUND	Proposed	0.00	180,000.00	1.2470	224,460.00	-
MON FARMS	CCLA - COIF PROPERTY FUND	Proposed	0.00	99,000.00	1.0242	101,395.80	-
ROGER EDWARDS TRUST	CCLA - COIF GLOBAL EQUITY INCOME FUND	14/07/2011	3.22	77,608.85	1.2563	97,500.00	-
ROGER EDWARDS TRUST	CCLA - COIF PROPERTY FUND	25/08/2011	3.10	91,583.69	1.0646	97,500.00	-
ROGER EDWARDS TRUST	CCLA - COIF INVESTMENT FUND	14/08/2011	3.13	44,374.66	10.2536	455,000.01	-

This would give you a split of asset classes below:

Fund Percentages					
Equities	Corporate Bonds	Gilts	Hedge	Property	Cash
21%	54%	0%	0%	14%	10%
0%	100%	0%	0%	0%	0%
0%	0%	0%	0%	100%	0%
100%	0%	0%	0%	0%	0%
0%	0%	0%	0%	100%	0%
82%	3%	0%	0%	12%	4%

Total portfolio £
Total Portfolio %

Portfolio Percentages					
Equities	Corporate Bonds	Gilts	Hedge	Property	Cash
49,338.45	126,870.30	-	-	32,892.30	23,494.50
-	224,460.00	-	-	-	-
-	-	-	-	101,395.80	-
97,500.00	-	-	-	-	-
-	-	-	-	97,500.00	-
371,735.01	11,830.00	-	-	55,510.00	15,925.00
518,573.46	363,160.30	-	-	287,298.10	39,419.50
43%	30%	0%	0%	24%	3%

The Investment & Fund Strategy for the Welsh Church Act Fund 2015/16

1. Background

- 1.2 The Cabinet shall each year consider for approval an annual Investment Strategy. The Cabinet may also request submission of a longer term investment strategy for approval. Any proposed in-year modification to the Investment Strategy must be approved by the Cabinet.
- 1.2 The Welsh Church Fund Funds strategy shall be considered in conjunction with any review of the Investment Strategy.
- 1.3 Local Authorities are required by the Welsh Government's Investment Guidance to produce an Annual Investment Strategy. The Trustees of the Welsh Church Fund have elected to use this Guidance where practicable and relevant. The guidance emphasises an appropriate approach to risk management, particularly in relation to the security and liquidity of invested funds.
- 1.4 This investment strategy has been prepared with the assistance of Arlingclose, the current treasury advisor to both the Welsh Church Fund and also Monmouthshire County Council (the sole Trustee of the Welsh Church Fund).

2. Interest Rate Forecast

- 2.1 Arlingclose's forecast is for the Bank Rate to remain flat until late 2016. The risk to the upside (i.e. rates being higher) are weighted more heavily towards the end of the forecast horizon. Gilt yields are expected to rise over the forecast period with medium and long-dated gilts expected to rise between 1.1% and 0.7%.
- 2.2 The economic and interest rate forecast is provided by the Monmouthshire County Council's treasury management advisor. The Authority, in its position as trustee, will reappraise its strategies from time to time in response to evolving economic, political and financial events.
- 2.3 With short term interest rates still low, an investment strategy historically would have typically resulted in a lengthening of investment periods, where cash flow permits, in order to lock in higher rates of acceptable risk adjusted returns. The problem in the current environment is finding an investment counterparty providing acceptable levels of counterparty risk for investments of that duration.
- 2.4 The Welsh Church Fund is permitted to utilise suitable Collective Investment Schemes/Pooled Funds, which enable the Authority to diversify the assets and underlying risk in the investment portfolio and at the same time providing the potential for enhanced returns.

3. Annual Investment and Fund Strategy

- 3.1 The Cabinet shall invest Welsh Church Fund monies in accordance with Section 15 of the Scheme made by the County Council of Monmouthshire under Section 19 of the Welsh Church Act 1914.

- 3.2 In accordance with best practice, the Welsh Church fund must consider the three objectives of security, liquidity and yield in relation to the investment of its funds when making any investment. Maintaining a high level of security of investment ensures the long term income generating capacity of the fund. The liquidity or accessibility of a portion of the investments ensures in the short term expenses of the fund can be met.
- 3.3 The Overall Fund Strategy of the Welsh Church Trust Fund is to generate investment returns which after meeting the expenses of managing the Fund, can be distributed to selected beneficiaries. The investment strategy is therefore to maximise returns commensurate with appropriate levels of security and liquidity. Investments in Collective Investment Funds are likely to result in fluctuations in principal. It is acceptable to allow this, if having taken appropriate advice; they are expected to be temporary in nature, in order to improve total returns over a 3-5 year business cycle.
- 3.4 At 31st March 2014, the Welsh Church Fund had £4.49m of investments and £53,000 of cash.
- 3.5 Investments can be taken out by the Fund without specific reference to the Treasury Advisors at the time providing they are sterling denominated investments with a maximum maturity of one year and also meet the “high credit quality” criteria determined by the Trustee and set out in paragraph 3.8 and are not deemed capital expenditure investments under Statute.
- 3.6 Investments which do not meet the strict definition below of high credit quality and which have a longer term Investment horizon can be made but only after consulting with the Fund’s treasury advisors and the Head of Finance (S151 Officer) at Monmouthshire County Council, who represents the Trustees, to ensure the level of risk is in line with the Welsh church Fund’s other current investment options.
- 3.7 The types of investments that are permitted to be used by the WCF are as follows:

Table 2: Investments

Investment	Specified
Call accounts, term deposits or Cash Deposits with banks and building societies	✓
Gilts, Treasury-bills or the UK Debt Management Office	✓
Collective Investment Schemes	✓
Pooled funds with Monmouthshire County Council	✓

*

- 3.8 The Trustees and its advisors select countries and financial institutions after analysis and ongoing monitoring of:
 - Published credit ratings for financial institutions (counterparties):

- Investments are classed as having high credit quality if they have a minimum long term rating, classified by each of the credit rating agencies of Fitch, Moody's and Standard & Poors' of A-, A3 and A-
 - AA+ or equivalent for non-UK sovereigns
- Credit Default Swaps (where quoted)
- Sovereign Support mechanisms
- Economic fundamentals (for example Net Debt as a percentage of GDP) and economic trends
- Sovereign support mechanisms
- Share Prices
- Corporate developments, news, articles, markets sentiment and momentum
- Historical performance and expected future trends of Collective Investment Funds
- Subjective overlay – or, put more simply, common sense.

Any institution can be suspended or removed should any of the factors identified above give rise to concern. The Welsh Church fund will not enter into any investment if it is outside the advice given by its Treasury advisors which is updated monthly, weekly and daily according to the movements in the worldwide backdrop. This includes guidance on the maximum maturity of investments with approved counterparties.

3.9 New Investments made directly by the Welsh Church Fund will be restricted in the following ways to ensure diversification and hence reduction of both credit risk and interest rate risk.

