



May 2017

Dear Parents / Carers

School Attendance

You may have seen the press coverage recently about the Isle of Wight court case when a father challenged the Isle of Wight over a penalty notice he received for failing to secure his child's regular attendance at school as a result of taking his child out of school for a holiday during term time. **This case ultimately went to the Supreme Court who ruled in favour of the Isle of Wight and clarified that regular attendance means "in accordance with the school's rules"**. As a result we would like to clarify the procedures to be used when children miss school without permission and we would like to take a collective opportunity to remind you about them

This letter is being sent to every child who attends an infant, junior, primary and secondary school in the Cove and Fernhill secondary school areas. All the schools in this cluster are working together to apply the law as strictly, fairly and consistently as possible.

Please read the contents of this letter very carefully so that you do not find yourself in the position of being fined or prosecuted by the Local Authority (Hampshire County Council) because your child has not attended school.

In law, parents/carers are committing an offence if they fail to ensure the regular attendance of their child at school, unless the absence has been authorised by the school. Only schools can decide whether to authorise an absence, not parents. This decision ultimately rests with the Headteacher.

As many of you will already be aware, the regulations regarding taking children on holiday during term time changed in September 2013:

*'Schools are now only able to authorise absence from school in exceptional circumstances. In making a request for an authorised absence from school you will need to explain why the circumstances are exceptional. **Please note there is no right for schools to authorise absence for a family holiday outside the 13 weeks holiday children already receive, and if you take your child out of school without permission the absence will be unauthorised and we may refer the matter for consideration of legal action.***

What this means is that if your child is absent without the permission of the school, it will be recorded as an unauthorised absence. An unauthorised absence as defined by the Department for Education is:

'An occasion on which a pupil is recorded as absent without authority in the school attendance register. This includes all unexplained absences. In line with Hampshire's code of conduct if your child has 5 or more school days or 10 half day sessions of unauthorised absence in any 10 week/

100 half day session period, then you will be issued with a Penalty Notice and have to pay a fine of £60 if paid within 21 days or £120 if paid between 21 days and 28 days. Late and part payments will not be accepted. There is no statutory right of appeal. Once a Penalty Notice has been issued, it can only be withdrawn if it can be shown that it was issued in error ('issued in error' meaning issued with the incorrect address on or issued to the wrong parent).

The fines can be applied to parents who do not live together and also to other responsible adults (e.g. step-parents, partners, grandparents). However each case will be considered on the individual situation.

It is important that parents understand that even if you pay the fine on time, if your child has further unauthorised absence, this may well result in further legal action, such as prosecution. Hampshire County Council will not continue to issue repeated fines, as fines are issued as a strategy to reduce further unauthorised absence, and achieve a positive change in the child's attendance. Therefore any parent/carer who has already received a fine whose child then goes on to have further unauthorised absence may well face other legal sanctions, such as prosecution.

Please note that if you apply for a holiday during term time, the form that will be returned to you explains that the absence is unauthorised. This form also serves as a Penalty Notice Warning letter. We will also issue a penalty notice if your child is absent from school and we believe retrospectively the absence should not be authorised, for example due to a term time holiday.

These conditions also apply to parents whose children are frequently late to school. Pupils who are recorded as continually late for registration after the registers have closed will also be recorded with an unauthorised absence. When a pupil has been late to school for 10 sessions within a 10 school week period this can also incur a fixed penalty notice. Where a child is persistently late but before the registers have closed, we will endeavour to work with you to resolve the issues and ensure the child arrives on time every day. Where this isn't resolved, the school will be forced to consider recording these late sessions as unauthorised meaning you may receive a Penalty Notice. **There is no exception to this apart from pupils with a diagnosed medical condition recorded on a Statement of Special Educational Needs/Education Health and Care Plan which would prevent them from starting school at the usual time.**

Please make sure your child attends school regularly – it is your responsibility. If you have any queries about this then it is best to contact your child's school direct to seek further guidance and to do so before finalising any plans which will involve your child missing school. We all appreciate your support in this matter and are grateful for your understanding.

On behalf of the Headteachers of:

Cherrywood Community Primary School

Cove Infant School

Cove Junior School

Cove School

Farnborough Grange Infant Community School

Fernhill Primary School

Fernhill School

Grange Community Junior School

Guillemont Junior School

Manor Infant School

Manor Junior School

Parsonage Farm Infant School

Pinewood Infant School

Southwood Infant School

St Bernadette's Catholic Primary School