



Ely St Mary's C of E Junior School

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Dear Parents & Carers,

Attendance Matters

Section 444(1) of the Education Act 1996 provides that if a child of compulsory school age 'fails to attend regularly' at the school where he is a registered pupil, his parent is guilty of an offence.

Following a period of uncertainty the law in relation to the taking of term-time holidays has been further clarified by the Supreme Court's ruling in *Isle of Wight Council v. Platt* [2017], this having been that 'regular' attendance meant 'in accordance with the rules prescribed by the school', and that a Penalty Notice in relation to the taking of an unauthorised term-time holiday had, in the given circumstances, been properly issued.

I am therefore writing to remind you of the law in relation to term-time absence.

There is a duty on parents to ensure that their children attend school regularly and punctually. The law does not grant parents/carers an automatic right to take their children out of school during term-time. Permission in relation to term-time absence **must** be sought **in advance** by the parent/carer with whom the pupil normally lives, and the person making the request must have Parental Responsibility. Whilst power to authorise term-time absences lies with Headteachers, such **absences can only be authorised in 'exceptional circumstances'**, and authorisation will be conditional upon the child's attending satisfactorily in the meantime. **Holidays are not exceptional circumstances.**

If the school is unable to authorise a requested avoidable absence, and the pupil is nevertheless taken out of school, the absence will be recorded as **unauthorised**, and **each of the pupil's parents will risk incurring a Penalty Notice Fine***, or being made the subject of **court proceedings****.

The reason underlying the law in relation to term-time absences is that it has been proven that pupils achieve better qualifications, and therefore have improved life chances, when they attend school regularly and punctually. We hope that you will support us in our endeavour to help your child(ren) to achieve the best possible outcomes.

Yours sincerely,

Mrs Ireland-Curtis
Headteacher

*£120 per parent per child, reduced to £60 per parent per child if paid within 21 days

**which could result in a fine of up to £2,500 and/or a term of imprisonment of up to 3 months