

## **INFORMATION ABOUT DEPARTMENT FOR EDUCATION CHANGES TO ATTENDANCE FROM SEPTEMBER 2024**

The Department for Education (DfE) has introduced some significant changes to their guidance 'Working Together to Improve School Attendance'. Whilst the majority of these changes are primarily related to policies and procedures within schools and local authorities, there are several important changes that will impact on you, as parents.

### **Changes to the Close of Morning (AM) Registration**

We currently take our AM register at 8.30am and keep it open until 9.30am, children arriving before this time receive a late mark (L code), however, children who arrive after this time receive an unauthorised absence mark (U code). The DfE has now informed all schools that we can only keep our register open for a maximum of 30 minutes, therefore, if your child arrives after 9am, they will receive a U code.

### **Removal of the H Code - Authorised Holiday in Term Time**

Previously, Headteachers were able to authorise holidays in term time if there were exceptional circumstances and any pupil absence due to an authorised holiday would receive an H code in the register. The DfE has withdrawn the H code and has stated that *"Generally, a need or desire for a holiday or other absence for the purpose of leisure and recreation would not constitute an exceptional circumstance"*. Therefore, from September we will no longer be able to authorise any holidays in term time. Any holidays that are taken will be recorded with a G code which will be classed as an Unauthorised Holiday in Term Time, and you will be liable for a penalty notice.

### **Changes to Penalty Notices for Non School Attendance**

The most significant change for both schools and their families, is the changes to penalty notices for non-school attendance.

### **Changes to Penalty Notices for Non School Attendance**

The Department for Education (DfE) will introduce a new National Framework for Penalty Notices on 19 August 2024, this is explained in more detail in [Working Together to Improve School Attendance 2024](#).

### **Reasons for Penalty Notices/Prosecution**

#### **Term Time Leave of Absence**

A school can apply to their local authority for a penalty notice if there are 5 or more days of either cumulative or consecutive absence due to term time leave.

#### **Unauthorised Absence**

A school may apply to their local authority for a penalty notice if there are 10 or more sessions of unauthorised absence in a 10 week period. These absences can be a combination of the following codes:

G - Term Time Leave of Absence

O - Unauthorised Absence - Failure to contact the school (unexplained absence) may result in an absence being recorded as unauthorised

U - Late After the Close of Registers

### **Who is Liable for a Penalty Notice/Prosecution?**

Penalty notices/prosecution are now issued/sought for each parent for each child (**per parent, per child**). Parent refers to anyone with parental responsibility and may include carers, step parents, grandparents or any other adult with parental responsibility.

**For Example: If a family with three children take term time leave of absence, each parent would receive three penalty notices of £160 for each child. This would amount to £960 if paid within 28 days, reduced to £480 if paid within 21 days**

#### **First Offence**

The first time a penalty notice is issued for term time leave of absence or unauthorised absences the amount has increased to:

**£160 per parent, per child if paid within 28 days of being issued, this amount is reduced to £80 if paid within the first 21 days of being issued**

#### **Second Offence**

If a second penalty notice is issued for term time leave of absence or unauthorised absence within a three year period, there **will not** be a discount for early payment.

**The penalty notice is payable at the full amount of £160 within 28 days of the date of being issued**

#### **Third Offence/Any Further Offences Within a Three Year Period**

If there is a third instance of term time leave of absence or unauthorised absence, a penalty notice **will not** be issued.

Any further cases will be referred directly to Magistrates' Court for prosecution. Magistrates can impose a fine of up to £2500 per parent, per child.

**If a parent is found guilty of an offence, this is recorded as a criminal offence and will show on any DBS (Disclosure and Barring Service) checks as "Failure to Safeguard a Child's Education"**

#### **Transition, In year Admissions and Cross Border Checks**

All schools will have the ability to check for previous penalty notices/prosecutions issued within a three year period in their own local authority or any other local authority that the family has lived in at year 6 to 7 and 11 to 12 transition or for in year admissions.

#### **Data Sharing with The DfE and Local Authority**

From September, it will be mandatory for all schools to share live data with both the Department for Education and their local authority. Schools will also have termly targeted support meetings with their local authority, to discuss pupil attendance. If schools have authorised leave in term time, local authorities may ask to see proof of exceptional circumstances and in some cases, direct schools to apply for penalty notices to be issued.