



Date:

Dear <AddeeSalutation>

<AddeeAddressBlock>

Name of child: <FirstName> <Surname>

Date of Birth: <DOB>

**Pupil registered at: Hillcrest Early Years Academy**

I am writing to inform you that your request for a leave of absence from \_\_\_\_\_ will not be granted as it is not **deemed to be 'exceptional circumstances'**.

If you then 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 Academy, then this will be coded as an unauthorised absence and a Penalty Notice issued for the period of absence. Failure to pay the Penalty Notice may result in further legal action being taken against you.

A 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 Penalty Notice.**

### Penalty Notice details



- The first penalty notice issued to a parent in respect of a particular pupil will be charged at £160 if paid within 28 days. This will be reduced to £80 if paid within 21 days.
- A second penalty notice issued to the same parent in respect of the same pupil is charged at a flat rate of £160 if paid within 28 days.
- A third penalty notice cannot be issued to the same parent in respect of the same child within 3 years of the date of issue of the first. In a case where the national threshold is met for a third time (or subsequent times) within those 3 years, alternative action should be taken instead. This will often include considering prosecution but may include other tools such as one of the other attendance legal interventions.

### **Prosecution in the Magistrates Court**

- Parents who fail to secure their child's regular attendance at a school, for which there are 2 separate offences:
  - Section 444(1) where a parent fails to secure the child's regular attendance; and
  - Section 444(1A) where a parent knows that the child is failing to attend school regularly and fails to ensure the child does so.

The section 444(1) offence may result in a fine of up to level 3 (£1,000) and the section 444(1A) offence may result in a fine of up to level 4 (£2,500), and/or a community order or imprisonment of up to 3 months.

Please visit our academy website at [www.hillcrestearlyyearsacademy.co.uk](http://www.hillcrestearlyyearsacademy.co.uk) and look under '**Key Information**' and then '**Attendance**' to see our Attendance Policy which has more helpful information.

Please take this Penalty Notice into consideration before deciding whether to take this period of absence.

If you have any concerns regarding this letter please contact the school office, we appreciate your cooperation in this matter.

Yours sincerely,

Miss Stokes

Headteacher/ Attendance Champion