

## **Attendance matters**

### **Issuing of Penalty notices from 1 September 2013 (Northamptonshire)**

Dear Parents/Carers/Guardians

The Government's priority is to ensure that every child attends school regularly and where attendance is deemed to be unsatisfactory, that it is addressed promptly. There is clear evidence that any absence can and will have an impact on attainment. It is therefore important that schools maintain good attendance levels and that parents support this by ensuring their children attend school regularly.

As of 1 September 2013, the Brooke Weston Trust Academies and the Local Authority will be issuing warnings and Fixed Penalty Notices under Section 444 of the Education Act 1996 (amended regulations 2013). This is an alternative to the prosecution of parents/carers/guardians for failing to ensure the regular attendance of a compulsory school age (age 5-16 years) student where they are registered or at a place where alternative provision is provided.

Whilst parents/carers/guardians can provide explanations for absences, it is at the Academy's discretion as to whether this absence will be authorised or unauthorised. The change in legislation has meant the removal of holiday entitlement and Principals will now not authorise any holiday requests in term time, unless there are 'exceptional circumstances'. A family holiday taken in term time will result in a warning and Fixed Penalty Notice being issued. Furthermore, if the absence is not authorised the student may be deleted from the Academy roll after 20 school days. In such an event, the parents/carers/guardians would need to reapply for a school place.

Other criteria for Fixed Penalty Notices include a student having a high number of unauthorised absences within an academic year and where an excluded student is found in a public place during school hours without a justifiable explanation.

A Fixed Penalty Notice results in -

- cost of £60 per parent/adult for each student/child. This will require payment being made to the Local Authority within 21 days.
- the cost increases to £120 per parent/adult for each student/child if payment is not received within 28 days
- if the penalty is not paid in full by the end of the 28 day period, the Local Authority will instigate Court Proceedings and the outcome of a prosecution could be up to £1,000 per parent/adult

Further advice and guidance on this matter can be located through the Department of Education website entitled "Advice on school attendance".

**Martine Boyd**  
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