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Part of the
Fierté Multi-Academy Trust



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Dear Parents,

In summary:

In February 2024, the Department for Education published ***Working Together to Improve School Attendance***. Chapter 6 lays out the changes to issuing penalty notices.

The changes to the law are introduced through the Education (Penalty Notices) (England) (Amendment) Regulations 2024 and will come into effect from 19th August 2024. This means that any unauthorised leave taken after this date will be dealt with under the new regulations.

The changes to the regulations are significant, so it is important you understand them and consider the consequences before taking leave in term time.

The revised guidance from the Department for Education introduces a new national threshold of 10 sessions (5 days) of unauthorised absence in a rolling 10 school week period for triggering fixed penalty notices from local authorities.

This is intended to provide a consistent approach across England for issuing fines to parents over unauthorised absences.

New two penalty notice limit in a three-year period

The three-year rolling period starts when the first penalty notice is issued after the 19th of August 2024.

The first Penalty Notices for leave in term time will increase to £160 per parent, per child but can be reduced to £80 per parent per child if paid within 21 days.

If a second penalty notice is issued within three years of the first penalty notice, then this will be at a fixed rate of £160 per parent per child, with no reduction for early payment.

A third penalty notice **cannot** be issued within the three-year period; therefore, the county council will deal with any further unauthorised leave through prosecution in the Magistrates Court. If the parent is found guilty, the potential fine is up to £1000.

Penalty Notices issued for unauthorised absences taken before 19th August 2024 will not be included in the three-year period. However, all penalty notices issued for any reason connected to unauthorised absences after 19th August 2024 will be counted in the three-year period.

National threshold for issuing penalty notices

You may have heard about the new national threshold for issuing penalty notices, which has been set at 10 sessions (5 school days) of unauthorised absence in a rolling period of 10 school weeks.

However, if in an individual case the local authority believes a penalty notice would be appropriate, they retain the discretion to issue one before the threshold is met.

For example - where parents are deliberately avoiding the national threshold by taking several term time holidays below threshold, or for repeated absence for birthdays or other family events.

It is important you know that in the new regulations, when school becomes aware that the threshold has been met, we are expected in every case to consider whether to request the county council issue a penalty notice.

Therefore, we will continue to notify the county council of all unauthorised leave in term time that meets the threshold of 5 school days, and any below this threshold that could be considered if it falls within their discretionary powers to issue one.

How would this impact families at Dosthill if it was law now?

If we take the rolling ten weeks from 11/03/2024 to 07/06/2024 there are potentially 19 families who would be in receipt of a penalty notice – and whilst many of these would be for term-time holiday – some would fit the category of 10 unauthorised sessions within the rolling 10-week period. This could be a combination of unexplained (and therefore unauthorised) absences and records showing pupils who arrive late after the register is closed. Arriving late after the registers close results in a ‘U’ code being recorded on the register, which counts as an unauthorised session. At Dosthill, this will be any arrival after 9:05am from September 2024.

Persistent and Severe Absence

From August 2024, the definition of persistent absence in England's schools will be:

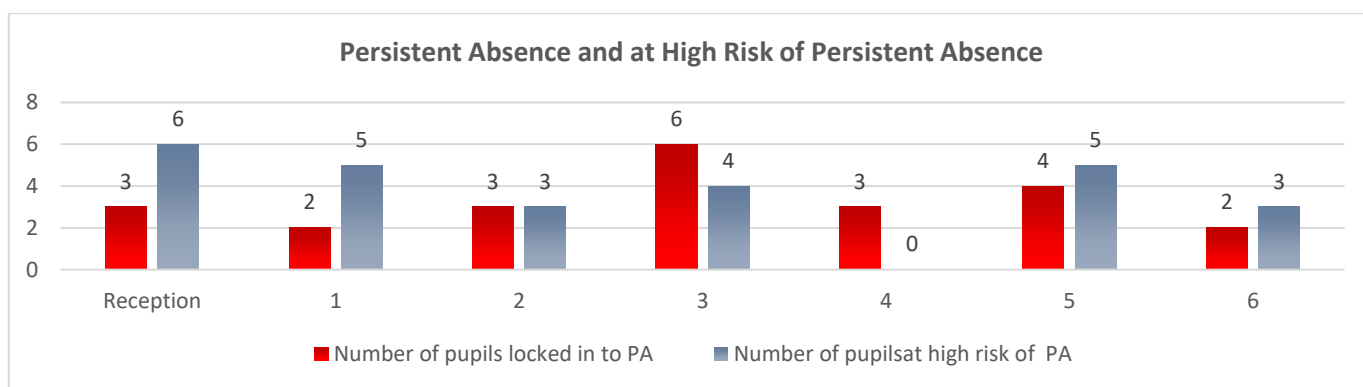
- **Persistent absence: Missing 10% or more of possible school sessions – this equates to 38 sessions (19 days) or more within the academic year.**

Additionally, there will be a new category of severe absence defined as:

- **Severe absence: Missing 50% or more of possible school sessions – this equates to 190 sessions (95 days) or more within the academic year.**

This aims to ensure schools act sooner to address high levels of absenteeism and its impact on learning.

Persistent Absence at Dosthill Primary Academy (up to and including 10/06/2024):



Some absences are unavoidable – a long period of illness and convalescence, an on-going medical need, a particular educational need or disability that requires a lot more planning and support.

Other cases are less easy to categorise – and we need to engage with individual families to understand and support improving attendance.

Yours sincerely,

David Shakeshaft (Executive Headteacher)