School Attendance Policy

ARCHIBALD FIRST SCHOOL

Section 1	Rationale	Page 2
Section 2	Roles and Responsibilities	Page 3
Section 3	Recording Attendance • Understanding types of absence coding • Unauthorised absence • Illness	Page 5
Section 4	School Procedures • Registration and punctuality procedures • First day absence contact • First day response procedures • Continuing absence procedures • Children Missing Education (CME) • Ensuring a good education for children who cannot attend school because of health needs • Partial timetables • Persistent and Severe Absence procedures • Reluctant attenders/school refusal • Application for leave of absence in term time • Leavers • Elective Home Education (EHE) • Pupils who do not start school	Page 6
Section 5	Legal Sanctions • Penalty Notices • Holiday in term time	Page 10
Section 6	Information for Parents and Carers • Answers to common questions • Understanding absence percentages • Legislation and guidance • Appendix 1 – Attendance contracts	Page 12
Additional Information	• DfE guidance flow charts • Schools Attendance procedure flow chart • Traffic light systems	Page 14

Section 1: Rationale

We want all young people at this school to be confident both academically and socially. This will ensure that they succeed in the next stage of their learning. Success at school allows young people to make more choices about their lives, have ambitions about the future, enjoy a wide range of experiences and make lifelong friends.

School isn't always easy. Most young people have days when they don't want to go. However, if they aren't in school, they will feel behind in their learning when they return. That can have a big effect on their confidence. They also miss out on shared experiences with friends, which can make them feel left out. This can make school feel even harder and lead to more regular absence.

This policy represents our commitment to regular attendance in school. Most young people attend school at least 96% of the time, and this is what we aim for. The policy sets out the principles, procedures and practice we undertake to encourage attendance and to address absence.

Principles

- Receiving a full-time, suitable education is a child's legal entitlement.
- Parents and carers have a legal responsibility to ensure this happens.
- Attending school regularly aids intellectual, social and emotional development and is essential if children are to benefit fully from their school life.
- Children whose attendance is low are likely to have poor outcomes, so will be treated as vulnerable.

These principles are enshrined in British law, within the Education Act 1996, the Children Act 1989, and other associated pieces of legislation.

Aims of the Policy

- To ensure that all young people attend school regularly and punctually, in order to maximise their educational achievement and social development.
- To promote good attendance, thus improving the life chances of young people attending our school and preparing them to be fully contributing citizens when they reach adulthood.
- To minimise absence from school, thereby reducing levels of persistent absence.
- To carry out our duty to safeguard pupils to the best of our ability.
- To ensure that all those responsible for young people's education, including parents, carers, staff and governors, understand and accept their responsibilities in relation to attendance.

Section 2: Roles and Responsibilities

We will use every opportunity to promote the importance of good attendance and punctuality. These will include bulletins and incentives for good or significantly improving attendance. However, we believe that the foundation for good attendance is a strong partnership between school, parent/carers, and the young person.

We will:

- Provide and promote a welcoming and positive atmosphere so that young people feel safe and valued.
- Maintain a consistent, whole school approach by raising awareness of the importance of good attendance and punctuality, using a range of communications to parent/carers.
- Ensure that there is a designated Senior Leader responsible for the strategic approach to attendance in school. In our school, this is Rebecca Turner, Headteacher.
- Have a designated Senior Leader with overall responsibility for championing and improving attendance in school and liaising with pupils, parents and external agencies where needed. The designated Senior Leader will have responsibility for monitoring, analysing and improving school attendance. They will look at historic and emerging patterns of attendance and provide additional and targeted support. At Archibald First School, this role is fulfilled by Rebecca Turner – Headteacher and Rachel Carr – Office Manager. The school is supported by Yvonne Devine, LA Attendance and Welfare Officer and Grant Short, Clennell Education Solutions.
- Ensure that governors maintain a strategic oversight of this policy and its impact on attendance.
- Encourage parents/carers to fully support the policy as a vital contribution towards their child's education. All new parent/carers are introduced to the policy, information and expectations on attendance. Information is also accessible on the school website or available from the school office for those without access to internet.
- Encourage young people to have a positive attitude towards attendance and punctuality so that they can retain this into adult life.
- Celebrate good attendance.
- Ensure that attendance is effectively monitored and that absences are followed up promptly in accordance with this policy.
- Communicate effectively with other agencies to support families who are struggling with attendance.
- Inform a pupil's social worker and/or youth offending team worker if there are unexplained absences from school.
- Meet the legal requirements with the use of correct codes for absence, with particular reference to authorised and unauthorised absence.
- Ensure all staff are fully aware of and clear about the actions necessary to promote good attendance and deal consistently with absence and punctuality.

