Tomlinscote School

September 2022

Dear Parents/Carers

We are aware that the pandemic has had an effect on families, but the expectation is still that every child should now be attending school full time. If you consider that there are exceptional circumstances relating to your request for absence, please complete a form downloaded from the school website (see the Attendance & Absence section under Parents & Carers). Each application for a leave of absence will be considered on a case-by-case basis.

Penalty Notices to Address Poor Attendance at School

A Penalty Notice may be issued as an alternative to the prosecution of a parent/carer for their child's unauthorised absence from school (absence without the agreement of the school or not covered by a medical note) and will be used by Surrey County Council in the following circumstances:-

1. Pupils identified by police and Inclusion Officers (formerly Education Welfare Officers) engaged on Truancy Patrols and who have incurred unauthorised absences.

2. Leave of absence in term time (5 days or 10 sessions or more).

- **Please be aware that The Education (Pupil Registration)(England)(Amendment) Regulations 2013, which became law on 1st September 2013 state that Headteachers may not grant any leave of absence during term time unless there are exceptional circumstances.**

- **The Headteacher is also required to determine the number of school days a child can be away from school if leave is granted.**

- In such cases the Headteacher/Governing Body must decide whether there are exceptional circumstances. They may request that the Local Authority issue Penalty Notices when the absence is not authorised.

Warnings will not be given where it can be shown that parents have been notified that such absences will not be authorised.

3. Finally, the issuing of a Penalty Notice will also be considered where it is judged that a parent is failing to ensure their child's regular school attendance.

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This will be considered when a pupil has incurred 7 or more unauthorised sessions in the previous 6 school weeks, which may include a pupil arriving late after close of registration.

If you believe at any stage that your child's absence from school may leave you liable to receive a Penalty Notice, it is extremely important that you act without delay to secure their regular attendance.

If you have any questions or require further support to achieve an improvement in your child's attendance, please contact your child's school or the Inclusion Officer.

Penalty Notice relating to Exclusions

If a child is excluded from school, Section 103 of the Education and Inspections Act 2006 places a duty on parents/carers to ensure that their child is not in a public place without justifiable cause during school hours.

This duty applies to the ***first five days of each exclusion***. Failure to do so will render the parent/carer liable to a Penalty Notice. (Alternative education provision will be made available from the sixth day of any exclusion.)

Amount Payable for a Penalty Notice

The amount payable for a Penalty Notice issued in any of the above circumstances is currently £60 if paid within **21** days of receipt of the Notice, rising to £120 if paid after **21** days but within **28** days.

If the Penalty Notice is not paid, the local Authority must consider a prosecution in the Magistrates Court for the offence for which the Notice was originally issued.

Please be aware that *each* parent is liable to receive a Penalty Notice for *each* child who incurs unauthorised absences, for example, if there are two parents and one child, each parent will receive one Penalty Notice.

If there are two parents, and two children incur unauthorised absences, each parent will receive two Penalty Notices, which in this case would amount to £120 each if paid within 21 days.

Advice and support is available from an Inclusion Officer by contacting your local Education Office as follows: -

North West - Tel: 01483 518130

Thank you for your continued support.

Yours sincerely

Mr R Major
Principal