- A minimum of £400,000 needs to be held in investments which are sufficiently liquid such as cash or other investments less than one year so that grants can still be made if investment returns are low or to allow for the lead time for realising certain investments. The full balance can be invested in Collective Investment funds to maximise returns if this is in line with the requirements of this strategy.
- The maximum amount which can be invested in any one Collective Investment Fund (at the time of investment) is 20% of the total investment balance. The amount invested should be spread across different asset classes such as Property, Bonds and Equity.
- Up to 100% of the total investment balance can be held with Monmouthshire County Council.
- Up to 100% of the total investment balance can be invested as term deposits or call accounts with banks and building societies. The maximum amount which can be invested with any one financial institution counterparty is 10% of the total investment balance.

- The maximum duration of term deposits with banks and building societies shall be in line with the advice given by the Trust's treasury advisors which varies with world economic factors.
- 3.10 It is anticipated that the total return on the Funds will be between £160,000 and £190,000 per annum. The grant distribution budget has been increased to £160,000 in line with the investment income received in 2013/14.
- 3.11 At the end of each financial year the Cabinet shall consider the actual return on investments & the extent to which the investment objectives have been achieved.
- 3.12 The Cabinet shall observe the following constraints in pursuing the investment objectives:
- The restrictions on investments contained within Section 15 of the scheme made by Monmouthshire County Council under section 19 of the Welsh Church Act 1914.
 - A proportion of the funds held may be pooled with Monmouthshire County Council's overall investment portfolio, which is invested in line with the Authority's Treasury Management Strategy. Interest earned by the Authority and any investment losses incurred by the Authority will be apportioned proportionally between the Local Authority and Monmouthshire Welsh Church Act Fund in line with the total investments held by each party.

NB: Any investments which move outside of the above criteria with time will be reinvested with the above criteria on maturity.

- 3.13 There are currently no ethical constraints on investment of funds and this matter will be reviewed if there are any changes in charity law or other requirements.

4. The Welsh Church Fund's Banker

- 4.1 The Welsh Church Fund holds cash with Barclays Bank. At the current time, it meets the minimum credit criteria.

5. Training

- 5.1 The Authority, acting as Trustee to the Welsh Church Fund, will ensure that suitable awareness training is provided to members of the Audit Committee and Cabinet to enable them to discharge their scrutiny function together with such wider training as may be required from time to time.

6. Investment Consultants/ Treasury Advisors

- 6.1 The Welsh Church Fund will appoint a Treasury Management Consultant to provide information, advice and training relating to investments. Information relating to investments is provided from publicly available data and is summarised in order to assist with decision making within the Authority. The information and advice covers the level of risk of investment and the variety of options available.
- 6.2 The quality of the advice is assessed at the contract tender stage by comparing to other market leaders and their historical track record. It is then monitored by on-going interaction with internal Treasury personnel.

Arlingclose Economic & Interest Rate Forecast October 2014

Underlying assumptions:

- The UK economic recovery has continued. Household consumption remains a significant driver, but there are signs that growth is becoming more balanced. The greater contribution from business investment should support continued, albeit slower, expansion of GDP throughout this year.
- We expect consumption growth to slow, given softening housing market activity, the muted outlook for wage growth and slower employment growth. The subdued global environment suggests there is little prospect of significant contribution from external demand.
- Inflationary pressure is currently low and is likely to remain so in the short-term. Despite a correction in the appreciation of sterling against the US dollar, imported inflation remains limited. We expect commodity prices will remain subdued given the weak outlook for global growth.
- The MPC's focus is on both the degree of spare capacity in the economy and the rate at which this will be used up, factors prompting some debate on the Committee.
- Nominal earnings growth remains weak and below inflation, despite large falls in unemployment, which poses a dilemma for the MPC. Our view is that spare capacity remains extensive. The levels of part-time, self-employment and underemployment are significant and indicate capacity within the employed workforce, in addition to the still large unemployed pool. Productivity growth can therefore remain weak in the short term without creating undue inflationary pressure.
- However, we also expect employment growth to slow as economic growth decelerates. This is likely to boost productivity, which will bear down on unit labour costs and inflationary pressure.
- In addition to the lack of wage and inflationary pressures, policymakers are evidently concerned about the bleak prospects for the Eurozone. These factors will maintain the dovish stance of the MPC in the medium term.
- The continuing repair of public and private sector balance sheets leave them sensitive to higher interest rates. The MPC clearly believes the appropriate level for Bank Rate for the post-crisis UK economy is significantly lower than the previous norm. We would suggest this is between 2.5 and 3.5%.
- While the ECB is likely to introduce outright QE, fears for the Eurozone are likely to maintain a safe haven bid for UK government debt, keeping gilt yields artificially low in the short term.
- The probability of potential upside risks crystallising have waned a little over the past two months. The primary upside risk is a swifter recovery in the Eurozone.

Forecast:

- Arlingclose continues to forecast the first rise in official interest rates in Q3 2015; general market sentiment is now close to this forecast. There is momentum in the economy, but inflationary pressure is benign and external risks have increased, reducing the likelihood of immediate monetary tightening.
- We project a slow rise in Bank Rate. The pace of interest rate rises will be gradual and the extent of rises limited; we believe the normalised level of Bank Rate post-crisis to range between 2.5% and 3.5%.
- The short run path for gilt yields is flatter due to the deteriorating Eurozone situation. We project gilt yields on an upward path in the medium term.

	Dec-14	Mar-15	Jun-15	Sep-15	Dec-15	Mar-16	Jun-16	Sep-16	Dec-16	Mar-17	Jun-17	Dec-17	Mar-18
Official Bank Rate													
Upside risk		0.25	0.25	0.25	0.25	0.25	0.50	0.50	0.50	0.50	0.50	0.50	0.50
Arlingclose Central Case	0.50	0.50	0.50	0.75	0.75	1.00	1.00	1.25	1.25	1.50	1.50	1.75	1.75
Downside risk				0.25	0.25	0.50	0.50	0.75	0.75	1.00	1.00	1.00	1.00
3-month LIBID rate													
Upside risk	0.05	0.35	0.40	0.45	0.50	0.50	0.50	0.50	0.50	0.50	0.50	0.50	0.50
Arlingclose Central Case	0.55	0.60	0.65	0.85	1.00	1.15	1.30	1.45	1.60	1.75	1.85	2.05	2.15
Downside risk	0.10	0.15	0.20	0.30	0.40	0.55	0.65	0.75	0.85	-0.95	-0.95	-0.95	-1.00
1-yr LIBID rate													
Upside risk	0.10	0.35	0.40	0.45	0.50	0.50	0.50	0.50	0.50	0.50	0.50	0.50	0.50
Arlingclose Central Case	0.95	1.00	1.05	1.20	1.35	1.50	1.65	1.80	1.95	2.10	2.20	2.40	2.50
Downside risk	-0.30	-0.35	-0.40	-0.45	-0.50	-0.55	-0.60	-0.65	-0.70	-0.75	-0.80	-0.80	-0.80
5-yr gilt yield													
Upside risk	0.30	0.35	0.40	0.45	0.50	0.50	0.50	0.50	0.50	0.50	0.55	0.55	0.55
Arlingclose Central Case	1.70	1.75	1.90	2.00	2.10	2.20	2.30	2.40	2.50	2.60	2.70	2.90	2.95
Downside risk	-0.30	-0.35	-0.35	-0.35	-0.40	-0.45	-0.50	-0.55	-0.60	-0.65	-0.70	-0.70	-0.70
10-yr gilt yield													
Upside risk	0.30	0.35	0.40	0.45	0.50	0.50	0.50	0.50	0.50	0.50	0.55	0.55	0.55
Arlingclose Central Case	2.40	2.45	2.55	2.60	2.65	2.70	2.75	2.80	2.85	2.90	2.95	3.05	3.10
Downside risk	-0.30	-0.35	-0.35	-0.35	-0.40	-0.45	-0.50	-0.55	-0.55	-0.55	-0.60	-0.60	-0.60
20-yr gilt yield													
Upside risk	0.30	0.35	0.40	0.45	0.50	0.50	0.50	0.50	0.50	0.50	0.55	0.55	0.55
Arlingclose Central Case	2.90	2.95	3.05	3.10	3.15	3.20	3.25	3.30	3.35	3.40	3.45	3.50	3.55
Downside risk	-0.30	-0.35	-0.35	-0.35	-0.40	-0.45	-0.50	-0.50	-0.55	-0.55	-0.60	-0.60	-0.60
50-yr gilt yield													
Upside risk	0.30	0.35	0.40	0.45	0.50	0.50	0.50	0.50	0.50	0.50	0.55	0.55	0.55
Arlingclose Central Case	3.00	3.05	3.10	3.15	3.20	3.25	3.30	3.35	3.40	3.45	3.50	3.55	3.60
Downside risk	-0.30	-0.35	-0.35	-0.35	-0.40	-0.45	-0.50	-0.55	-0.55	-0.55	-0.60	-0.60	-0.60

