

September 2019

Dear Parent/Carer,

### Attendance at school and legal intervention

Research commissioned by the Department for Education shows missing school for even a day can mean a child is less likely to achieve good grades, which can have a damaging effect on their life chances. At Open Academy our aim is to work with parents to ensure that all our pupils receive the most from their education and reach their full potential.

This letter is to remind all parent/carers regarding the law that requires them to ensure that their child attends school regularly. The Government remains very clear that no child should miss school apart from in exceptional circumstances and schools must continue to take steps to reduce absence to support children's attainment.

In the DfE policy document entitled, 'School Attendance: Guidance for maintained schools, academies, independent schools and the local authorities' it states, 'Headteachers should not grant leave of absence unless there are exceptional circumstances. **The application must be made in advance** and the headteacher must be satisfied that there are exceptional circumstances based on the individual facts and circumstances of the case which warrant the leave. Where a leave of absence is granted, the headteacher will determine the number of days a pupil can be away from school. **A leave of absence is granted entirely at the headteacher's discretion**'.

If the school does not receive a request for leave, the headteacher will be unable to consider your individual circumstances and the absence will be recorded as unauthorised. There will be no obligation on the headteacher to reconsider authorising the leave if an application as not been made in advance.

The Local Authority operates a system where any pupil will meet the criteria for legal intervention through the issue of a Fixed Penalty Notice where they have:

1. 10 consecutive sessions<sup>1</sup> of unauthorised absence where some or all of the absence may be attributed to an unauthorised holiday in term-time (for absences from 1 September 2017); or
2. 15% unauthorised absence over a period of 6 school weeks for reasons other than unauthorised term time holiday.

The intervention could be in the form of a Fixed Penalty Notice. Any pupil at Open Academy who meets either of the criteria, will be referred to the Local Authority for action to be considered.

#### OPEN Academy

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If a Fixed Penalty Notice is issued it is a fine of £60 per parent per child which must be paid in one payment within 21 days. If unpaid, a further invoice of £60 per parent per child is issued; both individual invoices would then have to be paid making a total payment of £120 in 28 days. You should be aware that failure to pay the total amount within the timescale will result in legal action being taken.

I hope we can count on your support in this matter, please do not hesitate to contact school if you have any questions.

Yours faithfully,

A handwritten signature in black ink, appearing to be 'J Ford', written in a cursive style.

**Mr J Ford**  
**Principal**

<sup>1</sup>Please note that the school day consists of 2 sessions.

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