

Department for People

Dear Parents and Carers,

IMPORTANT CHANGES TO THE LAW REGARDING PENALTY NOTICES FOR UNAUTHORISED ABSENCE FROM SCHOOL

A new National Framework for Penalty Notices for school absence, including unauthorised holiday absence, is being introduced following changes to the law. These new Government regulations will come into effect from 19 August 2024, and we wanted to bring this to your attention now, as it will affect when penalty notices are issued in South Gloucestershire.

In line with the [Working together to improve school attendance](#) (applies from 19 August 2024), South Gloucestershire Council will prioritise the 'support first' approach expecting that support will have been offered to families in cases where it is appropriate, and parents/carers are encouraged to communicate with the school should any support be required to improve attendance.

Penalty Notices are requested by schools and academies and issued by the Local Authority to the parents/carers of statutory school age children, per parent, per child. For example: two children in a family absent from school for a leave of absence may result in each parent receiving a Penalty Notice for each child at the below rates.

What are the changes?

1. There will be a new national threshold of 10 unauthorised sessions for any reason (equivalent to 5 school days) within a rolling 10 school week period for when a penalty notice must be considered.
2. The new rules mean you will no longer be able to take your child out of school for one week's holiday without a penalty notice being issued.
3. There will be an increase in the penalty fine from £60 to £80 if paid in 21 days. If the fine is not paid by the first 21 days, it will rise to £160 if paid within 28 days of being issued.
4. If a second penalty fine is issued to the same parent for the same child within a 3-year rolling period, the fine will automatically rise to £160 with no option to pay the lower rate of £80.
5. If a parent then commits a third offence in a 3-year rolling period, the local authority will need to consider other enforcement options available to them.

We would like to thank parents and carers for their support in making sure that children do not miss any learning time.

Yours sincerely,



Mike Wheeler
Strategic Lead for Statutory Education

Penalty Notices for unauthorised absence are changing

19 July 2024

What you need to know if your child is absent (unauthorised) during term time – from September 2024 onwards

Unauthorised absences will be monitored on a rolling 3-year basis (including between schools and different local authority areas).

Penalty Notices can be issued when there have been 10 unauthorised absences (1 school day = 2 sessions, 5 school days = 10 sessions). The threshold can be met with any combination of unauthorised absence within 10 school weeks. Penalty Notices are issued for any term-time or irregular absences that are unauthorised (for example, a 5-day term-time holiday) - whether these absences are taken consecutively or cumulatively over a period of 10 school weeks.

1st Penalty notice

The first Penalty Notice is issued for term time absences or irregular absences, the amount will be:

- **£80** per parent, per child (if paid within 21 days of issue)
- **£160** per parent, per child (if paid after 21 days but within 28 days of issue)

No. of parents	No. of children	Fine amount up to 21 days	Fine amount after 21 days but within 28 days
1	1	£80	£160
1	2	£160	£320
2	3	£480	£960

2nd Penalty notice

The second Penalty Notice is issued for term time absences or irregular absences, issued to the **same parent** for the **same child**, the amount will be:

- **£160** per parent, per child (if paid within 28 days). This is a flat rate. **There is no discount for early payment.**

No. of parents	No. of children	Fine amount up to 21 days	Fine amount up to 28 days
1	1	Not applicable	£160
1	2	Not applicable	£320
2	3	Not applicable	£960

Further offences

The third time an offence is committed for unauthorised term time or irregular absences **within 3 years** by the same parent for the same child (including those from other schools or Local Authorities) may result in an automatic request for Prosecution.

Education Act: 1996: It is your responsibility as the parent/carers to ensure your child's school attendance is on a regular basis and if you fail to do this without good cause, you are liable to prosecution. If found guilty of this offence you could be liable to, amongst other things, a fine of up to £2500 and/or a custodial sentence of up to 3 months.