Monmouthshire Farm Endowment Trust – Risk Assessment Policy 2015/16

The financial assistance provided by the Monmouthshire Farm Endowment Trust is to support the advancement of education in agriculture and related subjects at college. Annually, monies are distributed and the key risk faced by the Monmouthshire Farm Endowment Trust is loss or reduction in the amount of monies available.

An assessment of the risks faced by the Monmouthshire Farm Endowment Trust has been undertaken and steps taken to:

- avoid risks through alternative strategies
- limit and reduce risks by improving controls
- insure against specified risks

On an annual basis the risk assessment will be reviewed and updated to include any new risks identified.

The risks identified have been encompassed within 4 categories:

- governance & management
- operational risks
- financial risks
- compliance risk

Monmouthshire County Council as custodian and administrator of the Monmouthshire Farm Endowment Trust manage the fund on the Trustees behalf through the Cabinet and make all risk and investment decisions in a unified risk policy as advised by the Authority's investment and risk advisors.

The following paragraphs list the risks identified & the steps taken to mitigate or eliminate the risk.

1. Governance & Management

(a) The fund lacks direction?

The activities of the Fund are governed by the guidance in Section 4 of the Charity Act 2000.

The Cabinet has a clear purpose to maximise the return on its investments and this is contained within the investment policy.

(b) There are conflicts of interest?

Cabinet members are elected in accordance with the electoral cycle and are required to conduct themselves in-line with the Authority's Code of Conduct.

Members are required to declare any interests related to the activities of the Trust and may not vote on these decisions. These matters are recorded in the official minutes.

Members allowance and expense payments are not charged to the Monmouthshire Farm Endowment Fund.

(c) Funds are used inappropriately?

The purpose for which funds can be used is contained within the objectives of the trust.

(d) Key staff, leave the Council's employment?

The actions of Officers of the Council are determined by Delegated Powers.

A number of senior Council staff support and advise the Trustees on legal & financial matters.

(e) Inadequate information is provided to the Trustees?

Annually, the Trustees consider the level of reserves and anticipated investment income before determining the level of grants to be made available.

Variances between the anticipated & actual investment income will be reflected in the following year's grants.

2. Operational Risks**(a) Unsuitable staff support and advise Cabinet?**

Monmouthshire County Council has a comprehensive recruitment process which is supported by a wide range of personnel policies.

The training & development needs of officers are identified through the Employee Review process.

A number of senior Council staff support and advise Cabinet on financial and legal matters.

(b) Systems & procedures are not secure?

Systems & procedures are documented & document retention policies are in place. IT systems have data back-up arrangements & disaster recovery plans. Periodic audits identify internal control improvement requirements. Insurance provides a means to recover from specified losses.

(c) Stakeholders are not satisfied with the operation of the Fund?

The Scheme made by the Trustees provides for the advancement of education in agriculture and related subjects at college.

The Trustees consider annual reports on the financial performance of the Trust.

The Trustees consider annually the level of funding available for grants.

(d) The assets of the Fund are at risk?

In accordance with the investment policy a number of constraints are placed upon the way in which monies are used.

A risk minimization strategy has been adopted which limits the investment of funds to individual institutions meeting specified criteria.

(e) Unsatisfactory returns on investment are achieved?

The reserves policy requires monies be invested in financial instruments which produce interest payments and there is no appreciation in the capital value of the investment.

The overall aim is to obtain a satisfactory rate of return enabling Trustees to distribute an amount based on the forecast return on investments during the current year, after meeting the expenses incurred in managing the fund.

Annually, the Trustees consider the actual return on investments and the extent to which the investment objectives have been achieved.

3. Financial Risks**(a) Budgetary control is inadequate?**

Annually, the Trustees consider the level of reserves and anticipated investment income before determining the level of grants to be made.

Variance between the anticipated and actual investment income will be reflected in the following year's grants.

(b) Financial administration is unsatisfactory?

Monmouthshire County Council personnel policies and procedures ensure Officers are appropriately qualified for the roles undertaken.

Internal control arrangements ensure there is division of duties amongst Officers. Periodic audits review the internal control arrangements.

(c) Financial losses arise due to speculative investment?

The investment policy prescribes a risk minimisation approach which can limit the investment of funds to institutions meeting specified criteria.

(d) Financial losses arise from fraud or error?

The internal control arrangements are based upon segregation of duties. Periodic audits review the internal control arrangements. Insurance provides a means to recover from specified losses.

4. Compliance Risk**(a) Failure to comply with legislation / regulations?**

The activities of the Fund are specified within objects of the Trust. The nature and format of financial reporting is specified by the Charity Commission and an external audit of the accounts is mandatory. A number of senior Council staff support and advise Cabinet on legal and financial matters.

Welsh Church Fund – Risk Assessment Policy 2015/16

The financial assistance provided by the Welsh Church Fund supports a very wide range of community activities, including voluntary and sporting organisations. Annually, monies are distributed and the key risk faced by the Welsh Church Fund is a loss or reduction in the amount of monies available.

An assessment of the risks faced by the Welsh Church Fund has been undertaken and steps taken to:

- avoid risks through alternative strategies
- transfer risks to others
- limit and reduce risks by improving controls
- insure against specified risks

On an annual basis the risk assessment will be reviewed and updated to include any new risks identified.

The risks identified have been encompassed within 4 categories:

- governance & management
- operational risks
- financial risks
- compliance risk

The following paragraphs list the risks identified & the steps taken to mitigate or eliminate the risk.

1. Governance & Management

(a) The fund lacks direction?

The activities of the Fund are specified by the Scheme made by the County Council of Monmouthshire under section 19 of the Welsh Church Act 1914.

The Cabinet has a clear purpose to maximise the return on its investments and this is contained within the investment policy.

