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Important Information Regarding Absence and Penalty Notices

Dear parent/carer

I am writing to you to make you aware of important new changes to Staffordshire's Attendance policy which is effective from 19th August 2024.

In February 2024, the Department for Education published Working together to improve School Attendance. Within this document, in Chapter 6, it 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 19 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 to ensure all parents understand them, so you can consider the consequences before taking leave in term time.

New two penalty notice limit in a three-year period

The three-year rolling period starts for parents when the first penalty notice is issued to them after the 19th 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.

Please note that if a parent books a holiday now to take place after the 19th August 2024, they will be dealt with in line with when the actual unauthorised leave from school occurs, not the date of the booking. If the penalty notice is not paid within the given period, the county council with prosecute for the original offence to which the notice applies.

To clarify in terms of the three-year period, Penalty Notices issued for unauthorised absences taken before the 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 the 19th August 2024 will be counted in the three-year period, even if they are not paid by the parents. The only penalty notices not counted in the three-year period will be those withdrawn by the county council due to an error related to them been issued.

National threshold for issuing penalty notices – 10 Sessions (5 school days).

Parents 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 know that in the new regulations when a school becomes aware that the threshold has been met, they are expected in every case to consider whether to request the county council issue a penalty notice. Therefore, schools are obliged to notify Staffordshire of all unauthorised leave in term time that meets the threshold of 5 school days, and any below this threshold that is it is believed may require Staffordshire's discretionary powers to issue one.

New code of conduct for issuing penalty notices.

Staffordshire will publish a new code of conduct for issuing penalty notices in August 2024 to coincide with the new regulations coming into force. This will contain the details of how the penalty notices will be issued and other uses of penalty to improve attendance.

At Five Spires Academy our key priority is to ensure that every child is as successful as possible and can achieve their full potential. In line with Local Authority and Government policy, please ensure that leave is planned to take place during the 13 weeks of school holidays, except in exceptional circumstances.

Yours sincerely

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Headteacher