

Letter to parents and carers regarding school attendance and changes to Penalty Notices for unauthorised absences

Dear parent/carer,

Regular school attendance is an essential part of a child's education. The link between good attendance and good attainment is well established.

Children who attend school regularly are more likely to maintain friendships and enjoy the wider activities of the school community.

Parents and carers are required by law to ensure that their children of compulsory school age attend school regularly.

Schools are required to manage the attendance of pupils and take appropriate action in relation to absences.

If a child is absent from school, the parent/carer must provide a reason as soon as possible. Any absences will be coded appropriately in line with statutory guidance from the DFE. This may mean your child's absence is recorded as unauthorised if the reason for absence does not meet guidance.

Please note schools have a duty of care to be informed where your child is when they are absent from school. When the school is not made aware of an absence, we will initially make day one Calls/Texts/Emails home to parents/carers. If there is no communication from the parent/carer by day 3, we must carry out a home visit as this is classed as a safeguarding concern. If the home visit is unsuccessful the school must then pass this information to the local children services team to action.

National Threshold for issuing Penalty Notices

On the 19th August 2024, The Department for Education introduced a national threshold for all schools and local authorities to adhere to when considering, and issuing, penalty notices in relation to irregular school attendance.

When a child does not attend school regularly and all (or the majority) of the absences are unauthorised, legal action will be instituted against the parents or carers. This can be in the form of a penalty notice or summons to court.

Penalty notices will be issued if there have been 10 or more unauthorised absence sessions in the preceding 10 school weeks.

A first penalty notice issued to a parent/carer within a 3 year rolling period is £80 if paid within 21 days rising to £160 if paid between days 22 to 28.

If a second Penalty Notice is issued to the same parent/carer, regarding the same child, within the same 3 year rolling period it will be £160 with 28 days in which to pay.

Failure to pay a penalty notice will result in the parents or carers being prosecuted in court.

If there is a third requirement to take legal action for irregular school attendance in relation to the same parent/carer, for the same child, within the same 3 year rolling period then it is likely that the parent/carer will be summoned to court.

There is no right of appeal to a penalty notice issued for irregular school attendance. If a parent/carer is concerned about why they have received a penalty notice then they must raise their concern with their child's school.

Parents can also be directly summoned to attend court. If a parent pleads, or is found to be, guilty of the offence of failing to ensure regular school attendance, the court has a range of sanctions depending on the circumstances.

Parents may receive a:

- fine of up to £2,500 and/or a prison sentence of up to three months
- curfew with electronic tag fitted
- Community Order
- conditional discharge
- bill for court costs

The court may also impose a Parenting Order. These orders usually last for six months. The parents are required to attend parenting classes. Failure to adhere to a parenting order will result in further legal proceedings.

Further information

Please search the internet for:

The Department for Education – 'Working together to improve school attendance. Statutory guidance for maintained schools, academies, independent schools and local authorities'.