The Cabinet is accountable to the Councils within the Greater Gwent area.

(b) There are conflicts of interest?

Members of the Cabinet are elected every 4 years and are required to conduct themselves in-line with the Code of Conduct.

Members are required to declare any interests related to the activities of the Cabinet and may not vote. These matters are recorded.

Members allowance and expense payments are not charged to the Welsh Church Fund.

(c) Funds are used inappropriately?

The Charitable purposes for which funds can be used is contained within the Scheme made by Monmouthshire County Council, which is also implemented by the other constituent authorities within the Monmouthshire Welsh Church Fund Scheme. The Trust is currently putting in place set criteria to assist constituent authorities in making grant distributions and to ensure that there is transparency in decision making and due process. The Trust will look to agree with constituent authorities in future that grant distributions have been made in accordance with the scheme in place and the set criteria being developed.

The investment and fund strategy prescribes a risk minimisation approach, with funds only placed with institutions meeting specified criteria.

(d) Key staff leaving the Council's employment?

The actions of Officers of the Council are determined by Delegated Powers.

A number of senior Council staff support and advise the Cabinet on legal & financial matters.

(e) Inadequate information is provided to the Cabinet?

Annually, the Cabinet considers the level of reserves and anticipated investment income before determining the level of grants to be made available to the constituent Councils.

Variances between the anticipated & actual investment income will be reflected in the following year's grants to the constituent Councils.

2. Operational Risks**(a) Unsuitable staff support and advise the Cabinet?**

Monmouthshire County Council has a comprehensive recruitment process which is supported by a wide range of personnel policies.

The training & development needs of officers are identified through the Employee Review process.

A number of senior Council staff support and advise the Cabinet on financial and legal matters.

(b) Systems & procedures are not secure?

Systems & procedures are documented & document retention policies are in place. IT systems have data back up arrangements & disaster recovery plans. Periodic audits identify internal control improvement requirements. Insurance provides a means to recover from specified losses.

(c) Stakeholders are not satisfied with the operation of the Fund?

The Scheme made by the County Council of Monmouthshire provides for financial assistance to be made available for a wide range of community activities.

The Authority's Audit Committee considers annual reports on the financial performance of the Fund.

The Constituent Councils also consider annually the level of funding available for community activities.

(d) The assets of the Fund are at risk?

In accordance with the investment policy a number of constraints are placed upon the way in which monies are used. A risk minimisation strategy has been adopted which limits the investment of funds to individual institutions meeting specified criteria.

The proposed Investment and Fund Strategy for 2015/16 for the Welsh Church Fund includes scope for investment in pooled investment funds (Collective investment funds).

(e) Unsatisfactory returns on investment are achieved?

The fund strategy requires monies be invested in financial instruments which produce interest payments and where there is no long-term depreciation in the capital value of the investment.

The proposed Investment and Fund Strategy for 2015/16 allows for the increased use of pooled investment funds. This does increase the risk that the principal amounts held can go down as well as up in value. This is suited to the Welsh Church Fund as the Trust can tolerate these movements over a business cycle. The movements are expected to be neutral over a business cycle and the earning power of these investments is not largely affected by the market value.

The overall aim is to obtain a satisfactory rate of return enabling the Cabinet to distribute an amount based on the actual return on investments achieved during the preceding twelve month period plus any accumulated capital receipts, after meeting the expenses incurred in managing the fund.

Annually, the Cabinet considers the actual return on investments and the extent to which the investment objectives have been achieved. Benchmark information is available from the Authority's Treasury Management Advisors for jointly invested funds with the Council.

3. Financial Risks

(a) Budgetary control is inadequate?

Annually, the Cabinet considers the level of reserves and anticipated investment income before determining the level of grants to be made available to the constituent Councils.

Variance between the anticipated and actual investment income will be reflected in the following year's grants to the constituent Councils.

(b) Financial administration is unsatisfactory?

Monmouthshire County Council personnel policies and procedures ensure officers are appropriately qualified for the roles undertaken.

Internal control arrangements ensure there is division of duties amongst officers.
Periodic audits review the internal control arrangements.

(c) Financial losses arise due to speculative investment?

The investment policy prescribes a risk minimisation approach which can limit the investment of funds to institutions meeting specified criteria.

(d) Financial losses arise from fraud or error?

The internal control arrangements are based upon segregation of duties.
Periodic audits review the internal control arrangements.
Insurance provides a means to recover from specified losses.

4. Compliance Risk

(a) Failure to comply with legislation / regulations?

The activities of the Fund are specified within the Scheme made by the County Council of Monmouthshire.

The nature and format of financial reporting is specified by the Charity Commission and an external audit of the accounts is mandatory.

A number of senior Council staff support and advise the Cabinet on legal and financial matters.

Ensure that the Welsh Church Fund is administered in line with section 3(8) of the Charities Act 1993.

The “Equality Initial Challenge”

Name: D Jarrett Service area: Central Finance Date completed: 22/01/2015		Please give a brief description of what you are aiming to do. To assess the 2015-16 Budget, Investment & Risk Management Strategies of the Welsh Church Fund and Mon Farm Education Trust	
Protected characteristic	Potential Negative impact Please give details	Potential Neutral impact Please give details	Potential Positive Impact Please give details
Age			Positive impact as most community groups who apply support the elderly. Also, educational grants awarded to young people applying to Mon Farm Trust
Disability			Positive impact as grants awarded to groups and individuals that either support the disabled or have a disability
Marriage + Civil Partnership		No restrictions on applicants	
Pregnancy and maternity		No restrictions on applicants	
Race		No restrictions on applicants	
Religion or Belief			Positive impact as Religious organisations are supported
Sex (was Gender)		No restrictions on applicants	
Sexual Orientation		No restrictions on applicants	
Transgender		No restrictions on applicants	
Welsh Language		No restrictions on applicants	

Please give details about any potential negative Impacts . NONE	How do you propose to MITIGATE these negative impacts
--	---

Signed D Jarrett **Designation** Central Finance Management Accountant **Dated** 22/01/2015

EQUALITY IMPACT ASSESSMENT FORM

What are you impact assessing	Service area
Welsh Church Fund and Mon Farms Investment & Risk Strategy 2015/16	Central Finance
Policy author / service lead	Name of assessor and date
Joy Robson	D Jarrett 22/01/2015

1. What are you proposing to do?

Aim of Proposed Policy is to assess and approve the changes to the Investment and Risk strategies of the Welsh Church Fund and Mon Farm Education Trust for 2015-16 and the impact upon the corresponding budgets

2. Are your proposals going to affect any people or groups of people with protected characteristics in a **negative** way? If **YES** please tick appropriate boxes below. **NO**

Age	N/a	Race	N/a
Disability	N/a	Religion or Belief	N/a
Gender reassignment	N/a	Sex	N/a
Marriage or civil partnership	N/a	Sexual Orientation	N/a
Pregnancy and maternity	N/a	Welsh Language	N/a

3. Please give details of the negative impact

None

4. Did you take any actions to mitigate your proposal? Please give details below including any consultation or engagement.

The Treasury Management Section have consulted and approved the recommendations of the Monmouthshire Farm Education Trust and Welsh Church Fund Treasury advisors Arlingclose Ltd in coming to the recommended approved policies and budgets

5. Please list the data that has been used to develop this proposal? e.g. Household survey data, Welsh Govt data, ONS data, MCC service user data, Staff personnel data etc.

