



# Willingham Primary School

Headteacher Mr. D. Morel BSc

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26<sup>th</sup> September 2023

Dear Parent/Carer,

## Penalty Notices in Relation to Non-School Attendance

Following the outcome to the Supreme Court Judgement (Isle of Wight v John Platt) on the 6<sup>th</sup> April 2017, which clarified the meaning of "regular" school attendance as outlined in Section 444 Education Act 1996, I would like to remind you that Local Councils have the power to serve Penalty Notices on parents who permit their children to truant or who take their children out of school without the school's prior authorisation (for example, term-time holiday). Willingham Primary school expects attendance at school to be 100%, unless there are exceptional or unavoidable reasons for absence.

I do appreciate the fact that the vast majority of our parents fully support their children's regular attendance at school, and understand the important link between attendance and attainment. However, I am writing in order to ensure the legislation is properly explained to all parents/carers so that any misunderstandings can be avoided.

### Amount of Penalty Notice (per parent, per child)

The amount of the penalty is as follows

When paid within 21 days      £60

When paid within 28 days      £120

As shown above, a Penalty Notice involves a fine of £60 **per parent, per child** if paid within 21 days. This rises to £120 **per parent, per child** if paid within 28 days. Should a parent/carers, on whom a Penalty Notice is served, fail to pay the full amount of the fine within the specified time, he/she will be liable to prosecution in a Magistrates' Court where, on conviction, a fine of up to £1000 and/or a sentence of up to three months in prison may be imposed.

*In exceptional circumstances where a parent takes a child out of school during term time for an extended period (20 days or more), not authorised by the school, prosecution in relation to Section 444 Education Act 1996, may be considered as an alternative to a Penalty Notice fine being issued. **If 3 or more term time leave Penalty Notices have been issued over a 3-year period then prosecution in relation to Section 444 Education Act 1996, may be considered as an alternative to a Penalty Notice fine being issued.***

Penalty Notices may only be served in accordance with the terms of the County Council's Local Code of Conduct, a copy of which is on our website and is also available on the Cambridgeshire County Council website.

Any decision to impose a Penalty Notice will be taken by the Local Council after consultation with the Education Welfare Office.

I would like to reiterate my appreciation for your efforts in ensuring your child(ren)'s regular attendance.

Yours sincerely

Mr D Morel  
Headteacher

