

School attendance and lockdown 3.0

With lockdown 3.0 continuing at least until at least the 8 March, school leaders must again take care to record pupil attendance and absence in line with the latest Department for Education (DfE) guidance, published January 2021.

09 February 2021

Please note: the information contained in this legal update is correct as of the original date of publication.

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During this third national lockdown, primary and secondary schools should only remain open to vulnerable children and young people and the children of critical workers (other than those who are clinically extremely vulnerable or self-isolating in accordance with government guidance). All alternative provision and special schools should remain open.

We already know that schools have seen a big increase in the demand for pupils to attend school compared to the first lockdown, which brings a number of challenges for schools not least in relation to ensuring there are enough staff. Schools can ask for sight of a work ID badge or pay slip to evidence that the parent in question is a critical worker, and it may be that increased demand is due to the fact that the guidance states only one parent is required to be a critical worker to permit their child to go to school.

Pupils not permitted to attend school should receive remote education and be marked as Code X i.e. they are not attending because they are following public health advice.

The DfE guidance gives schools advice on what to do if vulnerable pupils are not attending school, which includes working together with the local authority and social services (where applicable) to follow up with the parent or carer to explore the reason for absence. Any such efforts should be recorded and retained in accordance with Data Protection legislation.

If you would like any further advice in relation to managing absences during the pandemic please get in touch.

Contact

Hayley O'Sullivan

Principal Associate

hayley.o'sullivan@brownejacobson.com

+44 (0)121 237 3994

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