- Ensure attendance information is available for Governors and parents.

We expect parent/carers to:

- Encourage school attendance and the value of attending school regularly.
- Provide up to date contact numbers and changes of address.
- Provide details of at least two contacts for emergency use.
- Notify the school when your child is unable to attend, with a reason, on the first day of the absence by 9.15am. This should be done by ringing the school telephone on 0191 285 1957 and either leaving a message on the absence line, or speaking to the office. In some situations parents may find it easier to email the school at office@archibaldfirstschool.co.uk to explain an absence.
- Telephone the school after the first day of absence if the absence is continuing.
- Keep the school well informed, especially about circumstances that might mean your child is absent for several days.
- Provide medical evidence, if possible, indicating attendance at the dentist, doctor, or optician before the arranged appointment unless an emergency situation arises. This might include an appointment note or an NHS App message. Whenever possible all appointments should be made outside of school hours.
- Ensure that your child arrives at school on time each day.
- Let the school know if their child is going to be late, e.g., if a car breaks down, if an urgent appointment has been made.
- Book family holidays during school holiday time.

Ensuring your child's regular attendance at school is a parent/carer's legal responsibility (Section 444 of the 1996 Education Act) and permitting absence from school that is not authorised by the Head Teacher creates an offence in law.

We expect pupils to:

- Attend every day unless they are ill or have an authorised absence.
- Arrive in school on time.
- Go to all their registrations and lessons on time.

Section 3: Recording attendance

Understanding types of absence coding

We must record every half-day absence as AUTHORISED or UNAUTHORISED. This is why we always need information about the cause of any absence. Types of absence that are likely to be authorised are illness, emergencies, medical or dental appointments that unavoidably fall in school time.

Only schools can authorise an absence. Parents/carers do not have this authority.

Consequently, **not all** absences supported by parents/carers will be classified as authorised.

Unauthorised absence

An absence is classified as unauthorised when a child is away from school without the permission of the school.

Examples of types of absence that are not considered reasonable, and which will not be authorised under any circumstances are:

- Going shopping with parents, birthdays.
- Sibling unwell.
- Staying at home because other members in the family are unwell.
- Day trips and holidays in term time.
- Arriving at school too late to get a present mark (after the close of registration).
- Truancy.

In some cases, we may change an authorised absence to an unauthorised absence and vice versa if new information is presented. An example of this would be where a parent states a child is unwell but there is subsequent evidence they have been on holiday. We will communicate any such change to parents/carers.

AUTHORISED	UN-AUTHORISED
Illness	Absence without valid reason.
A hospital medical/ dental appointment **that cannot be made outside of the school day (8.45-3.15pm)**	Latecomers beyond 30 mins after session starts
Family Bereavement	Persistent lateness within the first 30 minutes of the day
Religious observance	Minding the children, brothers or sisters.
Excluded children	Special occasions, e.g. birthday.
Sport/ Music/ Exams	Extended holidays
Agreed other educational reasons at the discretion of the Headteacher	

Illness

If your child has repeated periods of illness, we may ask you to provide medical evidence for each future period of illness related absence. This evidence could be a doctor's note, appointment card/letter or copy of a prescription. We may seek written permission from you to make our own enquiries.

Section 4: School Procedures

Registration and punctuality procedures

We are legally obliged to take a register twice a day. Once at the start of the school day and once at the start of the afternoon session. The registers will remain open for 30 minutes until 9.15am. Pupils arriving before the end of the registration period will be coded L (Late before registers close) which is a present mark. We will record the number of minutes late in the register. Pupils arriving after the registers have closed will be coded U (Late after registers close) which counts as an unauthorised absence for the whole session. Ongoing and repeated lateness after the close of registration (U mark) will be subject to legal action.

