

Appendix 1

SAMPLE ATTENDANCE LETTER: For new starters:

Dear

NAME OF CHILD/YOUNG PERSON:

DATE OF BIRTH:

PUPIL REGISTERED AT:

I am writing to inform you that the Education (Pupil Registration) Regulations 2006 have been amended and came into force from 1st September 2013. The amendments remove references to 'holiday' from school and extended leave of absence as well as the statutory threshold of ten school days. (i.e. the previous arrangement whereby schools could grant up to 10 days authorised holiday/absence).

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 School, then you must apply in writing to the Head Teacher 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 Head Teacher 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 unauthorised absence and a Fixed Penalty Notice will be issued for the period of absence. Failure to pay the Fixed Penalty may result in further legal action being taken against you.

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.
- In cases where this duty is not being fulfilled Section 444B of the same Act empowers the Local Authority to issue a Fixed Penalty of either £60 or £120.
- 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 Local Authority before a magistrates' court or issued with a Fixed Penalty Notice for £60 or £120.

Please note that Fixed Penalty Notices are issued per parent in a household. For the purposes of education law and this code of conduct a "parent" means all natural parents whether they are married or not; and includes any person having parental responsibility for a child (a person under 18 years of age) who, although not the child's natural parent, has care of that child. Having care of a child means an adult with whom the child lives and who looks after the child on a day to day basis. Any reference to a "parent" in this code of conduct is a reference to anyone having care of a child as set out above.

If a child is absent from school for a period of time and the parent is at risk of receiving a Fixed Penalty Notice the school have the right to conduct an unplanned home visit. If nobody is at home a calling card (which may be used as evidence in court) will be placed through the letterbox.

If you have any concerns regarding this please do not hesitate to contact me at the school. We appreciate your cooperation in this matter.

Yours sincerely