The Arlingclose Ltd, Welsh Church Fund Act Investment Strategy review 2015; The Arlingclose Ltd, Monmouthshire County Council Investment Strategy Review 2015; The Arlingclose Ltd, Monmouthshire Mon Farm Education Investment Strategy Review 2015: The ONS Survey 2010 and The Welsh Church Act Fund Audited Accounts 2013-14.

Signed.....J Robson.....**Designation**...S151 Officer / Head of Finance**Dated**.....22/01/2015.....

The “Sustainability Challenge”

Name of the Officer completing “the Sustainability challenge” D Jarrett		Please give a brief description of the aims proposed policy or service reconfiguration To assess the Investment & Risk Management Policies of the Welsh Church Fund and Mon Farms Education Trust for the March 2015 meeting of the Monmouthshire County Council Cabinet	
Name of the Division or service area Central Finance		Date “Challenge” form completed 22/01/2015	
Aspect of sustainability affected	Negative impact Please give details	Neutral impact Please give details	Positive Impact Please give details
PEOPLE			
Ensure that more people have access to healthy food			Organisations supported that may impact upon this aspect
Improve housing quality and provision			Grant for Housing quality Improvement
Reduce ill health and improve healthcare provision			Grants for Sport Clubs and self help Health Groups
Promote independence			Grant for Housing quality Improvement to enable resident to remain in own home
Encourage community participation/action and voluntary work			Grants for Community Projects
Targets socially excluded		Doesn't specifically target the socially excluded. Anybody may apply	
Help reduce crime and fear of crime			Provided funds to assist in securing Premises of Sports and Social Clubs

Improve access to education and training			Grant for Educational and Community work in this country and Developing World
Have a positive impact on people and places in other countries			Grant for Educational and Community work in this country and Developing World
PLANET			
Reduce, reuse and recycle waste and water			Grants for environmental projects
Reduce carbon dioxide emissions			Grants for environmental projects
Prevent or reduce pollution of the air, land and water			Grants for environmental projects
Protect or enhance wildlife habitats (e.g. trees, hedgerows, open spaces)			Grants for environmental projects
Protect or enhance visual appearance of environment			Grants for environmental projects
PROFIT			
Protect local shops and services		Neutral	
Link local production with local consumption		Neutral	
Improve environmental awareness of local businesses			Grants for Community Projects
Increase employment for local people			Grants awarded to Community groups that may sustain employment
Preserve and enhance local identity and culture			Grants for Community Projects in regard to local history, culture and art
Consider ethical purchasing issues, such as Fairtrade, sustainable timber (FSC			Grants awarded to Community Groups that may consider this aspect

logo) etc			
Increase and improve access to leisure, recreation or cultural facilities			Grants for Sport Clubs, Self help Health Groups and Community Groups

What are the potential negative Impacts None	Ideas as to how we can look to MITIGATE the negative impacts (include any reasonable adjustments)
--	--

The next steps

- If you have assessed the proposal/s as having a **positive impact please give full details** below

There are positive outcomes in relation to People, Planet and Profit, mainly as organisations and Individuals that apply are supported to benefit one of the protected aspects. The Investment and Risk Strategies are designed to provide the maximum amount of investment returns to provide funds to support these applicants to the fund without substantially diminishing the Capital value of the Trust Funds.

- If you have assessed the proposal/s as having a **Negative Impact** could you please provide us with details of what you propose to do to mitigate the negative impact:

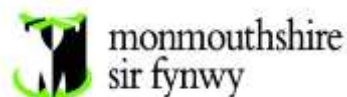
None

Signed

D Jarrett

Dated

22/01/2015



SUBJECT:	SEVERNSIDE 3G PITCH CALDICOT
MEETING:	SPECIAL CABINET
DATE:	18th MARCH 2015
DIVISIONS/WARDS AFFECTED:	ALL WARDS IN THE LOWER WYE AND SEVERNSIDE AREAS

1.0 PURPOSE

- 1.1 To advise Cabinet of an overspend on the project for the new 3G pitch at the Caldicot School/Leisure Centre site;
- 1.2 To recommend to elected members the use of balances accrued from another Section 106 Agreement in the area to offset the overspend so that this does not impact on other projects in the Capital Programme.

2.0 RECOMMENDATION that

- 2.1 Cabinet recommends to Council that the gross expenditure budget for the Severnside 3G project is increased from £660,000 to £718,000
- 2.2 Cabinet recommends to Council that this is funded by
 - a contribution of £5,000 from Caldicot Comprehensive School;
 - a contribution of £53,000 from the balances held by the County Council in respect of the Church Road (3) Caldicot (Taylor Wimpey) development site

3.0 KEY ISSUES

- 3.1 The new 3G pitch in Caldicot is a regional facility for the whole of south Monmouthshire. The approved budget for the project, including fees and contributions to drainage works, is £660,000 as approved by full Council on 10th April 2014. Work on the project is almost completed – the Practical Completion Certificate has been issued and the contractor will return to site in a few weeks time to undertake final grass seeding to the landscaped areas. In the meantime use of the pitch by the school and the local community has commenced and the initial feedback has been very positive.
- 3.2 There have been a number of issues that have arisen during the construction period and these have led to increased contract costs. The three main issues that have contributed to the increased costs are as follows:
 - Unstable ground conditions

- Flooding
- Floodlighting and electrical connections

- 3.3 The main area of overspend relates to unstable ground conditions found on site when the initial excavation works were undertaken in readiness for the cut and fill operation (to provide a level ground area on which to construct the pitch). It was discovered that the ground conditions were totally unstable – it is not uncommon on new pitch projects to find the odd “damp patch” that can usually be dealt with at no extra cost by small earthwork excavations and filling with dry material. However, the extremely damp conditions discovered in this case covered 95% of the total new pitch area (the new pitch measures 100m x 65m plus surrounding run off areas). Similar unstable ground conditions were also found on the car parking area of the adjacent supermarket site. These conditions could not have been predicted – the land in question has been used as a school playing field for over 40 years and had no previous recorded incidents of flooding or cancellation of fixtures due to unsuitable or waterlogged ground conditions. Other parts of the site, particularly the area around the main rugby pitch, have become waterlogged over the years but not the site on which the supermarket and the 3G pitch have been developed. The cost of the remedial works undertaken by a specialist contractor in order to stabilise the ground conditions and allow the 3G contract to proceed was £56,000. This cost could have been significantly higher but the specialist contractor was already on site dealing with similar conditions on the adjoining supermarket site.
- 3.4 Shortly after completing the ground stabilisation works part of the school grounds flooded in a period of heavy rainfall, covering approximately 25% of the new pitch area. Following this the soakaway catchment sump designed to collect surface water from the pitch was increased considerably (it is now six times larger than the original design and installation). Although the new pitch and the existing ATP (artificial turf pitch) have not been flooded since, the landscaped areas alongside the new 3G access road and between the 3G and the ATP have become very waterlogged during periods of heavy rainfall. Approximately two hours either side of a neap (high) tide on the River Severn the local water table rises due to the tidal reens in the area, the water table then drops as the tide in the Severn Estuary goes out. The cost of the flood remedial works undertaken to prevent the new pitch being affected is £15,000, which includes a sum of £2,346 paid to Western Power to divert the existing electrical supply cable around the outside of the new 3G pitch.
- 3.5 There is still a problem with flooding on the site in general but this is not related to the new 3G project. The roadway to that side of the leisure centre building adjacent to the skatepark has flooded on quite a regular basis over many years due to inadequate drainage on that part of the site and a recent survey of the drains on the school/leisure centre site carried out by the contractors for the new school project has revealed that many of the drains on the site are in very poor condition. A number of the existing drains have collapsed or are blocked so they are unable to cope with the amount of surface water on

the site in periods of heavy rainfall. An estimate of cost has been obtained to improve the drainage in between the leisure centre and the skatepark at a cost of £19,504 but this would only deal with one part of what is an overall site problem.

