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Introduction of Fixed Penalty Formal Warning
3rd October 2023

Dear Parents and Carers,

Good attendance is crucial to children succeeding at school and reaching their full potential both academically and socially. As you know we regularly monitor pupils' attendance and work with families to improve this whenever there is an issue. What you may not be aware of is that the school is monitored by both the Local Authority and Ofsted around our levels of unauthorised absence and the actions we take to improve this. Schools have to demonstrate that they are doing all they can to reduce their levels of absence.

You will know that we currently write to parents when a child's attendance or punctuality needs to improve. We also follow up any reasons for unexplained absences and we sometimes hold attendance panels with parents when attendance doesn't improve. We have resisted the use of Fixed Penalty Notices in the past but we are now at a point where this is the only option left to show that as a school we are challenging unauthorised absence as robustly as we can.

In the academic year from September 2022 to July 2023, pupils at Swineshead St Mary's missed a total of 347 days to unauthorised absences. This level of absence has a detrimental effect on the learning and progress of our pupils.

It is for this reason that Governors have taken the decision to request that the Local Authority issue a Fixed Penalty Notice to parents where unauthorised absence exceeds 15% in any six week period. This will also include lateness after the registers have closed.

If you wish to seek approval for any request of absence for your child(ren) from school, then you must apply in writing to the Executive Head, at least four weeks in advance of the requested period. You should only remove your child(ren) if the absence has been authorised, and notified to you in writing by the School.

Any exceptional circumstances must be clearly set out in the written request to the Executive Head who will consider each case upon its merits. Forms to request absences are available from the school office.

If you then choose to take your child out of school during term time and it is not deemed to be exceptional circumstances and/or has not been approved by the School, then this will be coded as an unauthorised absence and a Fixed Penalty Notice will be issued for the period of absence.

The law states that, where there are unacceptable levels of attendance, schools may request that the Local Authority issue a Fixed Penalty Notice following the legal framework:

- Section 7 of the Education Act 1996 places upon parents a duty to ensure that their child receives efficient full-time education either by regular attendance at school or otherwise.
- Where a child is a registered pupil at a school and the parent fails to ensure that child's regular attendance at school the parent is liable to be prosecuted for a criminal offence under section 444 of the Education Act.
- In some cases, where this duty is not being fulfilled Section 444B of the same Act empowers the Local Authority to issue a Fixed Penalty of £60 per parent, per child, which will increase if the fine isn't paid within the first 21 days to £120
- Failure to pay a Fixed Penalty may result in further legal action being taken against you.

The money raised from these fines is retained by the Local Authority and the school does not receive any of this. We will continue to work with families to support as much as we can with attendance and punctuality. Should you wish to discuss this matter further, please contact the school office to make an appointment.

Yours faithfully,

Mrs C V Collett
Executive Head