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4TH September 2025

Fixed Penalty Notice (FPN) for holiday

I am writing to remind you that The Education (Pupil Registration) Regulations 2006 was amended and has been in force from the 1st September 2013. Recently, this has been further updated with the New National Framework for Attendance Penalty Notices (August 2024), which is explained below and summarised in the chart for you. These changes must be made by all schools and Local Authorities across the country, with the aim of ensuring consistent approaches.

As a result, a request for leave of absence will not be granted for the purpose of a holiday / or **extended absence unless deemed to be 'exceptional circumstances'**.

Below is a more detailed description of the changes made by the DFE and how these may impact you and your families going forward.

These changes have been broken down into 4 categories.

1) A new National Framework for Attendance Penalty Notices. Any attendance penalty notices issued after the 19th August 2024 will be issued in line with the new regulations. (See summary chart attached)

The new Penalty Notice regulations are: - Each parent (including resident step parents) will be issued a separate penalty notice, for each child who is absent. For example, 2 parents and 3 children, each parent will receive 3 penalty notices for £160 each, with a family total of £960 in fines. - The fine amount will be £160 per parent, per child paid within 28 days, reduced to £80 per parent, per child if paid within 21 days. - This will be considered your first offence. - The next time an offence occurs, within 3 years of the date the first penalty notice is issued, the fine amount will be £160 per parent, per child paid within 28 days, with no reduction. - The third time an offence occurs this will be presented to Magistrate's court with no penalty notice issued. This will include Term Time Leave fines, and Irregular Attendance. Term time leave does not just include holidays. Where a child is absent and it is believed they are absent due to term time leave, schools will be expected to carry out a home visit and see the child on or before the 3rd school day of absence. For irregular attendance - Where a child has unauthorised absences of 10 sessions or more in any 10-week period, the school must consider escalation to prosecution. Sessions refer to each half a school day, with most schools having 2 sessions each day. The school must consider the reasons for the absence, the support already offered, and the engagement of the parents/carers and young person. These 10 sessions could be made up of term time leave, unauthorised late marks, or unauthorised absence. It is therefore important to notify school every day that your child is absent, providing a reason, and where appropriate evidence of medical appointments or prescribed medication. Schools will consider NHS guidance Health protection in children and young people settings, including education - GOV.UK (www.gov.uk) and Is my child too ill for school? - NHS (www.nhs.uk) when making their decision whether to authorise absence due to illness.

2) Updates to the Working Together to Improve Attendance Guidance The Department for Education have updated the Working together to improve school attendance (applies from 19 August 2024) (publishing.service.gov.uk) available on the DFE website.

This clarifies the expectations for parents, schools and the Local Authority to promote the importance of regular attendance at school, and to provide ideas for support and interventions when a young person is not attending school on a regular basis.

3) Regulation changes to modernise school attendance and admission registers.

The predominant change is around the use of attendance coding for schools to use on their attendance register. This may mean that you see different marks on your child's attendance certificate, including sub codes for example C2 for a reduced timetable, or Y4 for school closed due to weather conditions. The H code for authorised term time leave (holiday) has been removed, therefore Headteachers can no longer authorise term time leave, unless there are exceptional circumstances covered by the C code and must request an attendance penalty notice if there are 5 or more days of unauthorised absence. Another change to these regulations is that parents must accept the school place offered prior to their child going on school roll. Therefore, if you have been offered a school place that was not one of your preferences you must either accept the school place or notify the Local Authority how you intend to educate your child.

4) Regulations will come into force on the 19th August 2024 to mandate attendance data sharing by all state funded schools.

This means that your child's attendance data will be shared with the Department for Education and the Local Authority every day. This will be live data. This will allow the DFE to provide schools with the tools to monitor and see improvement in attendance, and will allow the Local Authority to provide advice, support, and Early Help services. It will also allow tracking of attendance trends for example a child reported as ill the same week each year, or a certain year group or cohort with patterns of absence. With all of these changes the priority is supporting a young person to access school every day, ensuring they have the reasonable adjustments, interventions and early help to engage in their learning. If your child is finding attending school difficult, is feeling anxious about attending school, or needs help to access their education speak to the school, arrange to meet to discuss reasonable adjustments and the support available for your child. Every school day matters.

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 Head Teacher (using a 'Leave of Absence Request form' from the office), at least four weeks in advance** of the request for absence. You should only then 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 Head Teacher with evidence, who will consider each case upon its merits.

If you still 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 (see summary chart). Failure to pay the Fixed Penalty may result in further legal action being taken against you.

Please note that if the school has sufficient evidence that a child has been on holiday, when parents have called to say they are ill we will also issue a FPN. Please do not ask your child to lie to us.

A Fixed Penalty Notice is a strategy used by schools to address the unacceptable levels of attendance of children at their school under the following legislation:

- **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 cases where this duty is not being fulfilled Section 444B of the same Act empowers the Local Authority to issue a Fixed Penalty of either £160.00 or £80.00. (See Summary table for New Framework for FP – 19th August 2024)**

Please note: A Fixed Penalty Notice can also be issued if your child is seen in a public place within the first 5 days of an exclusion from their school.

- **Section 103 of the Education and Inspections Act 2006 makes it a duty for parents in relation to pupils subject to a fixed period or permanent exclusion to ensure that their child is not present in a public place during school hours, without reasonable justification, during the first five days of any such exclusion. If a child is present in a public place during the first five days of an exclusion during school hours the parent may be guilty of an offence for which they can be prosecuted by the LA before a magistrates' court or issued with a Fixed Penalty Notice for £160.00 or £80.00.**

I need to draw your attention to the fact that parents have a duty in law to ensure their child attends school regularly and on time, unless they are unable to do so by reason of ill-health or other legally acceptable reason.

Section 7 of the Education Act 1996 places upon parents a duty to ensure their child receives suitable efficient full time education either by regular attendance at school or education otherwise. Section 444 (1)(a) of the same Act states that where a parent of a child who knowingly and without reasonable justification fails to ensure regular attendance of a registered pupil at that school, the parent of the child shall be guilty of an offence against that Section. The Local Education Authority may, where necessary, institute legal proceedings in the Magistrates Court under this section of the Education Act 1996 against those parents concerned. Alternatively, Section 444B of the same Act empowers the Local Education Authority to issue a Fixed Penalty of either £160.00 or £80.00.

If you have any concerns regarding this, please contact Miss Willows. We appreciate your cooperation in this matter.

Yours sincerely,

C. Willows

Miss Claire Willows
Headteacher

Fixed Penalty Notice Agreement

Child/children's names _____

I have read and understood the guidance on our Fixed Penalty Notice guidance.

Parent's Name _____

Signed Parent 1 _____

Parent's Name _____

Signed Parent 2 _____

Date _____