- 3.6 In terms of all weather provision, the original proposal was to replace the existing ATP with a new multi purpose 3G pitch, utilising the existing floodlighting system that was installed in 1995 when the ATP was first constructed. However, part way through the planning process, it was decided to retain/upgrade the ATP into a dedicated hockey facility and to construct a new floodlit 3G pitch in addition, to serve as a football and rugby training facility and an elite regional pitch for competitive football. The current electrical supply to the leisure centre, served from a sub station on the school site, does not have sufficient capacity to run the floodlights on both pitches at the same time. A new electrical distribution board and patching system has been installed in the leisure centre that allows the centre to alternate the use of floodlighting on both pitches but not to operate both sets of floodlights at the same time. This effectively prevents the use of one of the two pitches after dark for six months of the year, but this will be for a temporary period of 3-4 years until the new school is completed. The sub station from which the electrical supplies for both the school and the leisure centre are served will be demolished once the construction of the new school, which will have a new dedicated electrical supply provided as part of the new school contract, is completed. At that time, the supply to the leisure centre will be re-routed and upgraded so the electrical capacity to the leisure centre can be improved at that time. It is possible to upgrade the leisure centre electrical supply cable now at a cost of approximately £16,000 but this cable will have to be removed in 3-4 years time as part of the new school project.
- 3.7 One other issue that remains to be resolved is that of site security. The original thinking was that, as part of the new supermarket development a new boundary fence would be erected along the line of the diverted section of Woodstock Way, between the new supermarket and the school/leisure centre site. However, no such boundary fence has been installed so effectively the boundary fence of the new 3G pitch has become the site boundary fence. When the contractor's temporary fence enclosure that has been in place during the construction period is removed from site this will leave two gaps, one at either end of the 3G pitch, where the public can gain access to the site from Woodstock Way. This could also encourage the public to use the school site as a through route. As a temporary stop gap measure a quotation of £3,068 has been obtained from the 3G contractor to install two sections of 1.8m high bow top fencing (to match the existing fence around the school). Although this is not part of the 3G contract, the works can be carried out by the 3G contractor to overcome this problem for the immediate and foreseeable future. This would increase the combined overspend from £71,000 to £74,000.

4.0 REASONS

- 4.1 The reasons for the overspend on the contract can be attributed mainly to previously unforeseen poor ground conditions and flooding issues on the school/leisure centre site.

- 4.2 The recommendation to fund the outstanding overspend on the 3G contract is to avoid any knock on effect to other projects in the capital programme.

5.0 RESOURCE IMPLICATIONS

- 5.1 An overspend of £71,000 has been incurred on the contract for a new 3G pitch on the Caldicot School/Leisure Centre site. This is due to £56,000 in relation to stabilising the ground conditions and £15,000 for remedial flood works. These overspends can be partially offset by a reduction of £13,000 on the internal fees relating to the design and supervision of the contract, leaving a new overspend of £58,000;
- 5.2 To partially offset this overspend Caldicot Comprehensive School has contributed £5,000 from its balances;
- 5.3 To avoid the remaining net overspend of £53,000 having a negative impact on the overall capital programme or on specific projects within that programme, it is proposed to utilise some of the balances held by the Council in respect of the Church Road Caldicot (3) development site (the Taylor Wimpey site – Finance Code N574). The off site recreation contribution received from the developer of that site is £162,288 and £17,500 has been earmarked from this sum to partially offset the previously unforeseen cost of the sewer diversion works;
- 5.4 Potential additional works not proceeded with have been estimated as follows:
- Improved site drainage - £19,504
 - Upgrade electrical supply - £25,500
 - Site security fencing - £3,068
- 5.5 If members agree to go ahead with the additional sections of bow top fencing in order to maintain site security (para 3.7 of the report refers) then the amount to be offset against the Church Road (3) Section 106 Agreement will increase from £53,000 to £56,000.
- 5.6 The budget mandate for 2015/16 includes an income target of £30,000 for the new 3G pitch in its first full year of operation. This income target involves creating new users of the facility but, if the electrical supply is not upgraded before September 2015, then this will impair the ability of the service to create new income, as it will need to transfer existing bookings (and therefore existing income) from the ATP onto the new 3G pitch.

6.0 SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS

The significant equality impacts identified in the assessment (Appendix 1) are summarised below for members' consideration

Increased sports participation and improved performance	Increased potential for income generation
Improved access to local facilities and to education and training	Improved access to leisure and recreation facilities

The actual impacts from this report's recommendations will be reviewed every three years and criteria for monitoring and review will include

The increase in user participation, measured against current usage figures for the ATP	The amount of additional income generated from the new pitch (budget mandate for 2015/16 is £30,000)
Usage and feedback from Caldicot Comprehensive School	Usage and feedback from sports clubs/the wider community in south Monmouthshire

7.0 SAFEGUARDING AND CORPORATE PARENTING IMPLICATIONS

There are no safeguarding or corporate parenting implications arising from this report.

8.0 CONSULTEES

Cabinet Members	Local County Council Members for Caldicot
Strategic Leadership Team	Caldicot Town Council
Head of Legal Services	Economy Select Committee (via email)
Assistant Head of Finance/Deputy S151 Officer	Monitoring Officer

9.0 BACKGROUND PAPERS

Report to Cabinet on 2nd April 2014 entitled "Caldicot 3G Pitch Project".

