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Dear Parents and Carers,

RE: IMPORTANT CHANGES TO THE LAW REGARDING PENALTY NOTICES FOR UNAUTHORISED ABSENCE FROM SCHOOL.

A new National Framework for Penalty Notices for school absence, including unauthorised holiday absence, is being introduced following changes to the law. These new Government regulations will come into effect from 19 August 2024, and we wanted to bring this to your attention now, as it will affect when penalty notices are issued in Bolton.

In line with the [Working together to improve school attendance \(applies from 19 August 2024\)](#), St Williams will prioritise the 'support first' approach and want to offer support and advice in cases where it is appropriate. Parents/carers are encouraged to communicate with the school should any support be required to improve your child's attendance. If you feel you would benefit from this support or advice then you can contact Miss Adams or Miss Lally via the school office.

Penalty Notices are issued by the Local Authority to the parents/carers of statutory school age children (age 5 and above). They are issued per parent, per child. For example, two children in a family absent from school for a leave of absence may result in each parent receiving a Penalty Notice for each child at the below rates.

What are the changes?

1. There will be a new national threshold of 10 unauthorised sessions for any reason (equivalent to five school days) within a rolling 10 school week period for when a penalty notice must be considered.
2. The new rules mean you will no longer be able to take your child out of school for a one week's holiday without a penalty notice being issued.
3. There will be an increase in the penalty fine from £60 to £80 if paid in 21 days. If the fine is not paid by the first 21 days, it will rise to £160 if paid within 28 days of being issued.
4. 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.
5. If a parent then commits a third offence in a 3-year rolling period, the local authority will need to consider other enforcement options available to them.



We would like to thank parents and carers for their support in making sure that children do not miss any learning time.

Yours sincerely,

Miss Lally
Attendance Lead



FAQs

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

- **Yes, if the absence has not been authorised by the Head Teacher. Remember, only Miss Adams can agree whether an absence can be authorised in exceptional circumstances.**
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Who can be issued with a penalty notice?

- **Each parent can receive a fine for a child who has had unauthorised absence from 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 a biological parent or not. For example, this will include step-parents and partners.**

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

- **No, it applies to all unauthorised absence from school including holidays. Unauthorised absence includes other absence that has not been agreed such as truancy, arriving late after the register has closed (9am) and failing to provide reason for absence.**

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

- **You must submit an Absence Request form to the school office at least 20 days before the proposed absence. It will be for Miss Adams to decide as to whether there are exceptional circumstances that will allow her to grant time off. Do not assume that the absence will be granted until you have received confirmation from the school.**

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

- **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.**

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

- **Unauthorised absence from school is an offence under the 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 by Bolton Council for the offence of failing to ensure your child's regular attendance.**

What should I do if I am worried about my child's attendance?

- **In the first instance, you should contact Miss Lally or Miss Adams and ask for advice on how we can support you to improve the situation. We will always aim to support you and your child before issuing a penalty notice, wherever possible.**