



Monkshouse Primary Academy

Pennygate Spalding Lincs PE11 1LG

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4th September 2024

Dear Parent/Carer,

I am writing to inform you of some changes to our attendance procedures in line with The Education Act. The Education (Pupil Registration) Regulations 2006 has been amended and came into force from 19th August 2024.

As a result, a request for leave of absence will not be granted for the purpose of a holiday **unless deemed to be 'exceptional circumstances'**.

If you wish to seek approval for any request of absence for your child(ren) from the Academy, then you must complete an 'Leave of Absence form' and return it to the office at least four weeks in advance of the requested for absence. You should only then remove your child(ren) if the absence has been authorised and notified to you in writing by the school. Any exceptional circumstances must be clearly set out on the form, each application will be considered case by case.

If you then choose to take your child out of school during term time and it is **not** deemed to be exceptional circumstances and/or has not been approved by the Academy, then this will be coded as an unauthorised absence and the absence will count towards the national threshold.

The national threshold for issuing a penalty notice in England is 10 sessions of unauthorised absence within a 10-week period. This typically equates to 5 school days (e.g. 4 sessions of holiday taken in term time plus 6 sessions of arriving late after the register closes all within 10 school weeks). These sessions can be consecutive (e.g. 10 sessions of holiday in one week) or not (e.g. 6 sessions of unauthorised absence taken in 1 week and 1 per week for the next 4 weeks). The period of 10 school weeks can also span different terms or school years (e.g. 2 sessions of unauthorised absence in the Summer Term and a further 8 within the Autumn Term).

A Fixed Penalty Notice is a strategy used by schools to address the unacceptable levels of attendance of children at their school under the following legislation:

- **Section 7 of the Education Act 1996 places upon parents a duty to ensure that their child receives efficient full-time education either by regular attendance at school or otherwise**
- **Where a child is a registered pupil at a school and the parent fails to ensure that child's regular attendance at school the parent is liable to be prosecuted for a criminal offence under Section 444 of the Education Act**
- From autumn term 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 is 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 should be taken instead. This will often include considering prosecution but may include other tools such as one of the other attendance legal interventions.

University of Lincoln Academy Trust.

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Please note: A Fixed Penalty Notice can also be issued if your child is seen in a public place within the first 5 days of an exclusion from their school.

- **Section 103 of the Education and Inspections Act 2006 makes it a duty for parents in relation to pupils subject to a fixed period or permanent exclusion to ensure that their child is not present in a public place during school hours, without reasonable justification, during the first five days of any such exclusion. If a child is present in a public place during the first five days of an exclusion during school hours the parent may be guilty of an offence for which they can be prosecuted by the LA before a magistrates' court or issued with a Fixed Penalty Notice for £80.00 or £160.00.**

If you have any concerns regarding this, please contact: Mrs S Gowing (01775 722006) we appreciate your cooperation in this matter.

Yours sincerely

Sue Goodsell

Mrs Sue Goodsell
Principal

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