Children who arrive late after the doors close at 8.45am must be signed in by their parent/carer or appropriate adult. We will ask the reason for the lateness and you must use the sign in system in the main entrance; children should not arrive at school unaccompanied.

Only the Head Teacher can authorise absence. If we don't know the reason for the absence at registration, then we will record it as unauthorised until a satisfactory reason is provided. If the reason given is not satisfactory in our view, and/or evidence of the reason cannot be provided, the absence will be coded as O (Unauthorised absence). It is reasonable for members of staff to ask questions regarding a child's attendance and punctuality and when appropriate, request evidence to support the reason for absence from school.

First Day Absence Contact

You must notify us by 9.15am if your child is unable to attend for any reason. If we don't receive notification, we will contact you as early as possible in the school day. This is because your child may have set off for school but not arrived.

First Day Response Procedures

We will follow First Day Response (FDR) procedures by:

- Contacting you on the first day of absence by telephone/text, to try to ascertain the reason.
- Making a home visit if phone calls are unanswered.
- Informing any appropriate professionals or agencies working with your child or family.

If your child is still too unwell to attend the following day, you must contact us again before 9.30am to inform us. If we already have concerns about your child's attendance, we may carry out a home visit even if you have given us a reason for the absence.

Continued Absence Procedures

If after three days of absence, your child has not been seen and you have not contacted the school, we will make all reasonable enquiries to establish contact with you, including making enquiries to known friends and wider family.

If this is unsuccessful, we will make a home visit to check the safety and wellbeing of your child. We may also contact officers from the Local Authority. If we have concerns about the safety of a child, or believe there to be a vulnerable person within the home, a welfare check may be made earlier.

If we have concerns about your child's attendance, we will invite you into school to discuss the matter. If attendance fails to improve, we will refer the matter to the Local Authority.

Children Missing from Education (CME)

All Local Authorities have a legal responsibility to identify young people who are missing from education (CME) and those young people at risk of missing education. Where necessary, Local Authorities must return them to suitable education.

This applies to young people of compulsory school age who are not on a school roll or receiving suitable education elsewhere and have been out of any education for a substantial period, usually more than four weeks.

We have a legal duty to undertake our own checks first and will notify the Local Authority if a young person has left the school and their whereabouts are unknown.

Ensuring a good education for children who cannot attend school because of health needs

If your child is likely to be absent for longer than 15 days due to health needs you should tell us as soon as possible. We will work with you, the Local Authority and medical professionals where appropriate to ensure that your child will have access to relevant and appropriate education. This includes public exam provision and the education of siblings where your family have had to travel and stay away from the home. Such an absence will normally involve medical professionals. In most cases, we will try to minimise the amount of time your child spends away from school, so that they stay connected with their teachers and their friends.

Partial Timetables

All young people of compulsory school age are entitled to a full-time education. In very exceptional circumstances there may be a need for a temporary partial timetable to meet their individual needs. For example, where a medical condition prevents a young person from attending full-time education and a partial timetable is considered as part of a re-integration package.

A partial timetable must last no longer than six weeks. After that point a young person is expected to attend full time, either at school or alternative provision. If we believe that a partial timetable is in the best interests of your child, we will discuss this with you. We will agree formal review arrangements to take place. In agreeing to a partial timetable, we agree to a young person being absent from school for part of the week or day and therefore must treat absence as authorised and code in the register as a C2, which is an authorised absence.

Persistent and Severe Absence Procedures

If your child misses 10% or more of their schooling across a year **for whatever reason, whether it is authorised or unauthorised, or a mixture of both**, they become a 'Persistent Absentee.' Missing 50% or more of school is defined as severe absence. At this point your child would not be receiving a suitable education and their outcomes will be affected. We will inform you if your child is moving into the category of persistent absence, and your child's attendance will be monitored. This is because young people can easily get into a habit of missing school. Without help it can rapidly get worse.

It is essential that we avoid the kind of impact that poor attendance can have on your child. If you are facing circumstances which make it difficult to ensure your child's attendance at school, you should tell us. We will meet with you and provide access to wider support services to help remove barriers to attendance.

We monitor registers to identify pupils with a pattern of absences that may lead to Persistent Absence (PA). Initially we will try to resolve the problem with you. We will agree actions to improve attendance. However, if the pattern continues, we will make a referral to the Local Authority.

