**Essex unauthorising leave of absence – no application made / reported as illness**

**School Logo / Headed Paper / Sent from an official school email address with a clear email signature**

* **This communication should be pasted into the body of an email (rather than as an attachment), which should be sent with a read receipt requested;**
* **The ‘TO’ field of the email must be addressed to an individual parent (separate emails should be sent to each individual parent);**
* **The subject field should make clear the content of the communication. Please note parent/s email addresses must not be in the CC or BCC field;**
* **If being sent as a letter, please ensure the full address section is completed as per the below and send to each parent via first class royal mail post.**

**IMPORTANT POINTS FOR SCHOOL TO NOTE:**

* This communication can be sent as soon as a school has reason to believe a pupil / family is/was on holiday and either:
	+ no application was made prior to the absence; OR
	+ Parent/carer has chosen to report the pupil as ill.
		- Where the parent/carer has reported the child as ill, schools must stipulate a date (providing at least 5 working days) by which the parent must provide valid evidence to support that the child was in fact ill - should this not be provided, it may be assumed that no evidence is available, and the family were on holiday.
	+ Schools must apply for any legal intervention as soon as they can be sure parents have received this communication or, any deadline set for further information/contact has passed.

Title, full forename name and surname

Full address

Full address

Postcode (ensure is accurate)

Date

Dear Title, Full Forename and Surname,

**RE: Pupil Name (Date of Birth)**

*For absence where no application made* (delete below as appropriate – no application or reported as illness)

I have noted that CHILD FULL NAME was absent from DAY DATE MONTH YEAR to DAY DATE MONTH YEAR, a total of XX school days absent, and we have reason to believe that this absence was due to a family holiday because \*\*\*\*\*\*. *OR* I have noted that CHILD FULL NAME has been absent since DAY DATE MONTH YEAR, and we have reason to believe that this absence is due to a family holiday because \*\*\*\*\*\*.

You will already be aware from our school’s attendance policy and the Essex published Code of Conduct relating to school attendance, that the law requires parents to seek permission from the head teacher to take their child out of school during term time. The law states permission can only be granted if:

1. An application has been made in advance; **and**
2. There are exceptional circumstances.

We have no record of an application for leave and have therefore taken the decision to record it as unauthorised leave taken for a term time holiday. It is our intention to refer the matter to Essex County Council for legal action in line with the National Framework as outlined below.

Please contact me by DAY DATE MONTH YEAR (must be at least 5 working days from date of the letter) to share any circumstances related to this absence which you believe to be exceptional. Should I not hear from you by the date stipulated above, or should the circumstances related to this absence not be deemed exceptional, I will refer the matter to the Local Authority for legal action.

Please visit the Essex County Council website and search for “penalty notices” for more information about the penalty notice fine levels and maximum penalty notice limits which are detailed within the Essex Code of Conduct.

Yours sincerely,

*Forename and Surname*

*Position held*

Telephone number: XXXXXXXXX

Email: XXXXXXXXX

NOTE ENSURE THE BELOW (SUMMARY OF LEGAL INTERVENTION) IS ENCLOSED/ATTACHED

*OR For absence reported as illness* (delete above or below as appropriate – no application or reported as illness)

Title, full forename name and surname

Full address

Full address

Postcode (ensure is accurate)

Date

Dear Title, Full Forename and Surname,

**RE: Pupil Name (Date of Birth)**

I have noted that CHILD FULL NAME was reported absent due to illness from DAY DATE MONTH YEAR to DAY DATE MONTH YEAR, a total of XX school days. However, we have reason to believe that this absence was due to a family holiday.

You are now required to either:

* + provide medical evidence in support of the reported illness; or
	+ share any circumstances related to this absence that you believe to be exceptional.

This information is required by DAY DATE MONTH YEAR (must be at least 5 working days from date of the letter). Should evidence not be provided by this date, or should any reported circumstances related to this absence not be deemed exceptional, I will refer the matter to the Local Authority for legal action.

Please visit the Essex County Council website and search for “penalty notices” for more information about the penalty notice fine levels and maximum penalty notice limits which are detailed within the Essex Code of Conduct.

Yours sincerely,

*Forename and Surname*

*Position held*

Telephone number: XXXXXXXXX

Email: XXXXXXXXX

NOTE ENSURE THE BELOW IS ENCLOSED/ATTACHED



**Helping Parents understand Penalty Notice Fines for School Attendance**

From 19 August 2024, there is a National Framework for Penalty Notice Fines being issued for unauthorised absences recorded by schools

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| **National Threshold**  |
| A single consistent national threshold for when a Penalty Notice must be considered by ALL schools in England, this is: * 10 sessions (usually equivalent to 5 school days) of unauthorised absence within a rolling 10 school week period
* These sessions do not have to be consecutive and can be made up of a combination of any type of unauthorised absence
* For example, a 5-day unauthorised leave of absence would meet the national threshold
* The 10-school week period can span different terms or school years
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| **Who may be fined?**  |
| * Penalty Notice Fines are issued to each parent who allows their child to be absent without authorisation from school
* For example, 3 siblings absent for unauthorised leave during term-time would result in each parent receiving 3 separate fines
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| **First Offence**  |
| The first time a Penalty Notice is issued for unauthorised absence, the fine amount will be: * £80 per parent, per child if paid **within 21 days**
* If **not paid within 21 days**, the fine will increase to **£160 per parent, per child**, payable between the 22nd and 28th day
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| **Second Offence (within 3 years)**  |
| The second time a Penalty Notice is issued for unauthorised absence, a reduced rate is not available. The amount therefore will be: * £160 per parent, per child – payable within 28 days
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| **Third Offence and Any Further Offences (within 3 years)**  |
| The third time an offence is committed, a Penalty Notice WILL NOT be issued, and the case will be presented **straight to the Magistrate’s Court** * **Prosecution** can result in **criminal records** and **fines of up to £2,500**
* Cases found **guilty** in a **Magistrates Court** can show on the parent’s future DBS (Disclosure and Barring Service) certificate (Disclosure and Barring Service) due to a **‘failure to safeguard a child’s education’**
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