

4th September 2024

Dear Parent/Carer

As we look forward to welcoming you back this academic year, we must look at ensuring our attendance is a strong part of Donington Cowley Endowed Primary School. Ideally, every child would attend school every single day in order to make the most of every learning opportunity available. However, we do understand that there may be occasions where children are unwell, or due to personal circumstance they are unable to attend. Our school priorities for attendance this year are to ensure that:

- Our whole school attendance is at least 97% or above
- Children will attend school every day that school is open
- Children will arrive on time and appropriately prepared for the day
- Families will tell a member of staff about any problem or reason that may prevent them from attending school.

If your child's attendance drops below 95% you will be contacted and offered support to help improve your child's attendance

Should your child's attendance drop below 90%, they are recorded as a persistent absentee. These children are closely monitored, and it may be that throughout the year, meetings are organised to address any issues and offer support. Please be aware that persistent absenteeism will also be dealt with through our Safeguarding procedures. Failure to ensure your child regularly attends school is categorised as Educational Neglect.

To breakdown the importance of attendance I would like to share some figures with you. During this academic year, we have 190 days school days. To have attendance of 90% that's equates to a child missing a month of school per year, on average 1 day every two weeks and this will have a detrimental effect on their achievement: considerably impacting your child's progress both academically and personally.

Please note there have been changes in the law surrounding unauthorised absence. **Please read the document 'School Attendance – Changes in Law August 2024' which is attached.**

Term time holidays will not be authorised and will be subject to Penalty Notice, (fine) by the Local Authority.

If you wish to seek approval for any request of absence for your child(ren) from School, then you must apply in writing to the Headteacher, at least four weeks in advance of the requested 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 in the written request to the Headteacher who will consider each case upon its merits.

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 school, then this will be coded as an unauthorised absence and a Penalty Notice will be issued for the period of absence. Failure to pay may result in further legal action being taken against you.

A 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
- Working together to improve school attendance – February 2024 Applies from 19 August 2024

Please note: A 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.

Leave of absence for a child will only be authorised in exceptional circumstances.

We are extremely grateful to our families that contact the office or notify via parent mail of their child's attendance regarding any absences that the child may have. Please can I ask that we continue to phone the school office or notify via parent mail if your child is unwell and unable to attend school. This should take place again each day your child remains absent. For example, if your child is absent on Monday and Tuesday you should make contact both days. Where we do not receive parental contact regarding an absence a Safe & Well check may be carried out at the child's home address.

The school website has links to the new attendance information.

Yours Sincerely,

Sarah-Jane Millard

Mrs Sarah-Jane Millard
Inclusion Lead

School Attendance: Changes in Law

From 19th August 2024

5 days of unauthorised absence

Penalty Notice fines may be issued for any term-time absences that are unauthorised (for example, a 5-day term time holiday) - whether these absences are taken consecutively or cumulatively over a rolling period of 10 school weeks.

10 sessions of unauthorised absence in any 10-week period

Penalty Notice fines will also be considered when there have been 10 sessions of unauthorised absence in any rolling period of 10 school weeks

A school day has 2 sessions: 1 morning and 1 afternoon session per day

A school week means any week in which there is at least one school session. The threshold can be met with any combination of unauthorised absence (e.g. 6 sessions of holiday plus 4 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).

What is a Penalty Notice?

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 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 is charged at a higher rate. Any further offences will result in criminal prosecution.

The law will be clear that where a Penalty Notice threshold met – in each individual case, the school must consider if a Penalty Notice is appropriate.

Who is a "Parent"?

Section 576 of the Education Act 1996 defines "parent" as:
All natural (biological) parents, whether they are married or not;
Any person who, although not a natural parent, has parental responsibility for a child or young person; Any person who, although not a natural parent, has care of a child or young person.

First Offence

The first time a Penalty Notice is issued for unauthorised absence the amount will be:

- £160 per parent, per child (if paid within 28 days)
- Reduced to: £80 per parent, per child if paid within 21 days

Second Offence

(in a 3-year rolling period) The second time a Penalty Notice is issued for unauthorised absence the amount will be:

- £160 per parent, per child (if paid within 28 days)
- There is no reduction in the amount.

Third Offence or Any Further Offences **(in a 3-year rolling period)**

The third time an offence is committed for an unauthorised absence a Penalty Notice will NOT be issued but will be referred to Lincolnshire County Council for consideration of prosecution in a Magistrate Court for prosecution which may result in fines of up to £2,500 per parent, per child.

Cases found guilty in a Magistrate's Court can show on a parent's future DBS certificate due to 'failure to safeguard a child's education.'

Lincolnshire County Council have the discretion to issue Penalty Notice fines before the above threshold is met in cases where parents are deliberately avoiding the national threshold by taking several term time holidays below the threshold, or for repeated absences for birthdays or other family events.

Unchanged

Penalty Notice fines are issued Per Parent, Per child. This means that fines are issued to each parent, for each child who is absent. For example: If 2 siblings are absent for a term-time holiday this will result in each parent receiving 2 separate fines.