

St Peter's Church of England Primary School



Church Lane, Hixon, Stafford. ST18 0PS
Tel: 01889 270233 Fax: 01889 271548
E-mail: office@st-peters-hixon.staffs.sch.uk
Website: www.st-peters-hixon.staffs.sch.uk



Headteacher: Mrs J E Alexander B.Ed. (Hons.)

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Dear Parents and Carers,

IMPORTANT – Code of Conduct Regarding Term-time (Including Holiday) Absence

The vast majority of children at St Peter's have an excellent record of attendance: in fact, the most recent figure overall for school attendance is 98.2% which is one of the highest national figures. The efforts of so many parents to ensure that their children attend school regularly are recognised and appreciated by school staff and governors.

You may recall that a few years ago the Department for Education (DfE) introduced changes to the law regarding parents taking their children out of school during term time. This in turn meant that Staffordshire Local Authority amended its Code of Conduct which sets out how these changes are implemented and its use of penalty notices (fines) to ensure that the highest standards of attendance are promoted.

In light of the recent Isle of Wight court case and the subsequent Supreme Court ruling on school absences the Code of Conduct has been updated again in September 2017. The Local Authority, Mid-Trent MAT and the school wish to clarify the current position for parents where there may be the potential for any ambiguity and to ensure that there is full compliance with legal requirements.

As a result, there are some changes to previous guidance regarding absence from school. The new guidance will come into force from **1st January 2018** and is detailed below:

1. Unauthorised Leave of Absence (e.g. For Holiday During Term-time)

Where a request for leave of absence is made by a parent and subsequently taken after it has not been approved by the headteacher, the absence then becomes unauthorised*. Referrals to the Local Authority will be made by the headteacher with regard to issuing of a penalty notice. **From 1st January 2018 any period of unauthorised leave may result in you as a parent receiving a penalty notice fine.**

*If a parent hasn't requested leave of absence and then subsequently takes their child off school anyway (e.g. on holiday) this will automatically count as an unauthorised absence.

2. Illness

Absences due to illness must be supported by medical evidence if your child's attendance falls below 90%; parents will be notified in a separate letter from me where a child's attendance has fallen below this figure. Medical evidence does not need to be a doctor's note; it could, for example, be an



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appointment card or sight of a prescribed medicine. **The responsibility, therefore, remains with parents to provide this evidence once their child's attendance has fallen below 90%.** If such medical evidence is not provided by a parent by the time the child has returned to school, the absence will be deemed to be unauthorised and automatically recorded on the register as such.

3. Punctuality and Penalty for Persistent Lateness

From 1st January 2018 where there are more than **10** occurrences of lateness after the register has closed, the school will refer the matter to the Local Authority who may wish to issue a penalty notice. Late marks do not have to be one after the other in order for the penalty notice to be issued. I would like to remind parents that our school day with registration begins promptly at 8.55 a.m. when the second bell has rung.

4. Period of Time used to Measure Persistent Absence and Lateness

If your child has had 10 days of unauthorised (persistent) absence – as opposed to **1**) above unauthorised leave of absence – or is late 10 times over a 12-week period parents may receive a penalty warning notice and also, potentially, a fine.

In all cases whether for lack of punctuality; medical reasons where your child's attendance has already fallen below 90% or a request for leave of absence, I will inform parents by letter if any of the conditions are met that will result in a referral being made to the Local Authority. Parents will then be made aware of what they need to do to satisfy the authority's requirements. This is in line with Staffordshire County Council's new and revised Code of Conduct.

For information, the Penalty Notice fine currently stands at:

- £60 per parent, per child, if paid within 21 days, rising to
- £120 per parent, per child, if paid between 21-28 days.
- If the fine is not paid within 28 days, prosecution under S444.1 of the Education Act 1996 may occur.

If prosecution takes place, the maximum fine is £1,000 per parent, per child. This reflects the seriousness that the Government takes of unauthorised absence from school.

If a child continues to be absent after receiving a penalty notice fine for persistent non-attendance in a year, the Local Authority will then consider returning to court for further action under section 444(1) or 444(1a) which can then carry a fine of up to £2,500, 3 months' imprisonment or a supervision order.

These measures reflect how important good attendance is if children are to achieve their full potential. This is considering that schools already enjoy 13 weeks of holiday a year. I sincerely hope that parents will support the stance of the Local Authority, the MAT and the school on this issue, and of course if you would like any further clarification of this position please contact me.

Yours sincerely,

Julie Alexander
Headteacher



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