**10.2.2021 Information received from the DfE on the attendance code and how to record a child with an EHCP**

Children deemed to be in the vulnerable group (children with a social worker, children with an EHCP and children deemed vulnerable by the school or LA) have been prioritised to attend school during this lockdown period. Attendance at school is a protective factor and is beneficial for children’s education, welfare and long term development, which is why we encourage vulnerable children to attend so that they can receive support during this period. If parents of vulnerable children do not want their child to attend school, we have made clear that schools should grant a leave of absence given the exceptional circumstances so no pupil is unfairly penalised for their absence. We have also asked schools to follow up on absence by speaking to parents and social workers (where applicable) to explore the reasons for this, to address any concerns raised, and to ensure that the child is safe. The discussions should focus on the welfare of the child and check that the child is able to access appropriate education and support while they are at home.

You asked specifically about the coding of absences for this group of pupils during this period. The Education (Pupil Registration) (England) Regulations 2006, as amended, set out how the attendance register must be completed by schools. At this time, we advise that where a parent of a vulnerable pupil wishes for their child to be absent, schools should grant a leave of absence (code C). Pupils can only be recorded as ‘not attending in circumstances relating to coronavirus -COVID 19’ (code X) if their travel to or attendance at school is contrary to certain public health guidance or law (see here for further details). Because vulnerable pupils have been prioritised to attend school at this time, they cannot therefore be recorded as code X (unless self-isolating, shielding or in quarantine). This was the same approach that we advised schools to adopt for any pupils who were in priority groups but were given leave of absence during the phased reopening of schools following the first national lockdown in Summer term 2020. Schools should keep a record of, and monitor all pupils’ engagement with remote education, but this does not need to be recorded in the attendance register.

Our guidance to schools makes clear that pupils will not be unfairly penalised for absence over this period. The Secretary of State has issued a temporary disapplication notice to suspend the offences related to school absence. Last year, we amended regulations to remove the requirement on schools to report on pupils’ attendance data for the 2019/20 academic year, in recognition of the impact of coronavirus (COVID-19) on possible attendance. We also advised schools to take a proportionate approach in deciding what information to include within pupils’ reports and how this data ought to be used. In light of the disruption to school attendance again this year, we will review and provide further advice to schools about what should be included in pupils’ attendance records in end of year reports.

We are reviewing the implications of the national lockdown for school and college accountability, including how attendance data is reflected in performance tables this academic year. Ofsted inspectors will continue to take schools’ particular context and the wider disruption to education into account when considering attendance as part of inspections.