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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations, which are made under section 63 of the School Standards and Framework Act 1998, require the governing body of a maintained school to secure that targets (“attendance targets”) are set for the reduction in the level of unauthorised absences on the part of day pupils of compulsory school age registered at the school.

The duty to set attendance targets arises only where the Secretary of State has served a notice on the governing body under regulation 4. A separate target has to be set for each of the three school years immediately following the school year in which the notice is given. Details of targets have to be notified to the Secretary of State immediately after they have been set (regulation 3).

A notice served by the Secretary of State has to comply with certain requirements. In particular, a notice may not be served except where the rate of unauthorised absences for the school concerned in each of the two school years preceding service of the notice exceeds the national average rate of such absences by 3 percentage points or more for primary, secondary or maintained special schools (as the case may be) (regulations 4 and 5).

Once an attendance target has been set, it may not subsequently be altered except with the approval of the Secretary of State (regulation 6).

The Secretary of State has discretion to waive the requirement to set an attendance target in respect of a particular school and school year where it is reasonable to do so in view of any special circumstances applying to that school (regulation 7).

Regulations are to be made under section 42 of the School Standards and Framework Act 1998 to require details of attendance targets to be published in the governing body’s annual report.