



Roskear Primary and Nursery School

Learning together for a better future

Monday, 08 July 2024

Dear Parents and Carers,

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

We wish to inform you of changes in the National Framework for Penalty Notices for school absence, including unauthorised holiday absence. Following recent legal amendments, these new regulations will become effective on 19 August 2024 and will change how penalty notices are issued in Cornwall.

What are the changes?

1. There will now be a national threshold of **10 unauthorised sessions** for any reason (equivalent to 5 school days) within any rolling 10-school-week period when a penalty notice must be considered.
2. Under the new rules, taking your child out of school for a one-week holiday (10 school sessions) will now mean that a penalty notice must be considered.
3. The penalty fine has increased from £60 to £80 if paid within 21 days. If not paid within 21 days, the fine will increase to £160 if settled within 28 days.
4. If a second penalty fine is issued to the same parent/s for the same child within a 3-year period, the fine will automatically rise to £160 with no option to pay the lower rate of £80.
5. For a third offence within a 3-year period, the local authority will explore other enforcement options. This could include prosecution.

Please see the FAQs overleaf for more information about how the new rules may affect you.

We would like to thank parents and carers for their support in ensuring that children do not miss any valuable learning time. For more information, please contact me via the school office.

Yours sincerely,

Nic Furnish
Headteacher

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FAQs

If I received a penalty notice before the 19th August 2024, will it count if another notice is issued after September 2024?

No, the new limits come into effect from 19 August 2024.

If I have already booked a term time holiday for next year, will I be fined at the new rate?

Yes, if the absence is not authorised by your child's Head Teacher. Only a Head Teacher can authorise an absence in exceptional circumstances.

Who can be issued with a penalty notice?

Each parent can receive a fine for each child with unauthorised school absences. Legally, anyone living with the child and responsible for their day-to-day care is considered a parent, including step-parents and partners.

Do the new rules only apply to holidays during term time?

No, they apply to all unauthorised absences from school, not just holidays. This includes truancy, arriving late after the register has closed, and failing to provide a reason for absence.

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

Submit an Exceptional Circumstances / Absence Request form at least 4 weeks before the planned absence. The Headteacher, in partnership with the Safeguarding and Attendance leads will decide if the circumstances are exceptional enough to grant leave. Wait for confirmation from the school before assuming the leave is approved.

Do the 10 unauthorised sessions need to be consecutive to issue a penalty fine?

No, from the start of the new school year, the sessions can be any combination of absences over a 10-week rolling period, consecutive or non-consecutive, and may span across two terms, including different academic years.

What if I don't pay the penalty fine? Unauthorised school absence is an offence under Section 444 of the Education Act 1996. The fine allows you to settle out of court. If unpaid, you can be prosecuted for failing to ensure your child's regular attendance.

What should I do if I am concerned about my child's attendance? Contact the school for advice on how we can help you improve your child's attendance.

More information is available at:

DfE: Working together to improve school attendance

<https://assets.publishing.service.gov.uk/media/65f1b048133c22b8eecd38f7/>

[Working together to improve school attendance applies from 19 August 2024 .pdf](#)