

Head Teacher:
Mr. P. Robinson, B.A (Jt. Hons) P.G.C.E.

4th September 2024



Birley Street, Newton-le-Willows,
Merseyside WA12 9UR
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Dear Parents and Carers,

IMPORTANT CHANGES TO THE LAW REGARDING PENALTY NOTICES FOR UNAUTHORISED ABSENCE FROM SCHOOL

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 August 2024, and we wanted to bring this to your attention now, as it will affect when penalty notices are issued in St Helens.

What are the changes?

1. There will be a new national threshold of **10 unauthorised sessions** for any reason (equivalent to 5 school days) within a rolling 10 school week period for when a penalty notice must be considered. **Please note that unauthorised sessions also include being late for school.**
2. The new rules mean you will no longer be able to take your child out of school for one week's (5 days +) 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.

FAQs

If I have already booked a holiday for next year for 10 sessions or over, will I receive a penalty fine?

- **Yes. Any unauthorised absence over 10 sessions or more are subject to fines, even though it may have been booked prior to the change in legislation.** Remember, only a Head Teacher can agree exceptional circumstances. Holidays, travelling to sports events, weddings, going to concerts and so on, are not classed as exceptional.

Who can be issued with a penalty notice?

- Each parent can receive a fine for each child who has had unauthorised absence from school. For example, if you take two children out, you will be fined four times, two for each parent. This could amount to £640 if not paid within 21 days.
- In education law, anyone who lives with a child and who has day-to-day care of the child is also considered to be a parent whether they are the biological parent or not. For example, this will include step-parents and partners.

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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 other absence that has not been agreed such as truancy, arriving late after the register has closed and failing to provide reasons for absence.

How do I request for my child to have leave granted during term time?

- You must submit an Absence Request form before the proposed absence. It will be for the Head Teacher to decide as to whether there are exceptional circumstances that will allow them to grant the time off. Do not assume that the absence will be granted until you have received confirmation from the school.

Do the 10 sessions of unauthorised absence have to be taken all at the same time before a penalty fine is issued to the parent/Carer?

- No, a penalty fine can be issued for any combination of absences over a 10-week rolling period. They can be consecutive or non-consecutive and can span over two terms.

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's regular attendance.

What should I do if I am worried about my child's attendance?

- In the first instance you should contact school (Mrs Colley) and ask for advice on how we can support you to improve the situation. You can also contact the school Education Welfare Officer who monitors St Peter's attendance.

Who issues the fines?

- The fines will be issued by St Helens Council

What if I go away for less than 10 sessions, but ring in sick for the rest of the time, claim travel delays or children are too tired to come in?

- The school is required to ask for proof of booking (with dates) to confirm that the parents/carers are not avoiding fines by the methods stated. If school do not receive the proof of booking, any absences will be unauthorised and a FPN will be issued.

St. Peter's

Church of England Primary School



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- Please be aware that children talk to their friends and teachers about day trips to Alton Towers, visits to Lapland and so on, even when the phone call in the morning states that they are unwell. With this evidence, the school has grounds to check holiday booking forms to confirm the dates. A home visit may also take place by the School Education Welfare Officer.

Yours sincerely

A handwritten signature in black ink, appearing to be "P. Robinson".

P ROBINSON
Headteacher