

6<sup>th</sup> September 2018.

Dear Parent/Carer,

### **Attendance at school and legal intervention**

[Research](#) commissioned by the Department for Education shows missing school for even a day can mean a child is less likely to achieve good grades, which can have a damaging effect on their life chances. At [insert school name] our aim is to work with parents to ensure that all our pupils receive the most from their education and reach their full potential.

This letter is to remind all parents/carers that the law that requires them to ensure that their child attends school regularly. The Government remains very clear that no child should miss school apart from in exceptional circumstances and schools must continue to take steps to reduce absence to support children's attainment.

The Local Authority operates a system where any pupil will meet the criteria for legal intervention through the issue of a Fixed Penalty Notice where they have:

1. 10 consecutive sessions<sup>1</sup> of unauthorised absence where some or all of the absence may be attributed to an unauthorised holiday in term-time (for absences from 1 September 2017); or
2. 15% unauthorised absence over a period of 6 school weeks for reasons other than unauthorised term time holiday.

Any pupil at Gaywood Primary School who meets either of the criteria, will be referred to the Local Authority for action to be considered.

If a Fixed Penalty Notice is issued it is a fine of £60 per parent per child which must be paid in one payment within 21 days. If a Notice is unpaid within 21 days, the fine will double to £120 per parent per child if paid within 28 days. If a fixed penalty notice fine is not paid in full within the timescale set out above, the Local Authority is required to start legal proceedings against the parent(s) in the local Magistrates' Court for the offence of failing to ensure their child has attended school regularly.

I hope we can count on your support in this matter, please do not hesitate to contact me if you have any questions.

Yours sincerely

Head Teacher

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<sup>1</sup> Please note that the school day consists of 2 sessions.

## Leave of absence during Term Time

You are required under the Education Act (1996) to ensure your child attends school regularly. There is however, a discretionary power to allow leave of absence in exceptional circumstances during term time. This is not an entitlement and purely at the discretion of the school's head teacher. Schools should not authorise absences if they believe it is to the detriment of a student's education or if the absences are during school exam periods and SAT's.

Before completing this application, we would advise that you consider very seriously how the absences will affect your child's education. National statistics show 10 days absence in any academic year does have a negative effect on attainment. Schools are not obliged to provide work for students taking leave of absence; however, some schools may choose to do this.

The government advises that any refusal of leave of absence must be recorded as unauthorised by the school on the student's records. As you may be aware unauthorised absences may result in legal proceedings against you either through a Fixed Penalty Notice or the Magistrates' Court.

**Discuss with the school any request for leave of absence prior to making a booking. Your child's school may have a designated person for this. It is the parent/carers responsibility to ensure you receive confirmation from the school before the leave is taken. Do not assume permission is granted if you have not received written confirmation.**

### Fixed Penalty Notices

With the implementation of the Anti-Social Behaviour Act (2003) the Local Authority has statutory powers to use Penalty Notices to help tackle irregular school attendance and unauthorised absences. An unauthorised absence is any absence that the school has not given permission for or the parent/carer has been unable to provide a reason for the absence, which is acceptable to the school.

**The school will discuss with the Local Authority any cases of unauthorised absence and whether the issuing of a Penalty Notice would be appropriate. A Penalty Notice is an alternative to a prosecution to the offence and can be issued when it is felt that parents/carers are failing in their legal responsibility to ensure their child attends school regularly.**

**The penalty is in the form of a £60 fine per parent/carer per child payable within 21 days, this increases to £120 payable per parent/carer per child within 28 days. Failure to pay usually results in prosecution in the Magistrates' Court.**

\*(Academic year =school year from September to July)