

Issuing Fixed Penalty Notices for Unauthorised Leave of Absence

It is the decision of the Headteacher/Governors to authorise or not authorise leave of absence during term time.

Amendments to legislation state that leave during school time should only be granted in exceptional circumstances. If a parent/carer request a leave of absence during term time which is declined, and the child is subsequently absent in circumstances which suggest that the leave was taken despite the lack of consent, Government Guidance suggests that the absence is recorded as an Unauthorised Absence and that a Fixed Penalty Notice should be issued.

If a request for a leave of absence is declined we would ask that the Headteacher respond to these requests in writing informing parents/carers of the decision and that a Fixed Penalty Notice may be issued.

If the leave of absence request is for a holiday during term time and the absence is unauthorised it should be recorded on the pupil's registration certificate as a **G**.

A Fixed Penalty Notice can only be issued if the unauthorised leave of absence is for at least 10 sessions (5 school days) during term time. These have to be consecutive school days.

A Fixed Penalty Notice can only be issued to parent/cares of pupils who are of Compulsory School Age.

There is no restriction on the number of Fixed Penalty Notices that may be issued in an academic year, and these Fixed Penalty Notices may be issued against each parent/carer of the child.

Where both parents have responsibility for their child, each parent will receive a Fixed Penalty Notice. The definition of "parent" includes all natural parents, whether they are married or not; and includes any person who, although not a natural parent, has parental responsibility and/or care for a child or young person.

The Fixed Penalty Notice payment is a fixed amount for the duration of the unauthorised leave of absence. (5 school days or more)

The amount of the penalty is £60 per parent/carer if paid within 21 days. If the payment is after 21 days but within the maximum 28 days the penalty payment is £120 per parent/carer.

Parent/carers do not receive reminders requesting payment.

Section 444 of the Education Act 1996, makes it a criminal offence for a parent to fail to secure their child's attendance at the school at which they are registered, where that absence is not authorised by the school. Therefore If the Fixed Penalty Notice is paid within the time limits above no further action will be taken in connection with the offence. If the fixed penalty notice remains unpaid the file is passed to the Authorities Legal Services and the parent/carer could get prosecuted in the magistrate's court.