



KING EDWARD VI SCHOOL LICHFIELD

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Headteacher: Ms J Rutherford BA (Hons)

15<sup>th</sup> July 2024

### Changes to issuing penalty notices for leave in term time.

Dear Parents and Carers,

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. However, for clarification if the unauthorised leave took place prior to this date, but school didn't receive the notification from you until after the 19<sup>th</sup> August 2024 then it will still be dealt with under the previous regulations.

The changes to the regulations are significant so it is important that you read this letter carefully to ensure you understand them, so you can consider the consequences which will apply 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 19<sup>th</sup> 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.**

If a parent books a holiday now to take place after the 19<sup>th</sup> 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 will 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 19<sup>th</sup> of 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 19<sup>th</sup> 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.**

Parents may also 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 that you are clear that in the new regulations, when we as a school become aware that the threshold has been met, we are expected in every case to consider whether to request that the county council issue a penalty notice. Therefore, the Local Authority will continue to ask Attendance Leads within our setting to notify them of all unauthorised leave in term time that meets the threshold of 5 school days, and any below this threshold that we as a school want the Local Authority to consider.

**From August 19<sup>th</sup> 2024, our attendance policy will therefore be updated to include the new statutory, government guidance “Working Together to Improve School Attendance”. You will be able to view this on our school website.**

We always aim to work collaboratively with all our families and students. Therefore, if you are facing any challenges with your child’s attendance or punctuality, please do not hesitate to contact [office@keslichfield.org.uk](mailto:office@keslichfield.org.uk) and we will be happy to discuss any concerns you may have and resolve any issues which may be impacting on your child’s attendance.

Have a lovely summer holiday and we look forward to seeing you in September 2024.

Yours Sincerely,



Miss K Hinz  
Assistant Headteacher – Inclusion & Attendance.