

Dear Parents / Carers

Re: Important Department for Education (DfE) Changes to Leave of Absence Requests / Penalty Notices

I am writing to you to outline important changes in the statutory attendance guidance from the DfE, which comes into effect **from 19th August 2024**. This updated guidance is part of the government's efforts to increase the national rate of attendance that has been falling considerably since Covid.

The aim of the strategy is to reduce the number of **Leave of Absence** requests and **unauthorised absences** and will involve the introduction of an updated national framework for the issuing of Penalty Notices, with two main changes:

- **An escalation process for repeat offences**
- **An increase in the amount of the fines, which have remained consistent since 2012.**

Further detail is provided about this below. It is really important that all parents take the time to read this.

Understanding Unauthorised Absences

As previously, there is very specific guidance about when a Leave of Absence can be granted by a school. All schools can grant a leave of absence for **exceptional circumstances** at their discretion. In the case of schools maintained by local authorities, it must be requested in advance by a parent who the pupil normally lives with. Schools are then expected to consider each application individually taking into account the specific facts and circumstances and relevant background context behind the request. If a leave of absence is granted, it is for the school to determine the length of the time the pupil can be away from school.

The fundamental principles for defining '**exceptional**' are rare, significant, or unavoidable which means the event could not reasonably be scheduled at another time. **There are no rules on this**, as circumstances vary from school to school and family to family. There is however, no legal entitlement for time off in school time to go on holiday **and in the majority of cases holiday will not be authorised**. The following circumstances would also not be considered **exceptional**:

- Shopping trips
- Birthdays
- Looking after siblings
- Sickness of a parent
- Problems with transport
- Refusing to come to school
- 'Mental Health' days (we can support pupils in school)

Parents/Carers wishing to apply for leave of absence need to fill in an application form available from the school office / website in advance **and before making any travel arrangements**.

If term time leave is taken without prior permission from the school, the absence will **be unauthorised**.

Unauthorised absence marks are also received when a child is late after the register closes. At **School name** this is at **time**.

Understanding Penalty Notices

The threshold for Penalty Notices has not changed. Penalty Notices are issued to parents as an alternative to prosecution when the national threshold for issuing has been reached. The threshold is **10 sessions (5 days) of unauthorised absence in a rolling period of 10 school weeks**.

As has been the case previously, parents will be warned of the likelihood of a Penalty Notice being issued for unauthorised absence either via a letter, through the Leave of Absence request form, or through the schools attendance policy and website. The Penalty Notice is a fine that is issued to **each parent / carer who condoned (or was responsible for the child) during the period of unauthorised absence** for which the fine has been issued.

N.B. This could mean four Penalty Notices for a family with two siblings both with unauthorised absence for holiday i.e. one Penalty Notice for each child to each parent.

New Escalation Process in the Case of Repeat Offences

The part of the process which has changed is a new '**Escalation Process**'. A Penalty Notice is an out of court settlement which is intended to change behaviour without the need for criminal prosecution. If repeated Penalty Notices are being issued and they are not working to change behaviour they are unlikely to be most appropriate tool. Therefore, from 19th August 2024, **only 2 Penalty Notices** can be issued to the same parent in respect of the same child within a 3 year rolling period and any second notice within that period will be **charged at a higher rate**:

- The **first Penalty Notice** issued to a parent in respect of a particular pupil will be charged at **£160 if paid within 28 days**. This will be reduced to **£80 if paid within 21 days**.
- A **second Penalty Notice** issued to the same parent in respect of the same pupil is charged at a flat rate of **£160 if paid within 28 days**.
- A **third Penalty Notice cannot be issued** to the same parent in respect of the same child within 3 years of the date of issue of the first. In a case where the national threshold is met for a third time (or subsequent times) within those 3 years, alternative action will be taken instead. This will often mean prosecution and having to attend court, **with a possible fine of up to £2,500**.

This escalation process applies, **even where a child moves school**.

There is no right of appeal by parents against a Penalty Notice.

These new rules will come into force **for any offences that begin on or after 19th August 2024**. For offences which begin before this date, the old rates of £60 if paid within 21 days / £120 if paid within 28 days will apply. Penalty Notices for offences which begin before this date or have already taken place will not count towards the escalation.

Further information can be found on the DfE's Education Hub using the link below;

[DfE Education Hub - fines for parents taking children out of school - what you need to know](#)