Reluctant attenders/school refusal

You should do everything possible to ensure your child attends school. However, if the reason for your child's reluctance appears to be school based, such as difficulty with accessing the curriculum or bullying, you should discuss this with us at the earliest opportunity and we will do everything possible to resolve it. Remember that issues like this are rarely solved immediately and can only be solved if you work with us to get your child in to school. Supporting your child's reluctance to attend is likely to make the matter worse.

Applications for leave of absence in term time

If your child is performing, for example in a Christmas pantomime, you can seek leave of absence from us for your child to take part in a performance. You must contact us to discuss the nature and frequency of the work, whether your child has a valid performance licence and whether education will be provided by the employer during any future leave of absence. It is, however, our discretion as to whether to authorise this. We will wish to discuss with you the nature and frequency of the absence and how learning will continue if absence occurs.

If your child is taking part in activities organised outside of the school e.g., regional, county, national and international events and competitions, you may seek leave of absence from school. Again, it is down to our discretion as to whether to authorise this. We will wish to discuss the nature and frequency of the absence and how learning will continue if absence occurs. Permission for your child to leave early or arrive late to attend coaching and training sessions is also at the discretion of the Head Teacher and is not likely to be approved if it is a regular event, unless the sports club or association is providing an education tutor as part of their coaching.

Leavers

You must inform us in writing if you are planning to remove your child from this school to move to another, other than at normal leaving times. You must give us full information about your plans and reasons for moving, including date of move, new address, the new school your child will attend and start date when known. This is because we have a legal responsibility to ensure that no child goes missing from education. We also need to transfer school information.

Elective Home Education (EHE)

If you wish to remove your child from school with a view to educating at home, we will work with other key professionals and coordinate a meeting with you if possible. This is a significant step. You should consider whether you are able to provide a suitable education for your child, how they will gain necessary qualifications and whether your provision will enable them to return to a school if your circumstances change. We will pass information about your decision to the Local Authority, which is responsible for monitoring EHE. The Local Authority will check that you are able to provide a suitable education. If at any point the Local Authority has concerns that your provision is unsuitable, it may take legal action to put your child back on a school roll.

We will inform the Local Authority of your decision to home educate before removing your child from the school roll. An online notification will be submitted via the Services to Schools website.

Pupils who do not start school

Young people who are allocated places in a school but fail to start are also treated as Children Missing Education. If we have been unable to make contact with you during a ten-day period after the expected arrival, we will refer your child to the Local Authority for further checks.

Section 5: Legal Sanctions

You have a legal duty to ensure the regular and full-time attendance at school of registered pupils (Education Act 1996).

We regard the use of legal sanctions as a last resort where attendance is low and has not improved despite our best efforts to work with families. However, our use of legal sanctions underlines the importance of attendance and our determination that all young people at this school receive a suitable education.

If your child's attendance drops below 96% without a suitable reason, you will receive a letter telling you that we are concerned.

If there is further unauthorised absence you will be invited to a meeting to develop a plan of support that improves attendance. If there are further unauthorised absence you will be invited to a meeting to develop a plan of support that improves attendance. Further unauthorised absence totalling 10 or more unauthorised sessions in the next ten weeks and attendance below 90% will result in a referral to the Local Authority for consideration of legal action.

Penalty Notices

The Local Authority may issue Notices to Improve and penalty notices, or refer to court for prosecution in line with the National Framework where absences were unauthorised and support has been provided but has not worked or been engaged with, or would not have been appropriate in the circumstances of the offence (e.g. an unauthorised holiday in term time).

A penalty notice is an out of court settlement which is intended to change behaviour without the need for criminal prosecution. The threshold is 10 sessions of unauthorised absence. This can be made up of a combination of any type of unauthorised absence, all taken within any 10 school week period which may span different terms or school years (e.g. 2 sessions of unauthorised absence in the Summer Term and a further 8 within the Autumn Term).

From Autumn Term 2024, the Local Authority will only issue 2 penalty notices to the same parent in respect of the same child within a 3 year rolling period and any second notice within that period is charged at a higher rate:

- The first penalty notice issued to a parent in respect of a particular pupil will be charged at £160 if paid within 28 days. This will be reduced to £80 if paid within 21 days.
- A second penalty notice issued to the same parent in respect of the same pupil is charged at a flat rate of £160 if paid within 28 days.
- A third penalty notice cannot be issued to the same parent in respect of the same child within 3 years of the date of issue of the first. In a case where the national threshold is met for a third time (or subsequent times) within those 3 years, alternative action will be taken instead. This will often include considering prosecution.

