



Burbage Primary School
Inspiring and Nurturing Together
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Dear Parents

There has been a change in law for penalty notices for school absence, including unauthorised holiday absence. These new government regulations will come into effect from 19th August 2024. Click [here](#) for more information.

Penalty Notices can be issued when there have been 10 unauthorised absences (1 school day = 2 sessions, 5 school days = 10 sessions). The threshold can be met with any combination of unauthorised absence within 10 school weeks (this was previously 6 months). Penalty Notices are issued for any term-time or irregular absences that are unauthorised (for example, a 5-day term-time holiday) - whether these absences are taken consecutively or cumulatively over a period of 10 school weeks.

1st Penalty Notice

The first Penalty Notice is issued for term time absences or irregular absences, the amount will be:

£80 per parent, per child (if paid within 21 days)

£160 per parent, per child (if paid between 22 to 28 days)

No. of parents	No. of children	Fine amount up to 21 days	Fine amount after 21 days
1	1	£80	£160
1	2	£160	£320
2	3	£480	£960

2nd Penalty Notice

If a second penalty fine is issued to the same parent for the same child within a 3-year rolling period, the fine will automatically rise to £160 with no option to pay the lower rate of £80 as it was previously.

3rd Offence

If a parent then commits a third offence in a 3-year rolling period, a penalty notice will not be given. Instead, the case will be taken to court where a magistrate can fine each parent £2,500 for each child.



FAQs

If I have been issued with a penalty notice before 19h August 2024, will this be counted if I am issued with another penalty notice from September onwards?

No, this only applies to new absences from 19 August 2024.

If I have already booked a holiday for next year, could I receive a penalty fine at the new higher rate?

Yes, if the absence has not been authorised.

Who can be issued with a penalty notice?

Each parent can receive a fine for each child who has had unauthorised absence from Burbage Primary School. In education law, anyone who lives with a child and who has day-to-day care of the child is also considered to be a parent whether they are the biological parent or not. For example, this will include stepparents and partners.

Do the new rules only apply to holidays during term time?

No, it applies to all unauthorised absence from Burbage Primary School including holidays. Unauthorised absence includes other absence that has not been agreed such as truancy, arriving late after the register has closed and not giving a reason for absence.

How do I request for my child to have leave granted during term time?

You must submit an absence request form, then it will be for Mrs Garbutt to make a decision if there are exceptional circumstances that will allow her to grant the time off.

Do the 10 sessions of unauthorised absence have to be taken all at the same time before a penalty fine is issued?

No, a penalty fine can be issued for any combination of absences over a 10-week rolling period. They can be consecutive or non-consecutive and can span over two terms and between schools.

What happens if I am issued with a penalty fine and I don't pay it?

Unauthorised absence from school is an offence under S444 of the Education Act 1996. A penalty fine is an opportunity for you to settle out of court. If you don't take this opportunity, you can be prosecuted for the offence of failing to ensure your child's regular attendance.

Yours Faithfully,



Mrs Z Garbutt

ATTENDANCE

WHAT THE NEW RULES MEAN FOR ME

1

I'm a single parent of one child and we want to go on holiday for a week.

Your holiday will not be authorised and you must talk to the school before you book anything.

Because your child will miss 5 school days you will be given a penalty notice fine.

The fine is £160 but if you pay it in 21 days it will be reduced to £80.

£160



2

FOR EVERY CHILD A PENALTY IS GIVEN.

+£160



+£160



+£160



+£160



4 children & 1 parent = £640

Reduced to £320 if paid in 21 days

IRREGULAR ATTENDANCE

10 IN 10

5

If your child is absent for 10 or more sessions in 10 weeks and their absences are unauthorised the school will consider prosecution.

1

Day =

2

Sessions

3

FOR A FAMILY OF TWO PARENTS

4 children & 2 parents =

£1280

Reduced to £640 if paid in 21 days



+£160



+£160



+£160



+£160



4

If in any period of not more than 3 years, your child has a 2nd and 3rd leave of absence or pattern of irregular attendance....

2ND TIME

2 parents and

1 child = £320

2 children = £640

3 children = £960

4 children = £1280

No discount for early payment



3RD TIME

A penalty notice fine will not be given. Instead, your case will be taken to court.

A magistrate can fine each parent £2500 for each child.

1 parent & 4 children = £10,000

2 parents & 4 children = £20,000