



September 2024

Dear Parent/Carer,

RE: SCHOOL ATTENDANCE AND LEAVE OF ABSENCE (HOLIDAYS) IN TERM TIME

We know that you as parents/carers want the best for your child and that having a good education helps to open up more opportunities in adult life. Bearing this in mind, I would like to include a regular reminder regarding the law and the new changes that have come into force this academic year, relating to absences and holidays taken during term time:

- a parent's duty to ensure that their child attends regularly at school, where the child is a registered pupil at school
- schools' responsibilities to record attendance and follow up absence
- the ability for schools and local authorities to issue sanctions, including fixed penalty notices in line with local authorities' codes of conduct

As parents you have a legal duty to ensure that your children attend school on a regular basis. The Education Act 1996 makes it a criminal offence for a parent to *"fail to secure their child's regular attendance at the school"*. Amendments to the 2006 Regulations remove any reference to *family holidays, extended leave and the statutory threshold of ten school days*. The amendments also make it very clear that **Headteachers may not grant any leave of absence (holiday) during term time unless there are exceptional circumstances**. The amendments give **parents no entitlement** to take their child out of school or take them out for a holiday during term time and require the Headteacher and Governing Body to determine what the exceptional circumstances are. The decision will be made by me, the Principal, and I will use my discretion to consider each request individually. Absences will only be authorised where satisfactory evidence has been provided. It is the schools' responsibility to record attendance and follow up any absence. The Governors have made it clear that they will support the Principal and Education Welfare Service in promoting high levels of attendance and taking action where there are unsatisfactory reasons for absence.

Requesting a Leave of Absence:

To request a Leave of Absence, parents must complete a Leave of Absence (LOA) form which are available from the school office in paper form or can be downloaded and printed from the school website (Parents/Holidays/Absences in Term Time – [Click Here](#))

The LOA form can either be handed into the school office or scanned and emailed to:

office@laceygreen.cheshire.sch.uk.

Principal: Mr Steve Shaw

Lacey Green Primary Academy, Barlow Road, Wilmslow, Cheshire SK9 4DP
t: 01625 525157 | e: office@laceygreen.cheshire.sch.uk | w: laceygreen.cheshire.sch.uk



Any requests, made for a holiday to be taken in the academic year 2024 – 2025 or thereafter, which is not considered by the Principal to be exceptional in circumstances, could result in a fine. If parents, contrary to what the school has said, still decide to take their child out of school for a leave of absence then the absence will be coded as **unauthorised**. This may lead to the school referring the matter to the Local Authority requesting a Fixed Penalty Notice to be issued. The New National Framework now in place (as of 19/08/2024) is explained below:

Penalty Notices will be issued for

Term time leave: Penalty Notice fines will be issued for term time leave of 5 or more consecutive days.

10 Sessions of Unauthorised absence in a rolling 10 week period: A Penalty Notices may be considered when there have been 10 sessions of unauthorised absences in a 10 week period. However, we retain the discretion to issue a Penalty Notice before the threshold is met. For example, where parents are deliberately avoiding the national threshold by taking several term time holidays below the above thresholds.

Per Parent/Per Child

Penalty Notice fines will continue to be issued per parent per child. For example: 3 siblings absent for term time leave, would result in each parent receiving 3 separate fines.

First Offence

The first time a Penalty Notice is issued for term time leave or irregular school attendance the fine will be charged at:

£160 per parent, per child if paid within 28 days of the issue, reducing to £80 per parent, per child if paid within 21 days.

(Unpaid penalty notices may result in a parental prosecution)

Second Offence

Where it is deemed appropriate to issue a second penalty notice to the same parent for the same pupil within 3 years of the first penalty notice, for either term time leave or irregular attendance the second penalty notice will be charged at:

£160 if paid within 28 days. (Unpaid penalty notices may result in a parental prosecution)

Third Offence

On the third time that an offence is committed within 3 years of the first penalty notice for either a term time leave or irregular attendance a penalty notice will not be issued. The case may proceed to Parental Prosecution under the Single Justice Procedure. If found guilty of the offence of 'Failure to send a child to school' the Magistrates can impose a fine up to £1000 or legal proceedings under Section 444 (1a) can include a fine of up to £2500.



[\(Please CLICK HERE to view the full Attendance Policy on our website\)](#)

I know that some parents/carers will find these measures severe but we believe that regular and high attendance is in every pupil's best interests and helps to maximise their achievements and enjoyment of school. Evidence shows that children with poor attendance are unlikely to succeed academically.

All schools have a statutory obligation to provide information to the Local Authority and the DFE regarding attendance and the Cheshire East Attendance Team monitors attendance in all schools. This letter reflects accurately the current legislation and as a school, we have a duty to point this out to parents/carers.

Your Sincerely,

Mr S Shaw
Principal

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