Holidays in term time

Any request for leave of absence due to holidays in term time will not be authorised. The DfE does not consider a need or desire for a holiday or other absence for the purpose of leisure and recreational circumstance, and therefore there is no entitlement in law to time off in term time. Young people who are absent from school fall behind in their learning. They miss out on school events. Many find it difficult to catch up. In addition, school staff have to divert their attention away from other young people in order to support those that have fallen behind due to a holiday related absence.

In the case of unauthorised leave of absences, incurring 10 or more unauthorised sessions (5 days) within 10 school weeks, consideration will be given if a referral should be made to the Local Authority for a fixed penalty notice to be issued or prosecution where repeated penalty notices have been issued. Where the threshold has not been met in the case of persistent avoidance, for example, repeated absence for birthdays or other family events, the school will have discretion to refer the case to the Local Authority. If in an individual case the Local Authority believes a penalty notice would be appropriate, they retain the discretion to issue one before the threshold is met.

Gosforth Schools' Trust have made a collective decision to refer families to the Local Authority if unauthorised absence meets ten sessions (5 days). If a second holiday request is made later in the year which equals or exceeds 5 days, a referral will also be made.

Section 6: Information for Parent/Carers – Common Questions

Q. Kids get loads of holidays, plus there are bank holidays and teacher strikes. Why do we get fined for keeping them off?

A. The most obvious reason is that bank holidays and strikes are permitted in law, whereas absence from school is not. However, the most important reason is that if your child is absent while the rest of their class is at school, your child will be behind when they return. No young person likes being in this situation. It can knock their confidence. School staff will help your child catch up, but this takes time and takes staff away from other pupils who need them.

Q. I understand why it's important for older kids to attend, but why is it so important when they're younger?

A. It's really important that children make a good start as early as possible in their school life. If they are absent a lot they will fall behind academically and socially, and this will make the move into secondary school much more difficult. If children get into the habit of thinking that it is OK to miss school, it will definitely get worse as they get older. Most parents faced with a teenager who refuses to go to school wish they had been firmer about attendance when their child was younger.

Q. My child cries when I take her to school. What can I do?

A. It's not uncommon for young people to feel anxious about going to school, and it is often tough for parents to take a firm line. However, it is really important for children to get into the habit of going to school right from the start. It's very rare for a young person to continue to be distressed after they have arrived in school and settled in, so don't sit worrying all day. School staff are experts at helping young people who are anxious, so if it is happening regularly, talk about it with staff.

Q. My child always says they feel ill. How do I know it's OK to send them to school?

A. Unless they have an obvious medical condition, it is usually worth sending your child to school. Once young people are at school, they are usually too busy to feel anxious. If your child becomes ill at school, we will get in touch.

Q. Sometimes my child is really tired. Surely, it's better to let them sleep rather than send them in to school?

A. The problem with doing this is that they get into a different sleep pattern, and it makes the problem worse. Many young people are tempted to play games or be on their phones late at night. It's important to help them take responsibility for being ready for school the next day. If they are tired, they will sleep better the following evening.

Q. I'm stressed about other things. If my kid won't get out of bed there's nothing I can do, is there?

A. It is extremely stressful if your child refuses to come to school, especially if you have other pressures in your life. However, don't be tempted to accept it. Please come and speak with staff at school. Together we may be able to find a solution. If your child isn't attending and you don't contact us, our only recourse is legal action.

Q. My child is being bullied and doesn't want to go to school.

A. We need to work together if you think your child is being bullied. Please read our anti-bullying policy and get in touch with us.

