

**EXPLANATORY MEMORANDUM TO**  
**THE EDUCATION (SCHOOL ATTENDANCE TARGETS) (ENGLAND)**  
**REGULATIONS 2005**

**2005 No.58**

1. This explanatory memorandum has been prepared by the Department for Education and Skills and is laid before the House of Commons by Command of Her Majesty.
2. **Description**
  - 2.1 These Regulations require the governing bodies of all maintained schools in England to agree targets with their local education authority to raise attendance levels for each of the academic years starting in September 2005, September 2006, and September 2007.
3. **Matters of special interest to the Select Committee on Statutory Instruments**
  - 3.1 None.
4. **Legislative Background**
  - 4.1 The current regulations were set in 1999 and subsequently amended in 2001. At that time the Department's focus was on reducing unauthorised absence and the regulations empowered the Secretary of State to serve a notice on individual schools to set targets to reduce unauthorised absence.
  - 4.2 On the advice of schools, local education authorities and other groups, the Department has changed its focus to reducing all absence thereby increasing the opportunities for all school age children. Consequently, changes were made to the primary legislation enabling the target setting regulations for all absence.
  - 4.3 These regulations replace the 1999 regulations and introduce a requirement for schools to agree with their local education authority targets for all absence rather than unauthorised absence.
5. **Extent**
  - 5.1 This instrument applies to England.

## **6. European Convention on Human Rights**

Not applicable.

## **7. Policy background**

7.1 The regulations currently in force enable the Secretary of State to require schools whose absence rate exceeds the national average to set targets to reduce unauthorised absence levels. They were made against a background in which the Government wanted to focus the attention on schools with high levels of unauthorised absence and reducing those levels..

7.2 The Government has modified its approach to focus on school attendance generally because evidence indicates that absence can have an adverse effect on attainment. It seeks to give early support to schools before attendance problems become serious. As part of this approach, the Department is seeking to focus all schools' and local education authorities' attention on attendance levels and the need to improve them.

7.3 The new regulations are linked to a previously announced Government Public Service Agreement target to reduce all absence by 8% on 2002/3 levels by the end of 2007/8. Local education authorities are already required to set attendance targets.

## **8. Impact**

8.1 A Regulatory Impact Assessment has not been prepared for this instrument as it has no impact on business, charities or voluntary bodies.

8.2 The impact on the public sector is minimal. This is an annual exercise for schools which many are already undertaking as part of their effective attendance practice. It will support the work of LEAs to set their own attendance targets.

## **9. Contact**

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