

# **School Attendance (Duties of Local Authorities and Proprietors of Schools) Bill**

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## EXPLANATORY NOTES

Explanatory notes to the Bill, prepared by the Department for Education, with the consent of Baroness Evans of Bowes Park, the Member in Charge of the Bill, have been ordered to be published as HL Bill 84—EN.



# **School Attendance (Duties of Local Authorities and Proprietors of Schools) Bill**

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[AS BROUGHT FROM THE COMMONS]

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- 2 School attendance policies
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[AS BROUGHT FROM THE COMMONS]

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# B I L L

TO

Make provision requiring local authorities to exercise their functions with a view to improving and promoting regular attendance by registered pupils at schools in their area; and to make provision requiring school proprietors to have an attendance policy to promote regular attendance.

**B**E IT ENACTED by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

## 1 School attendance: general duties on local authorities

In Chapter 2 of Part 6 of the Education Act 1996 (school attendance), at the beginning insert—

*“Duties of local authorities and proprietors with respect to registered pupils*

### 436ZA General duties on local authorities in England

- (1) A local authority in England must exercise their functions with a view to—
  - (a) promoting regular attendance by registered pupils at schools in the local authority's area, and
  - (b) reducing the number and duration of absences of registered pupils from schools in that area.
- (2) In exercising their functions, a local authority in England must have regard to any guidance issued from time to time by the Secretary of State in relation to school attendance.”

## 2 School attendance policies

- (1) In Chapter 2 of Part 6 of the Education Act 1996 (school attendance), after section 436ZA (as inserted by section 1) insert—

### “436ZB School attendance policies

- (1) The proprietor of a school in England must ensure—
  - (a) that policies designed to promote regular attendance by registered pupils are pursued at the school, and

- (b) that those policies are set out in a written document (an “attendance policy”).
- (2) An attendance policy must in particular include details of—
  - (a) the practical procedures to be followed at the school in relation to attendance,
  - (b) the measures in place at the school to promote regular attendance by its registered pupils,
  - (c) the responsibilities of particular members of staff in relation to attendance,
  - (d) the action to be taken by staff if a registered pupil fails to attend the school regularly, and
  - (e) if relevant, the school’s strategy for addressing any specific concerns identified in relation to attendance.
- (3) The proprietor must ensure—
  - (a) that the attendance policy and its contents are generally made known within the school and to parents of registered pupils at the school, and
  - (b) that steps are taken at least once in every school year to bring the attendance policy to the attention of all those parents and pupils and all persons who work at the school (whether or not for payment).
- (4) In complying with the duties under this section, the proprietor must have regard to any guidance issued from time to time by the Secretary of State in relation to school attendance.”
- (2) In section 94 of the Education and Skills Act 2008 (independent educational institution standards), in subsection (1)(c), after “of” insert “, and attendance by,”.

### **3 Extent, commencement and short title**

- (1) This Act extends to England and Wales.
- (2) This Act comes into force on such day as the Secretary of State may by regulations made by statutory instrument appoint.
- (3) Regulations under this section may—
  - (a) make different provision for different purposes;
  - (b) include transitional or saving provision.
- (4) This Act may be cited as the School Attendance (Duties of Local Authorities and Proprietors of Schools) Act 2024.



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*Brought from the Commons on 20th May 2024*

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