Understanding absence percentages

You may wonder why a school would be concerned if your child's attendance is below 96%. This may make it easier to understand:

95% equates to half a day off every two weeks

90% equates to a day off every two weeks

85% equates to one and a half days off every two weeks

80% equates to one whole day off every week

A secondary age child whose attendance is 80% will have missed ONE WHOLE YEAR of education by the time they leave school

Legislation and guidance

This policy meets the requirements of the guidance working together to improve school attendance from the Department for Education (DfE),

These documents are drawn from the following legislation setting out the legal powers and duties that govern school attendance:

- Part 6 of The Education Act 1996
- Part 3 of The Education Act 2002
- Part 7 of The Education and Inspections Act 2006
- The Education (Pupil Registration) (England) Regulations 2006 (and 2010, 2011, 2013, 2016 amendments)
- The Education (Penalty Notices) (England) (Amendment) Regulations 2013

This policy also refers to the DfE's guidance on the school census, which explains the persistent absence threshold.

Monitoring and Review

This policy will be reviewed by the Safeguarding and Attendance Committee annually. It should be read in conjunction with the Holidays in Term Time Policy.

Date Agreed: Autumn 2026

Date of Review: Autumn 2027

Additional Information

Attendance Contracts – guide for parents

What is an attendance contract?
An attendance contract is a formal written agreement between a parent or carer and the school. An attendance contract may be offered if your child has failed to attend school regularly.

An attendance contract is meant to support you and the school to identify and address the issues surrounding your child's irregular attendance at school and encourage a positive working relationship to improve attendance. The attendance contract is not intended to be a punishment as it is to provide support and offer an alternative to prosecution.

What does it involve?
Everyone signed up to the contract will agree to take certain actions which are realistic and which address the issues of non-attendance for a specified period of time. You might agree to do things like getting your child up on time, signing a daily report card and reporting any difficulties to school as soon as possible. School might agree to inform you if your child does not arrive at school, deal quickly with any problems and involve other agencies that might be able to offer you additional support. The contract will be reviewed regularly.

Do I have to enter into an attendance contract?
Entry into an attendance contract is voluntary but it does provide you with an opportunity to address any underlying issues and to get support to improve your child's attendance at school. If you do take up the offer of an attendance contract and try to comply with it, this may assist your case if the local authority decides to take legal action against you for your child's irregular attendance. If you refuse the offer or don't comply without good reason this may also be presented as evidence.

If you decide not to enter into a contract, you will need to try to find other ways of improving your child's attendance and it may be worth discussing how you intend to do this with the school.

How is an attendance contract arranged?
You will be invited to a meeting in school with a school representative. Depending on their age and understanding, your child can attend part or all of the meeting.
At the meeting you will be asked your views on your child's attendance and whether there are any underlying issues. Try to think about the reasons behind your child's absences, any particular difficulties you are experiencing at the moment and what would help you to improve your child's attendance. Also think about what you can do to improve attendance.

School will explain what support they can offer and whether any other agency might also be able to help you and your child. You will be able to discuss what is expected of both you and the school and then agree the actions that will support improved attendance. If you choose to accept the offer, the final contract will be signed by you and the school representative.

Working together to improve attendance

All partners should work together to:

Expect

Aspire to high standards of attendance from all pupils and parents and build a culture where all can, and want to, be in school and ready to learn by prioritising attendance improvement across the school.

Monitor

Rigorously use attendance data to identify patterns of poor attendance (at individual and cohort level) as soon as possible so all parties can work together to resolve them before they become entrenched.

Listen and understand

When a pattern is spotted, discuss with pupils and parents to listen to and understand barriers to attendance and agree how all partners can work together to resolve them.

