



Monday 4th November, 2024

Re: Changes made to term time holiday fines

Dear parents,

Following the recent updates to government guidance on attendance, there have been changes to the ways in which schools will handle term time holidays.

The fine for taking a child out of school during term time has risen from £60 to £80 per child. If this fine is not paid in the first 21 days following the penalty notice, it will rise to £160. All schools are now required to consider a fine when a child has missed 10 or more sessions (5 days) for unauthorised reasons, including a term time holiday. This will be doubled if it happens again within three years. Those with a third fine in a three-year period now face prosecution. There is no right to appeal a penalty notice.

Headteachers can only grant an authorised term time absence in exceptional circumstances, which are defined as one-off events that are unavoidable, such as health reasons, family bereavement, weddings, or funerals.

If your child is absent from school without authorisation, you will be committing an offence under the Education Act 1996. We may submit a request to Cornwall Council for a Penalty Notice to be issued, in accordance with Sections 444A and 444B of the said Act. Penalty Notices are issued per liable parent, per child and each carry a fine of £80 if paid within 21 days or £160 if paid after this but within 28 days.

If your child is further absent from school without authorisation within any 3-year period, you will be committing a further offence under the Education Act 1996. We may submit a request to Cornwall Council for a Penalty Notice to be issued, in accordance with Sections 444A and 444B of the said Act. Penalty Notices for a second offence are issued per liable parent, per child and each carry a fine of £160, payable within 28 days.

Importantly, fines per parent will be capped to two fines within any three-year period. Once this limit has been reached, other action such as a parenting order or prosecution will be considered.

Failure to pay the Penalty Notice may also result in legal action. If you are prosecuted and attend court because your child has not been attending school, you could get a fine of up to £2,500. Cornwall Council may also apply for the costs incurred in taking the matter to Court, including legal costs.

Absence not authorised by the school may also result in a prosecution in the Magistrates' Court under Section 444(1) or Section 444(1A) of the Education Act 1996, leading to a fine of up to £2,500 and/or a custodial sentence. Again, Cornwall Council may also apply for the costs incurred in taking the matter to Court, including legal costs.

Money raised from fines is only used by the local authority to cover the costs of administering the system, and to fund attendance support. Any extra money is returned to the government.

'Parent' as set out in Section 576 of the Education Act 1996, defines parent to include: natural parents, whether they are married or not; any person or body who has parental responsibility for a child (as defined by the Children Act 1989) and; any person who, although not a natural parent, has care of a child. Having care of a child means a person with whom a child lives and who looks after a child, irrespective of what their relationship is with said child.

If you require any further information or clarification, please do not hesitate to contact us.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Jodie Flynn', with a horizontal line drawn through it.

Jodie Flynn

Headteacher