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1 October 2017  
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Parent/Guardian

**Sent by Email/Post**

Dear Parent/ Guardian

We are writing to remind you of Torbay Council's policy in relation to school attendance.

Parents/carers have a legal duty to ensure their child who is of compulsory school age receives an efficient, full time education. Parents/carers are therefore committing an offence if they fail to ensure the regular and punctual attendance of their child at the school at which the child is registered, unless the absence has been authorised by the school.

All leave of absences from school can only be agreed by the school in advance, so it is therefore very important that you apply to the school in writing as far in advance of any absence as is reasonably possible. Please be aware that a school can only grant leave in 'exceptional circumstances'.

In situations where a child accumulates 10 or more unauthorised absences (the equivalent of 5 school days) within any six month period, parents/carers will make themselves liable to receiving a Penalty Notice per parent/carer, per child.

The Penalty Notice carries a penalty of £60 if paid in full within 21 days or £120 if paid in full after this time but within 28 days. We are unable to accept part or late payments and there is no legal right to appeal the Penalty Notice once it has been issued. If a Penalty Notice goes unpaid, this is likely to result in Court proceedings being taken against you for an offence of failing to ensure regular school attendance contrary to section 444 Education Act 1996. If convicted, you may face a fine of up to £2500 and/or a maximum 3 months imprisonment.

**Please note:** only one Penalty Notice will be issued in any two year period. This means that if a Penalty Notice is paid, and the child accumulates a further 10 sessions of unauthorised absence (5 school days), this will result in the parent/carer receiving a summons to Court for an offence contrary to s444 Education Act. The matter cannot be dealt with by way of a further Penalty Notice being issued.

You are reminded to read both your child's School Attendance Policy (normally on the school website) regarding taking holidays in term time and the Local Authority's Penalty Notice Code of Conduct which can be accessed at [www.torbay.gov.uk/attendance](http://www.torbay.gov.uk/attendance).

For further information or to discuss this, please speak to the Head Teacher or Attendance Officer at your child's school.

Yours sincerely

**Lois Hamilton, Attendance Improvement Officer**