Facilitate support

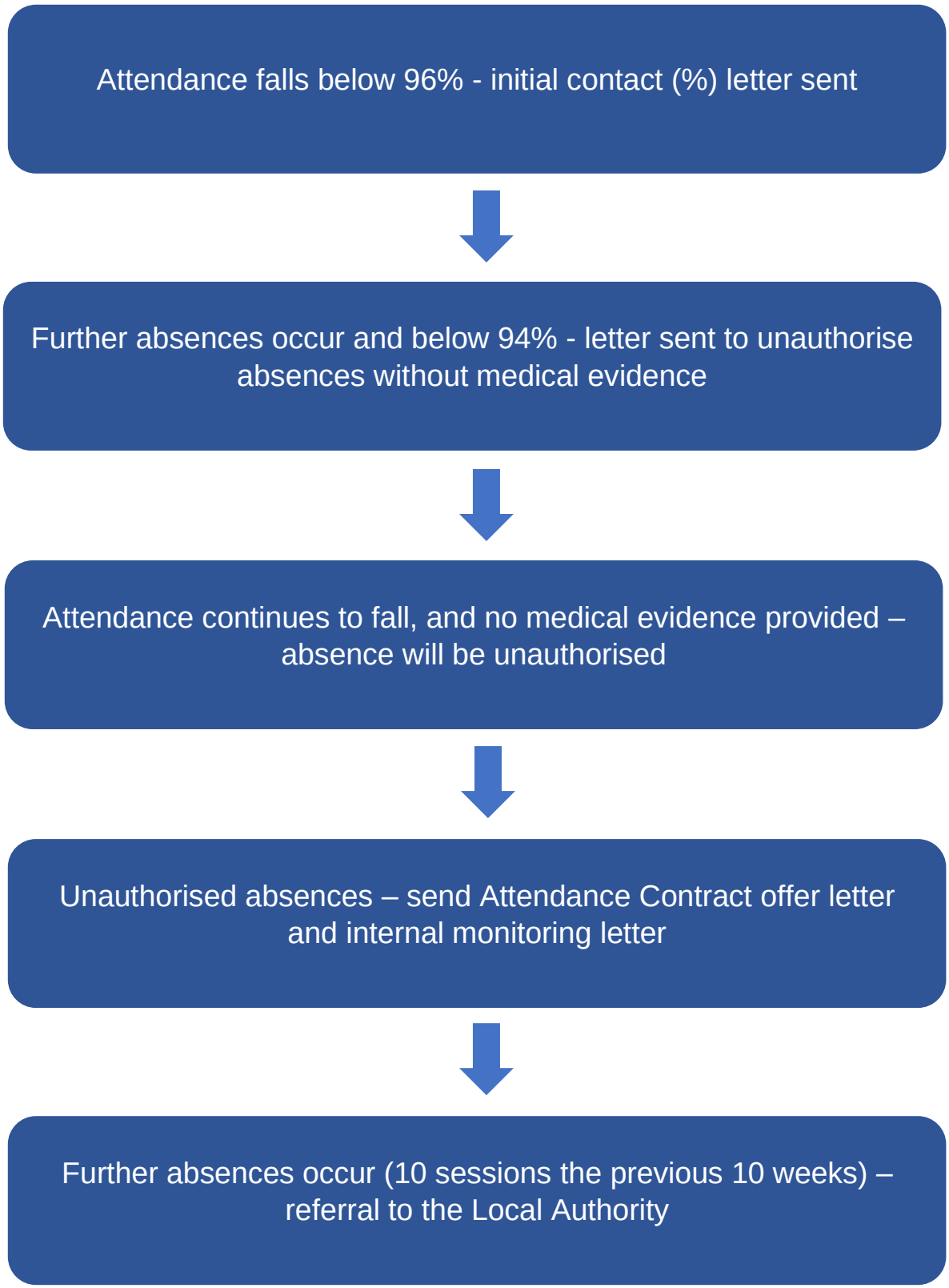
Remove barriers in school and help pupils and parents to access the support they need to overcome the barriers outside of school. This might include an early help or whole family plan where absence is a symptom of wider issues.

Formalise support

Where absence persists and voluntary support is not working or not being engaged with, partners should work together to explain the consequences clearly and ensure support is also in place to enable families to respond. Depending on the circumstances this may include formalising support through an attendance contract or education supervision order.

Enforce

Where all other avenues have been exhausted and support is not working or not being engaged with, enforce attendance through statutory intervention: a penalty notice in line with the National Framework or prosecution to protect the pupil's right to an education.


Attendance falls below 96% - initial contact (%) letter sent
Further absences occur and below 94% - letter sent to unauthorise absences without medical evidence
Attendance continues to fall, and no medical evidence provided – absence will be unauthorised
Unauthorised absences – send Attendance Contract offer letter and internal monitoring letter
Further absences occur (10 sessions the previous 10 weeks) – referral to the Local Authority



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

Section 175 of the Education Act 2002 places a duty on local authorities and governing bodies to have regard to guidance issued by the Secretary of State with regard to safeguarding and promoting the welfare of children and students under the age of 18. The Children Act 1989 provides for a number of actions that can be taken to protect children's safety and welfare, on the premise that the welfare of the child is paramount.