



15th July 2024

Dear Parents & Carers,

UNAUTHORISED LEAVE OF ABSENCE - PENALTY FINES

As you will be aware from the local and national media, there are new regulations coming into effect from 19th August 2024, which affect penalty notices issued for an unauthorised leave of absence (holidays, funerals, weddings, etc.)

The national threshold for issuing a penalty notice is 10 sessions of unauthorised absence in a rolling period of 10 school weeks. Each school day has two sessions and a school week means any week in which there is at least one school session.

The 10 sessions can be a combination of different unauthorised absences, eg:

- 4 sessions of holiday plus 6 sessions of arriving late after the register closes
- Consecutive missed sessions, eg. 10 sessions of holiday in one week
- Non-consecutive sessions, eg. 6 sessions unauthorised in one week followed by 1 per week for the next 4 weeks
- The period of 10 school weeks can also span different terms or school years, eg. 2 unauthorised sessions at the end of the Summer Term followed by a further 8 sessions in the Autumn Term

There will be the following changes regarding the penalty fines:

1. If a parent/carer has not incurred a penalty notice relating to this child/children in a rolling 3 year period since 19th August 2024, then the penalty notice will be charged at the rate of £160.00, **per parent/carer per child**, if paid within 28 days. This will be reduced to £80.00 if paid within 21 days of receipt of the notice. Failure to pay the Penalty Notice will result in Surrey County Council considering legal proceedings against the parent/carer in the Magistrates Court.
2. If a parent/carer has incurred a penalty notice relating to this child/children since 19th August 2024, the rolling 3 year period will be activated from the date of the first penalty notice and the second penalty notice will be charged at the flat rate of £160.00, **per parent/carer per child**, if paid within 28 days. There will be no reduction for payment within 21 days. Failure to pay the Penalty Notice will result in Surrey County Council considering legal proceedings in the Magistrates Court.
3. If a parent/carer has incurred 2 penalty notices relating to this child/children in the rolling 3 year period since the first penalty notice was issued, then the parent/carer will NOT receive a third penalty notice - Surrey County Council will have no option but to consider a prosecution, **per parent/carer per child**, in the Magistrates Court under s 444 Education Act 1996.

If you have any questions relating to attendance please do not hesitate to contact myself or the Admin Team.

PENALTY NOTICE FINES FOR SCHOOL ATTENDANCE IS CHANGING

FIRST OFFENCE

1

The first time a Penalty Notice is issued for Term Time Leave or irregular Attendance 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.

2

SECOND OFFENCE (WITHIN 3 YEARS)

The second time a Penalty Notice is issued for Term Time Leave or Irregular Attendance the amount will be:

£160 per parent, per child to be paid within 28 days. No reduced rate will be offered.

The following changes will come into force for Penalty Notice Fines issued after **19th August 2024**.

3

THIRD OFFENCE AND ANY FURTHER OFFENCES (WITHIN 3 YEARS)

The third time an offence is committed for Term Time Leave or Irregular Attendance a Penalty Notice will not be issued, and the case will be presented straight to the Magistrates' Court. Magistrates; fines can be up to £2500 per parent, per child.

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

10 SESSIONS (5 DAYS) OF UNAUTHORISED ABSENCE IN A 10-WEEK PERIOD

Penalty Notice Fines will be considered when there has been 10 sessions of unauthorised absence in a 10-week period.

Please follow the link for the Publication that will start from 19th August 2024.
www.gov.uk/government/publications/working-together-to-improve-school-attendance

Yours sincerely,

Ann Wheeler - Headteacher