10.0 AUTHOR: Mike Moran, Community Infrastructure Coordinator

11.0 CONTACT DETAILS:

Tel: 07901 854682

Email: mikemoran@monmouthshire.gov.uk

APPENDIX 1

EQUALITY CHALLENGE – SEVERNSIDE 3G PITCH CALDICOT

Is there any form of discrimination? Direct Indirect Association: Positive Action:	No discrimination
Where the proposal concerns one protected characteristic, does it unintentionally disadvantage any sub-groups?	N/A
The “significance” of impacts will need to be assessed. What constitutes “significant”?	N/A
Is the proposal creating a postcode lottery within the county?	The new 3G pitch in Caldicot is a regional facility for schools & communities in south Monmouthshire. Proposals for 3G provision in the north of the county are currently being developed.
Have positive impacts been optimized?	Positive benefits include getting more people involved in different sports and leisure activities in a safe and managed environment and also to benefit from health and well being opportunities.
Have all reasonable steps been taken to mitigate negative impacts (including making reasonable adjustments)?	N/A
Does the proposal evidence an understanding of the current (baseline) situation with respect to the protected characteristics?	N/A
Is the proposal associated with any others – is there a cumulative impact to be assessed?	N/A

The “Equality Challenge” (Screening Document)

Name of Officer: Mike Moran		Investment into new 3G facilities and the promotion of related activities	
Tourism Leisure and Culture		Date: 17/01/15	
Protected Characteristic	Negative Impact (Please give details)	Neutral Impact (Please give details)	Positive Impact (Please give details)
Age			More participation by young people/adults
Disability			Disabled participation & other sports events
Marriage/Civil Partnership		X	
Pregnancy and Maternity		X	
Race		X	
Religion or Belief		X	
Sex (was Gender)		X	
Sexual Orientation		X	
Transgender		X	
Welsh Language		X	

What are the negative impacts	Ideas as to how we can look to MITIGATE the negative impacts (include any reasonable adjustments or engagement with affected parties)
➤ No negative impacts identified	

The next steps

If you have assessed the proposal/s as having a **positive impact** please give **full details below**:

The investments into a new regional 3G pitch have positive impacts on health and well being and access to facilities. The facilities will have sports specific disability events organised – there are disability football teams in Caldicot & the remainder of the county that will access the new pitch.

If you have assessed the proposal/s as having a **negative impact** provide details of what you propose to mitigate these:

None identified

Signed: Mike Moran

Designation: Community Infrastructure Coordinator

Date: 17/01/2015

EQUALITY IMPACT ASSESMENT FORM

Name of policy or change to service	Directorate	Department
Investment in improved sports facilities	Enterprise	Tourism, Leisure and Culture
Policy Author/Service Lead	Name of Assessor	Date of Assessment
Ian Saunders	Mike Moran	17/01/2015

1. Have you completed the Equality Challenge Form?

Yes

2. What is the aim/s of the policy or the proposed change to the policy or service (the proposal)?

Investment in improved sports facilities

3. From your findings from the “Equality Challenge” form did you identify any people or groups of people with protected characteristics that this proposal was likely to affect in a NEGATIVE way? Please tick appropriate boxes below:

Age	No	Race	No
Disability	No	Religion or belief	No
Gender reassignment	No	Sex	No
Marriage/civil partnership	No	Sexual orientation	No
Pregnancy and maternity	No	Welsh Language	No

4. Please give details of any consultation(s) or engagement carried out in the development/re-development of this proposal.

We work with many groups, clubs and societies.

In the development of the 3G proposal we consulted with Sport Wales, the Welsh Rugby Union, the Welsh Football Trust and Hockey Wales (which form a collaborative group when new 3G facilities are being proposed). We acted in close consultation and liaison with the Governing Body and Sports Teachers of Caldicot Comprehensive School.

5. Please list the data that has been used for this proposal: e.g. Household survey data, Welsh Govt data, ONS data, MCC service user data, staff personnel data, etc.

Sport Wales data, data from the 2011 Census for Monmouthshire and data provided by the Governing Bodies of Sport

6. As a result did you take any actions to mitigate your proposal? Please give details below

Our proposals were developed in partnership with the Governing Bodies of Sport and with Sport Wales, all of whom have an inclusive approach to the provision of new sports facilities.

7. Final stage – what was decided?

- No change made to proposal/s – please give details

N/A

- Slight change made to proposal/s – please give details

N/A

- Major changes made to the proposal/s to mitigate any significant negative impact – please give details

N/A

Signed: Mike Moran

Designation: Community Infrastructure Coordinator

Date: 17/01/2015

The “Sustainability Challenge”

Name of the Officer: Mike Moran		Policy: Investment in Improved Sports Facilities	
Name of Service: Tourism Leisure and Culture		Date: 17/01/2015	
Aspect of sustainability affected	Negative Impact (please give details)	Neutral Impact (please give details)	Positive Impact (please give details)
PEOPLE			
Ensure that more people have access to healthy food		X	
Improve housing quality and provision		X	
Reduce ill health and improve healthcare provision			✓ Research proves that regular participation in sport and healthy exercise improves peoples' health and sense of well being
Promote independence			✓ Social integration through sport
Encourage community participation/action and voluntary work			✓ These facilities will add to the good quality community facilities in the county & will encourage further volunteering in a number of sports
Target socially excluded			✓ Aim is to lift children out of poverty through engagement in sport and to give access to facilities through passport to leisure scheme

Help reduce crime and fear of crime		X	
Improve access to education and training			✓ The new facility is based on an education site, so will give better access to skills education and training
Have a positive impact on people & places in other countries		X	
PLANET			
Reduce, reuse and recycle waste and water		X	
Reduce carbon dioxide emissions			✓ Provision of facilities locally reduces car journeys and improved cycling opportunities will reduce non essential/short car travel
Prevent or reduce pollution of the air, land and water			✓ As per above item
Protect or enhance wildlife habitats (e.g. Trees, hedgerows, open spaces)	✓ The 3G scheme has planning permission including tree loss mitigation measures.		
Protect or enhance visual appearance of the environment		X	

PROFIT			
Protect local shops & services			✓ New facilities will bring extra users and demand for local products and services
Link local production with local consumption		X	
Improve environmental awareness of local businesses		X	
Increase employment for local people			✓ Contract let to local firm with local workforce – will also be opportunities for links into local businesses & increasing employment in the area
Preserve and enhance local identity and culture			✓ The county has an established reputation for voluntary sports provision & special events/festivals of sport - the new facilities will enhance this reputation
Consider ethical purchasing issues such as Fairtrade, sustainable timber (FSC logo)		X	
Increase and improve access to leisure, recreation and cultural facilities			✓ The new provisions will improve access to sport and leisure facilities/activities and events will have cross over with cultural activities and school involvement

What are the potential negative impacts	Ideas on how we can look to MITIGATE the negative impacts (include any reasonable adjustments)
Caldicot 3G Pitch	
➤ One mature tree of no significant landscape value was felled as part of the development	➤ Agreement reached with local planning authority to replace the lost tree with a semi mature tree more in keeping with the local area.
➤ Bat survey revealed no bat roosts in the immediate area	➤ No mitigation required at this stage.

The next steps

- If you have assessed the proposal/s as having a **positive impact please give full details below**

Positive impacts outlined in above checklists – there are significant health & well being benefits to be realised as a result of this project.

- If you have assessed the proposal/s as having a **negative impact** could you please provide us with details of what you propose to do to mitigate the negative impact/s

The negative impacts have been dealt with through the planning process.

Signed: Mike Moran

Designation: Community Infrastructure Coordinator

Date: 17/01/2015



SUBJECT: Restructure of Disability Services Team – Budget Mandate Implementation

DIRECTORATE: Social Care and Health
MEETING: Special Cabinet
WARDS AFFECTED: All

DATE: 18th March 2015

1. PURPOSE:

To seek approval for the implementation of the proposal set out in Mandate 10 to restructure the disability services staffing establishment to deliver agreed budget savings

2. RECOMMENDATIONS:

- (i) The restructure is agreed and implemented; resulting in the deletion of one post.
- (ii) In the event of redeployment not being successful, approval is given for redundancy costs that cannot be met by the service to be funded from reserves, in line with common practice.

