

Dear Parent/Carer

2<sup>nd</sup> September 2024

Re: National Framework for Penalty Notices for school absence

I am taking this opportunity to write to inform you of some important changes the Department for Education is introducing regarding school attendance and the issuing of penalty notices when children are absent from school. A new National Framework for Penalty Notices has been being introduced. The new regulations will come into effect from the 19th of August 2024. The aim is to improve consistency in the use of penalty notices across England.

The national framework includes:

- A single consistent national threshold for when a penalty notice must be considered of ten sessions (usually equivalent to five school days) for any unauthorised absence within a rolling ten school week period. The 10-week period may span different terms or school years. For example, two sessions of unauthorised absence in the summer term and a further eight during the autumn term.
- An increase to the rate of a penalty notice from £120 to £160 if paid within 28 days and £60 to £80 if paid within 21 days. If a second penalty notice is issued to the same parent for the same child within a rolling three-year period, the notice will be charged at the higher rate of £160 with no option for this second offence to be discharged at £80.
- A national limit of two penalty notices that can be issued to a parent for the same child within a rolling three-year period, so at the 3<sup>rd</sup> (or subsequent) offence(s) another tool must be considered (such as prosecution or another attendance legal interventions).
- This means that if you have applied for a leave of absence to take place from September 2024 and the school has not agreed to authorise it, you may receive a penalty notice at the level prescribed by the new framework.

Please be aware that new legislation does not allow schools to authorise any holidays in term time or authorise leave retrospectively.

We believe that good attendance is essential to support your child in getting the most out of their education and we thank you for your continued support.

If you have any concerns about your child's attendance, please don't hesitate to contact the school who will be able to offer support for your child and family.

Yours sincerely,

Mr Hill



Principal

### FREQUENTLY ASKED QUESTIONS

#### **Why has the Department for Education brought in a National Framework for penalty notices?**

There was concern that penalty notices (sometimes called fines) were being issued inconsistently across the county with some Council's issuing multiple penalty notices to a family within a year and some issuing



none at all. This created a postcode lottery for families, so the framework has been introduced to ensure more fairness and consistency.

### **What is a penalty notice?**

A penalty notice allows parents to discharge an offence by paying a one-off penalty without the matter being referred to court where they could receive fines of hundreds of pounds and a criminal record.

### **I've already applied for authorisation of leave this term but for a holiday in September 2024. If the school don't authorise the leave, will I have to pay £80 or £60, as I applied this academic year?**

The new law will require any unauthorised absence from 19th August 2024 to be dealt with under the new regulations so it would be £80 for each child and each parent. For a family of four with two children, that would amount to £320 if paid within 21 days of receiving the penalty notice. If paid between day 22 and 28, it would be £640.

### **What if I have a family emergency or bereavement abroad?**

Unexpected family emergencies do happen unfortunately and can be very upsetting. However, parents must notify the school themselves of the absence as soon as possible as messages from friends or relatives who don't have parental responsibility may not be accepted. Schools are not allowed to authorise leave retrospectively. Notifying the school doesn't mean the absence will be authorised though. In the case of a family emergency or bereavement abroad, parents are strongly encouraged to request authorisation from the school and ensure absence is no longer than 5 school days. The final decision about authorisation sits entirely with the Headteacher.

### **What if I receive a penalty notice and don't pay it?**

The law states that the local authority must withdraw the penalty notices and prosecute the parents in court where they could each receive £1000 fine, a parenting order, a criminal record and various costs awarded against them.

### **What happens if I pay a penalty notice for unauthorised leave next term but then take the children on another holiday the following year?**

The new framework means that for a second offence within a three-year period, the discount of £80 per parent for each child won't apply. For a family of four with two children, that would amount to £640. A third period of unauthorised absence within a three-year period means that the local authority will be unable to issue another penalty notice and may instead refer the matter directly to Court.

### **I want to visit family abroad for six weeks next year. If the school doesn't authorise the absence, will I be issued with a penalty notice?**

Any level of absence can have a serious impact on children's education, but lengthy absence can be particularly devastating. For that reason, it's unlikely that a penalty notice will be issued, and the matter may be referred directly to the Court instead.

### **What is 'good attendance' and why is it so important?**

Generally good attendance is considered to be at least 96% for most children. Some parents think 90% attendance is good but that means a child will have missed at least 200 lessons over a year, lessons that will never be repeated. Since the pandemic, attainment and progress levels in schools have deteriorated along with attendance levels. This could mean that children today may leave school unable to be as competitive in the jobs market, so its important children attend school as much as possible.



Absence from school of any length can also have a negative impact on children's wellbeing, including their mental health. Worries about not being able to catch up, not understanding lessons, or impacts on friendships are all common in children who are absent from school.

Children are sometimes absent due to genuine extreme physical or mental health needs, requiring support. In those circumstances, attending school as often as they can be acknowledged and celebrated.

**I'm struggling to get my child to school. What help is available to me?**

We have staff trained in early help, special needs and mental health. Please contact the school and ask for a meeting to discuss your concerns.

**My child has special needs and has lots of hospital appointments which I have evidence for. Will I receive a penalty notice?**

No. Penalty notices can only be issued where there is unauthorised absence, and those absences will be authorised. If your child is going to school as often as possible as you are working in partnership with the school, you will be doing the best you can to ensure your child gets a good education despite the circumstances.

**What happens to the money for penalty notices when they are paid?**

Currently the law requires penalty notice revenue to be spent on the administration of penalty notices which generally means, for example, any online payment software, electrical equipment such as laptops for issuing penalty notices and staffing costs. From 19th August 2024, local authorities will be able to use the revenue to support school attendance more widely, including promotional materials, etc. Penalty notice revenue must be ringfenced for attendance and cannot be used for wider council funding.