



East Markham County Primary School
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Dear Parents / Carers,

Attendance: Important Changes to the Law

A new National Framework for Penalty Notices for school absence, including unauthorised holidays, has been introduced nationally following changes to the law. These new Government regulations came into effect over the summer and mean that unauthorised absence taken from September 2024 and meeting the criteria stated below will be subject to a fine.

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.
2. The new rules mean you will not be able to take your child out of school for a holiday lasting a week or longer without a penalty notice being issued.
3. The penalty fine is charged at £80 per child, per parent if paid within 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, including court action.

We understand that introducing fixed penalty notices for unauthorised absence is a significant change for parents and carers at East Markham Primary School, something that we have previously not implemented at our school. However, this new approach is a Government requirement which has been implemented to maximise learning time for all of the children. We have included some FAQs on the following page, however please do not hesitate to get in touch if you have any further questions.

We would like to thank all of our families for their support in making sure that every child attends school, ensuring that they have the opportunity to reach their full potential.

Kind Regards,
Suzanne Johnstone & Laura Duggin
Co-Head Teachers



FAQs

If I have already booked a holiday for next year, could I receive a penalty fine at the new higher rate?

Yes. Holiday during term time can not be authorised under any circumstances.

Who can be issued with a penalty notice?

Each parent can receive a fine for each child who has had unauthorised absence from school.

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.

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 at 8:45am and failing to provide reasons for absence.

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

If you are planning to take your child out of school for any reason you must complete a 'Leave of Absence' form, available from the school office. Once you have completed the form, we will confirm whether or not the absence has been authorised. Please remember that under no circumstances can holidays be authorised.

Will I receive a fixed penalty notice if my child's general attendance is low?

We want to avoid children becoming 'persistently absent' (below 90%). Interventions will be put in place when your child's attendance becomes 'at risk' of becoming PA. This may include supportive parent meetings. Being persistently absent may make you liable for fines or school attendance referrals. If your child is absent from school and is at risk of becoming persistently absent (at risk of falling below 90%) you will be required to provide medical evidence for your child's absences. This way, we can make sure absences are authorised.

What if I tell school that my child is unwell when we are on holiday to avoid a fixed penalty notice?

If school have any reason to suspect that your child is on holiday, we are obliged to impose a fixed penalty notice. It would then be the responsibility of parents/ carers to prove otherwise.

