TORBAY COUNCIL

School Attendance Support Team
2nd Floor Electric House
C/o Town Hall, Torquay, TQ1 3DR
Email: attendance@torbay.gov.uk

[Name of Parent]

[Address]

Dear **[Parent Name]** (Child's Name) **Date:**

Each year the Local Authority is expected to communicate with all parents of children attending a school in Torbay, to remind you of Torbay Council's policy in relation to school attendance. This letter is not a concern about YOUR child's attendance. We are encouraged to send it, so all parents and carers understand the framework. This letter is sent out by your child's school on our behalf. If your child's school have concerns about your child's attendance, they will contact you directly.

Over the last year, the majority of families have ensured that their child attended school regularly and enjoyed the benefits of being on roll at one of Torbay's schools. If your child has no unauthorised absences, I would like to thank you for your continuing commitment to your child's education. However, we all need to continue to work together to make sure that all children attend school as much as possible so that any gaps in their learning can be quickly and efficiently filled. I would urge you to communicate with your child's school should there be any problems with your child's attendance. As soon as a problem with your child's attendance is identified, the sooner the parents and schools can work together to overcome the barriers for your child.

If you wish to self-refer to our Early Help service, please go to torbayfamilyhub.org.uk/family-help and click on the Early Help Targeted Offer section which will take you to a page that says Early Help Assessment.

Parents/carers have a legal duty to ensure their child who is of compulsory school age receives an efficient, full-time education. Therefore, if your child has no unauthorised absences and their attendance is at 96% or above, you are giving your child the best chance to achieve their potential. If parents/carers fail to ensure their child's regular and punctual attendance at school, they are committing an offence, unless the absence has been authorised by the school.

We acknowledge that some absence, e.g., illness, is unavoidable. However, any requests for avoidable absences from school (including holidays) can only be agreed by the school in advance, so it is therefore essential that you apply to the school in writing as far in advance of the absence as is reasonably possible using a form supplied by the school. Please be aware that a school can only grant leave in exceptional circumstances. The Department for Education guidance states that "leave is unlikely to be granted for the purposes of a family holiday as a norm."

If a Penalty Notice is issued, it carries a penalty of £80 if paid in full within 21 days, or £160 if paid in full after this time but within 28 days. They will be issued for each parent/carer for each child where a child accumulates 10 or more sessions of unauthorised absences (one school day is made up of two sessions) within a rolling 10 school week period.

If the same child accumulates another 10 or more sessions of unauthorised absences within a subsequent rolling 10 school week period and also within a rolling 3-year period of the first penalty notice, it will be charged at the higher rate of £160 with no option for this second offence to be discharged at the lower rate of £80. It must be paid within 28 days.

Only two Penalty Notices will be issued in a rolling three-year period. This means that if the two Penalty Notices are paid, and the child has a further period of 10 sessions of unauthorised absence within the three years following the date of the first penalty notice, this will result in the parent/carer receiving a summons or Single Justice Procedure Notice for Court for an offence contrary to s444 Education Act.

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 instigated for an offence of failing to ensure regular school attendance contrary to section 444 Education Act 1996. Upon conviction of such an offence the maximum fine of £2500, or a maximum 3 months imprisonment, can be imposed.

If you are considering taking your child out of school, you are reminded to read both your child's School Attendance Policy (normally on the school website) regarding avoidable absence in term time and the Local Authority's Penalty Notice Code of Conduct which can be accessed at: www.torbay.gov.uk/attendance.

Yours sincerely,

SAH

On Behalf of the School Attendance Support Team