

Dear Parents/Carers

We would like to start by thanking you all for your continued support in improving attendance in our schools. Your support, commitment and communication has been instrumental in making the changes needed.

We have made huge strides as a Trust to ensure that attendance is everyone's responsibility, and our recent attendance audit was overwhelmingly positive, offering many strengths across all of our schools/UTC and further advice for how to support the few remaining families needing further help. Additionally, our attendance data is positive.

We are writing to you because the Department for Education (DfE) has introduced some new guidance for Trusts, schools and Local Authorities (LAs) for managing school attendance. They have also introduced a new national framework for penalty notices and amended the law. These changes came into effect from 19 August 2024 and all Trusts, schools and LAs across the country will be expected to follow the new statutory guidance. These changes aim to address the issue of higher levels of absences nationally and ensure that all children are not missing out on education.

[Working together to improve school attendance \(applies from 19 August 2024\) \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/131222/Working_together_to_improve_school_attendance_applies_from_19_August_2024.pdf)

[Summary table of responsibilities for school attendance \(applies from 19 August 2024\) \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/131222/Summary_table_of_responsibilities_for_school_attendance_applies_from_19_August_2024.pdf)

Support First

The importance of regular attendance at school cannot be stressed enough. All Trusts, schools, and LAs are expected to promote school attendance and provide support to remove barriers where a pupil is struggling to attend school. This may mean that your child's school raises the issue of attendance even if your child has only been absent for a couple of days. This is not because they don't believe that your child is ill. By working with you, schools can step in early to help prevent patterns of absence from developing. Schools may identify other underlying issues that are making your child reluctant to attend school and be able to help you and your child. For this to be successful, parents need to work with the school. Where it can be demonstrated that a parent or carer is not fulfilling their parental responsibility to ensure that their child receives a suitable full-time education, then the school can consider requesting that the LA take further action. This can be in the form of a penalty notice, prosecution, or the school may suggest other formal interventions. To ensure that students/pupils do not have gaps in their learning, the Trust expects schools/UTC to implement catch-up sessions, which should be seen as a positive move to prevent gaps in learning whilst supporting the students'/pupils' mental health.

National Framework for penalty notices

Please be aware that this is a national framework and is not unique to our Trust. To provide consistency, the Government has introduced a new national framework for when Trusts, schools and LAs believe that they have exhausted all offers of support, and the parent/carer is not engaging with the attempt to improve their child's attendance at school/UTC.

The threshold for when a school should refer to the LA is 10 sessions (5 school days) of unauthorised absence in a rolling period of 10 school weeks.

A school/UTC week means any week in which there is at least one school session. This can be made up of any form of unauthorised absence including late after close of register (attendance code U), and odd days of unauthorised absence (attendance code O), which add up to 5 days within a 10-week period.

Throughout the period, the school will consider if it is likely that attendance will improve and always offers support to help families do this but at this stage, they will refer the case to the LA.



Education Penalty Notices are issued to parents of statutory school age children. Please be aware that Penalty Notice Fines will be issued to each parent, for each child that was absent. For example: if 3 siblings are absent, it would result in each parent receiving 3 separate fines.

First offence: The first time a Penalty Notice is issued it carries a fine of £80 per parent, per child if paid within 21 days, or £160 per parent, per child if paid within 28 days.

Second offence: (within 3 years) The second time a Penalty Notice is issued it carries a fine of £160 per parent, per child if paid within 28 days

Third offence: and any further offences (within 3 years) The third time an offence is committed, a Penalty Notice will not be issued. Instead, the case will be presented straight to Magistrates Court. Magistrates' fines can be up to £2500 per parent, per child. Cases found guilty in Magistrates' Court can show on the parent's future DBS certificate, due to failure to safeguard a child's education.

Term time holidays

Extract from Working Together, page 18. 38. *Generally, the DfE does not consider a need or desire for a holiday or other absence for the purpose of leisure and recreation to be an exceptional circumstance. Leave of absence should not be granted for a pupil to take part in protest activity during school hours. Children should not be taken out of school during term time unless it is unavoidable. Schools are required to consider requests for leave of absence in term time and should only approve the leave if there are exceptional circumstances.* If a request for leave is denied and the pupil is absent for 5 days or more then the school is expected to refer the case to the LA. The LA will issue a penalty notice with no requirement for a formal warning to be issued. Penalty notices can also be issued where a pupil is absent for repeated incidents of unauthorised leave in term time that fall below the 5-day threshold. In every case, the request for the Penalty Notice comes from the school to the LA for the process to be completed.

Other changes

There are a range of other changes such as:

- It is now compulsory for us to share attendance data with the DfE,
- We have new responsibilities around Children in Need, Looked After Children and those with a social worker, and will ensure we follow these protocols,
- Mental health, rightly, has a high priority. We are mindful of children with mental health difficulties and work with parents and children to overcome these. This in itself, is not a reason to not attend school. While acknowledging mental health challenges, it remains important that these difficulties do not prevent school attendance. We are committed to working collaboratively with affected families to address these issues effectively.

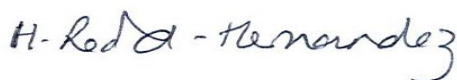
Illness

Extract from Working Together: Page 8. 11. Where parents decide to have their child registered at school, they have an additional legal duty to ensure their child attends that school regularly. This means their child must attend every day that the school is open, except in a small number of allowable circumstances such as being too ill to attend or being given permission for an absence in advance from the school.

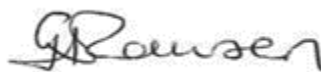
The following are the only reasons listed by the DfE where illness will be authorised. Please note, sickness and diarrhoea: if it is due to food that has made them ill or your child has had little sleep, been over excited etc. which has made them sick then they do not need to have 48 hours off. It is where there is a potential 'bug' which could be caught by their peers and staff that they need to remain off school for this time.

[How long should you keep your child off school - checklist poster \(text version\) - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/612222/How-long-should-you-keep-your-child-off-school-checklist-poster-text-version.pdf)

Yours faithfully



Mrs H Redford-Hernandez
Co-CEO Brighter Futures Learning Partnership Trust



Mr G Rawson
Co-CEO Brighter Futures Learning Partnership Trust