3. KEY ISSUES:

For many years, service users at Ty'r Fenni received a community meal for lunch, delivered frozen and reheated in the day centre. This was convenient for people when they spent their entire day mainly in the centre and activities were structured to allow for a set lunch time. When the service relocated to Tudor Street the kitchen facilities could not accommodate this so agreement was reached for hot meals to be delivered daily, at a set time, which are then decanted and served.

Since the summer of 2013 there has been a considerable change in the way in which service users enjoy a lunch time meal. The impact of the My Day My Life initiative means people are now spending a large part of their day engaged in activities within the community and source their lunch in a variety of different ways, appropriate and convenient to what they are doing; i.e fish and chip shop, community café or a packed lunch.

Providing lunch at a fixed time in a fixed place is no longer convenient for many people and the demand for meals has decreased dramatically. Some days no meals are needed and most days the numbers are as low as 4/5. This has had a significant impact upon the work load of the staff member responsible for serving the food and who now has insufficient work to occupy their contracted hours of employment.

It is therefore proposed that this post is deleted and people are supported to access a range of lunch time options. Where a community meal is required this will continue to be delivered hot and the MDML support staff will assist with decanting the meals and serving. The team currently do this when the responsible staff member is absent.

The review of the meal arrangements was first considered as part of the budget saving process in 13/14 and was one of the options which formed mandate 10. Unforeseen operational issues have prevented the progression of this proposal until now and the required savings for 14/15 have been delivered through other operational efficiencies.

The key outcomes which this proposal will achieve are:

- Better meal time options for people, consistent with the My Day My Life approach
- More streamlined team with increased responsibilities and duties
- Further linkage between resources and work plan priorities
- Delivery of operational efficiency savings

Informal consultation has begun with the post holder and following approval, formal consultation will begin. Employee Services is providing advice to ensure adherence to the Council’s Protection of Employment. It is anticipated the post will be deleted in May/June 2015.

4. REASONS:

The post is no longer needed as people who use the service are able to access a variety of different meal time options which are more suited to how they spend their day engaged in meaningful activities within the community. These proposals will improve the financial efficiency and deliver agreed budget savings in 2015/16.

5. RESOURCE IMPLICATIONS:

Budget area	Existing Staffing Budget	Saving due to post deletion	New Staffing Total
Ty'r Fenni	275,549	£12,860 (inc 2% efficiency saving)	262,689
Total	275,549	£12,860	262,689

5.1 The new structure will be implemented from 1st April 2015 and will result in a full year efficiency saving of £12,860, thus delivering the savings set out in the mandate 10.

5.2 We will be seeking all redeployment opportunities within the Council.

6. EQUALITY AND SUSTAINABLE DEVELOPMENT IMPLICATIONS:

Appendix A contains an Equality Screening Form which identifies potential negative impacts:

- The current post holder in is female.
- A perceived disinvestment in services for people with a disability.

7. CONSULTEES:

- The Social Care and Health Directorate Management Team
- SCH Finance Team
- Employee Services
- Post holder
- Trade Union (Unison)

8. BACKGROUND PAPERS:

Exempt background paper
Mandate 10 2014/15

9. AUTHOR:

Ceri York, Group Manager Service Delivery and Commissioning

10. CONTACT DETAILS:

Tel: 01633 644933 **E-mail:** ceriyork@monmouthshire.gov.uk

Appendix A

The “Equality Challenge” (Screening document)

Name of the Officer completing “the Equality challenge” Ceri York		Please give a brief description of the aims proposed policy or service reconfiguration The need to refocus services to make them even more efficient and increase the value added in the current financial climate is essential. By reviewing and reconfiguring the team structure and redistributing duties across other posts to: <ul style="list-style-type: none"> • A more streamlined team with increased responsibilities and duties • Further linkage between resources and work plan priorities • Delivery of operational efficiency savings 	
Name of the Division or service area Disability Services Team		Date “Challenge” form completed 5 th February 2015	
Protected characteristic affected	Negative impact Please give details	Neutral impact Please give details	Positive Impact Please give details
Age		All people will be supported to obtain a suitable lunch time meal.	
Disability	A perceived disinvestment in services for people with a disability		All people will be supported to obtain a suitable lunch time meal. All users who currently enjoy a community meal at lunch time will be supported to continue doing so as well as having more opportunity to access other community opportunities such as cafes and takeaways.
Marriage + Civil Partnership	As far as is known the majority of the team are either married or in a civil	n/a	

	partnership		
Pregnancy and maternity		N/a	
Race		Not known	
Religion or Belief		Not known	
Sex (was Gender)	The current post holder in is female. The deletion of this post will reduce number of females in the team but they remain in the majority .		
Sexual Orientation		Not known	
Transgender		Not known	
Welsh Language		n/a	

What are the potential negative Impacts.	Ideas as to how we can look to MITIGATE the negative impacts (include any reasonable adjustments or engagement with affected parties).
➤ The current post holder in is female. The deletion of this post will reduce number of females in the team but they remain in the majority	➤ Seek alternative employment options for the post holder
➤ <i>A perceived disinvestment in services for people with a disability</i>	➤ Full engagement and involvement with the people who use the service and their families as well as the whole staff team to understand the change to the arrangements . ➤ A variety of mechanisms exist to do this including the Action Learning Sets , Hub development groups , Magic and CAIR

The next steps

- If you have assessed the proposal/s as having a **positive impact please give full details** below:

My Day, My Life is a transformational change with needs all of the services to work together to share opportunities and act as a focus for the community. The implementation of this change process has seen a real positive change in the way in which people are able to try lots of different meal options at lunch time. This proposal has arisen as a result of people having greater access to a variety community based meal time options and there no longer being a need for a kitchen assistant

- If you have assessed the proposal/s as having a **Negative Impact** could you please provide us with details of what you propose to do to mitigate the negative impact:

To mitigate the actual or perceived loss of resources we will:

- Engage with all involved to ensure that the impact is minimised
- Seek suitable redeployment options for the post holder

Signed

Ceri

York

Designation

Group

Man:

15

**SCHEDULE 12A LOCAL GOVERNMENT ACT 1972
EXEMPTION FROM DISCLOSURE OF DOCUMENTS**

MEETING AND DATE OF MEETING:

Cabinet 4th March 2015

TITLE OF REPORT:

Restructure of Disability Services Team

AUTHOR:

Ceri York

I have considered grounds for exemption of information contained in the report referred to above and make the following recommendation to the Proper Officer:-

EXEMPTIONS APPLYING TO THE REPORT:

Paragraph 12 information relating to a particular individual

FACTORS IN FAVOUR OF DISCLOSURE:

The public may be interested in the level of potential redundancy.

PREJUDICE WHICH WOULD RESULT IF THE INFORMATION WERE DISCLOSED:

Discloses financial information relating to an individual.

MY VIEW ON THE PUBLIC INTEREST TEST IS AS FOLLOWS:

To make this information public would reveal personal information of an individual and there is no overwhelming evidence to support that publication of this information is in the public interest.

RECOMMENDED DECISION ON EXEMPTION FROM DISCLOSURE:

That the background paper is exempt

Date: 10/3/15

Signed:



Post: CHIEF OFFICER. SOCIAL CARE + HEALTH

I accept/do not accept the recommendation made above

Proper Officer: 

Date: 10/3/15