

Extract from September 2024 Earith Primary School Attendance Policy:

School Attendance and the Law

New legislation was passed, *The School Attendance (Pupil Registration) (England) Regulations 2024*, which introduced a National Framework in England. By law all children of compulsory school age must receive an appropriate full-time education (Education Act 1996). Parents have a legal duty to ensure their child attends school regularly at the school at which they are registered.

National Framework for Penalty Notices

There is now a single consistent national threshold for when a penalty notice must be considered by all schools in England, of 10 sessions (usually equivalent to 5 school days) of unauthorised absence within a rolling 10 school week period. **The 10 sessions of absence do not have to be consecutive and can be made up of a combination of any type of unauthorised absence (G, O and/or U coded within the school's registers). The 10-school week period can span different terms, school years or education settings.**

Sanctions may include issuing each parent (for each child) with a Penalty Notice for £160, reduced to £80 if paid within 21 days (for the first offence). A **second Penalty Notice** issued within a three-year period will result in a fine of £160 per parent, per child. If a **third offence** is committed the matter may be referred to the local authority for consideration of prosecution via the Magistrates Court. If prosecution is instigated for irregular school attendance, each parent may receive a fine of up to £2500 and/or up to 3 months in prison. If a parent is found guilty in court, they will receive a criminal conviction.

There is no entitlement in law for pupils to take time off during the term to go on holiday or other absence for the purpose of leisure or recreation, or to take part in protest activity in school hours. In addition, the Supreme Court has ruled that the definition of regular school attendance is "in accordance with the rules prescribed by the school."

The School Attendance (Pupil Registration) (England) Regulations 2024 set out the statutory requirements for schools. All references to family holidays and extended leave have been removed. The amendments specify that headteachers may not grant any leave of absence during term time unless there are "exceptional circumstances" and they do not have any discretion to authorise up to ten days of absence each academic year.

It is a rule of this school that a leave of absence shall not be granted in term time unless there are reasons considered to be exceptional by the headteacher, irrespective of the child's overall attendance. Only the headteacher or his/her designate (not the local authority) may authorise such a request and all applications for a leave of absence must be made in writing, in advance. The school will usually consider that the parent who has made the application is therefore allowing the leave of absence, and that all parents who are on the holiday are allowed the leave. Where a parent removes a child after their application for leave was refused or where no application was made to the school, the absence will be recorded as unauthorised. It is likely that penalty notices will be requested in respect of each parent believed to have allowed the absence.

The headteacher/school may discuss the leave of absence request with other education settings and/or the Local Authority to determine any exceptional circumstances.

Please complete the table below:

Name of Child	Absent from:	Absent to:	Total No. of school days absent	Reason for absence
Please sign below that you have read and understood the above information.				
Signed		Print Name		Dated

You will receive an email confirming receipt of this application and how this absence will be recorded.

Please refer to our comprehensive Pupil Privacy Notice on our website or hard copy held by the school office which records how we use information about you and what we do with it.