



In all things faithful

18<sup>th</sup> September 2020

Dear Parent/Carer,

### Penalty Notices for Non- school attendance – Information Letter

You will be aware that, in March when the coronavirus pandemic was increasing, the Government made it clear that no parent would be penalised for non- school attendance. Now the circumstances have changed and it is vital for all children to return to school to minimise, as far as possible, the longer term impact on children's education, wellbeing and wider development. To ensure pupils do not fall further behind, the Government made school attendance mandatory again from the start of the Autumn 2020 term.

Tameside Council are encouraging schools to work closely with parents in the first instance where they feel a degree of anxiety about their children returning to school. If this applies to you I would encourage you to contact school to discuss this.

However, it is important to note that St Damian's takes school attendance seriously and I must inform all parents that appropriate sanctions will be utilised where appropriate.

Section 444(1) of the Education Act 1996 empowers the local authority to issue Penalty Notices in cases of unauthorised absence from school. This means that when a pupil has unauthorised absence of 10 sessions (5 days) or more, in a 12 week period (where no acceptable reason has been given for the absence) or if their child persistently arrives late for school after the close of registration, their parents may receive a Penalty Notice of £120, which is reduced to £60 if paid within 21 days. The Penalty Notice will need to be paid in full before 28 days of the notice being served. Failure to pay a penalty notice may result in prosecution (a separate penalty notice may be issued to each parent for each child).

In law, an offence is committed if a parent fails to secure a child's regular attendance at school. Tameside Education Welfare Service, in conjunction with schools and Greater Manchester Police, will use these powers as an early deterrent to prevent patterns of unauthorised absence developing.

Parents may also receive a Penalty Notice without a warning letter for the offence of failing to secure regular school attendance under the following circumstances:

- Their child is stopped on a truancy sweep
- Where the absence is recorded as an unauthorised leave of absence for a minimum of 10 sessions (5 school days) in a 12 week period

The Education and Inspections Act 2006 also makes it an offence if a parent fails to ensure that their child is not in a public place during the first 5 days of a fixed term or permanent exclusion. Penalty Notices may be issued for such an offence.

The issuing of a penalty notice is an alternative to issuing proceedings at court. As a proportionate response, the local authority is likely to give parents the opportunity to discharge their liability to criminal proceedings by way of a penalty notice on the first occasion.

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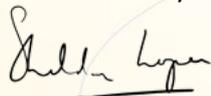
Once a parent has discharged liability by paying a Penalty Notice on at least one occasion and where there are further unauthorised absences, they may not be given the option of paying a further penalty notice, but may instead, be summoned to appear before Tameside Magistrates' Court to answer an offence under Section 444 of The Education Act 1996: failure to ensure regular attendance. If found guilty at court, a criminal conviction will be recorded against the parent which carries a fine of up to £2,500 and/or up to 3 months imprisonment.

Parents and carers of pupils registered at this school are reminded that they hold legal responsibility for ensuring that their child attends school regularly and punctually.

St Damian's school shares the Government's determination to raise levels of pupil attendance and achievement in order to ensure the best possible start in life for our children.

Support and guidance on attendance is always available from our school and if you have any specific queries in relation to this letter, please contact me on the above number.

Yours faithfully



Mr Logue  
Headteacher