



14<sup>th</sup> August 2024

Dear Parents and Carers

### **Important changes to the Law regarding unauthorised absences**

A new National Framework for Penalty Notices for school absence, including unauthorised holiday absence, is being introduced following changes to the law. These new Government regulations will come into effect from **19<sup>th</sup> August 2024** and will affect when penalty notices are issued.

#### **What are the changes?**

1. There will be a new National threshold of 10 unauthorised sessions for any reason (the equivalent to 5 school days) within a rolling 10 school week period for when a penalty notice **must** be considered.
2. The new rules mean you will no longer be able to take your child out of school for one week's holiday without a penalty notice being issued.
3. There will be an increase in the penalty fine from £60 to £80 if paid in 21 days. If the fine is not paid by the first 21 days, it will rise to £160 if paid within 28 days of being issued.
4. If a second penalty fine is issued to the same parent for the same child within a 3-year rolling period, the fine will automatically rise to £160 with no option to pay the lower rate of £80.
5. If a parent then commits a third offence in a 3-year rolling period, the local authority will need to consider other enforcement options available to them,

If you want to check the term dates for 2024-25, please click on the following link - <https://www.stahigh.org/school-life/term-dates/>.

Please see the FAQs below with more information about how the new rules may affect you.

If you have any questions regarding your child's attendance during next academic year, please contact any of the following members of staff below:

- Ms C Mortier – Attendance Officer – [cmortier@stahigh.org](mailto:cmortier@stahigh.org)
- Ms J Brady – Pastoral Year Coordinator Year 7 – [jbrady@stahigh.org](mailto:jbrady@stahigh.org)
- Mr Daley – Pastoral Year Coordinator Year 8 – [mdaley@stahigh.org](mailto:mdaley@stahigh.org)
- Ms Juy – Pastoral Year Coordinator Year 9 – [sjuy@stahigh.org](mailto:sjuy@stahigh.org)
- Ms L Alexander-Joseph – Pastoral Year Coordinator Year 10 – [lalexander-joseph@stahigh.org](mailto:lalexander-joseph@stahigh.org)



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- Ms S Toone – Pastoral Year Coordinator Year 11 – [stoone@stahigh.org](mailto:stoone@stahigh.org)
- Ms S Donnellan – Pastoral Year Coordinator Sixth Form - [sdonnellan@stahigh.org](mailto:sdonnellan@stahigh.org)

I would like to thank all Parents and Carers in advance for their support in ensuring that their child(ren) do not miss any valuable learning time.

Yours Sincerely



Ms Rachel Kelly

Head of High School

St Augustine's CE High School

Please see the FAQs below with more information about how the new rules may affect you.

**Q1. If I have been issued with a penalty notice before 19<sup>th</sup> August 2024, will this be counted if I am issued with another penalty notice from September onwards?** No, the new limits come into effect from 19<sup>th</sup> August 2024.

**Q2. If I have already booked a holiday for next year, could I receive a penalty fine at the new higher rate?** Yes. Only a Headteacher can agree whether an absence can be authorised in exceptional circumstances.

**Q3. Who can be issued with a penalty notice?** Each parent can receive a fine for each child who has had unauthorised absence from school.

**Q4. Do the new rules only apply to holidays during term time?** No, it applies to all unauthorised absence from school including holidays. Unauthorised absence includes any other absence that has not been agreed, such as truancy, arriving late after the register has closed and failing to provide reasons for absence.

**Q5. How do I request for my child to have leave granted during term time?** You must submit an Absence Request Form at least 20 days before the proposed absence. It will be for the Headteacher to decide as to whether there are exceptional circumstances that will allow them to grant the time off. If you have had absences within a 2-year period which are like the absence request, this may result in your request being declined. Do not assume that your absence request will be granted until you have received confirmation from the school.



**Q6. Do the 10 sessions of unauthorised absences have to be taken all at the same time before a penalty fine is issued?** No. A penalty fine can be issued for any combination of unauthorised absences over a 10-school week rolling period. This can be consecutive, non-consecutive and can span over two terms or two academic years.

**Q7. What happens if I am issued with a penalty fine and I don't pay it?** Unauthorised absence from school is an offence under s444 of the Education Act 1996. A penalty fine is an opportunity for you to settle out of court. If you don't take this opportunity, you can be prosecuted for the offence of failing to ensure your child regularly attends school.

### Summary

**Per Parent, Per Child** – Penalty Fines are issued to each parent, for each child that was absent. This can include carers, stepparents, grandparents or any other adult with parental responsibility.

**National Threshold** – A Penalty Fine must be considered by all schools when 10 sessions (Equivalent 5 days of school) of unauthorised absence have occurred within a rolling 10 school week period.

- **First Offence** - £160 per parent, per child paid within 28 days or £80 per parent, per child paid within 21 days.
- **Second Offence** - £160 per parent, per child within 28 days.
- **Third Offence and any other offences (within 3 years)** - Case will be presented to the Magistrates Court. Prosecution can result in criminal records and fines up to £2500, a community order or imprisonment up to 3 months. Cases found guilty in Magistrates Court can show on the parent's future DBS certificate due to 'failure to safeguard a child's education.'



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