



Itchen Abbas County Primary School
School Lane
Itchen Abbas
Winchester
HAMPSHIRE
SO21 1BE

01962 779310

admin@itchenabbas.org.uk
www.itchenabbasprimary.co.uk

Monday, 11 September 2017

Dear Parents

We have been asked to share the following statement with you from Hampshire Local Authority regarding attendance following the recent judgement made by the Supreme Court.

It is the school's responsibility to follow of Hampshire's Attendance Policy and the national requirements. Therefore, we do monitor pupil attendance regularly and will contact you as soon as your child's attendance reaches close to 95% or below. For more information, please refer to the school's attendance policy available through our website.

Best wishes

Aimee Dear
Headteacher

The following statement can be found at:

<http://www3.hants.gov.uk/education/hias/learning-behaviour-attendance/attendance-guidance-for-parents/possible-penalties.htm>

Possible penalties for non-attendance

Once you have registered your child at a school it is your responsibility to make sure that she/he attends regularly and punctually. If you fail to do so the Local Authority has a statutory duty to consider legal action to enforce school attendance.

There are a number of legal measures that the Local Authority can pursue, these include:

- being issued a voluntary parenting contract
- being included in the fast track system which means you will be given 12 weeks to improve your child's attendance

- receiving a penalty notice. This is a fine of £60 per parent/carer for periods of unauthorised absence such as truancy, holidays in term time, lateness, unauthorised absence during formal exams, schools assessment or testing or poor patterns of attendance/punctuality
- being prosecuted in the Magistrates' Court. This means you could receive a community order, a fine of up to £2,500 per parent/carer or a custodial sentence
- your child being issued with an education supervision order. This is an order where the child attends court and certain measures are put in place regarding attendance at school.

Update to parents regarding term-time absence, issuing of penalty notices and the HCC Code of Conduct in the spring term 2017

Term time absence: Final position following Isle of Wight Council v Platt decision in Supreme Court

Updated June 2017

Further to previous communications, the Supreme Court has now delivered its judgement in relation to the Isle of Wight Council's appeal which sought clarification on what is meant by "fails to attend regularly" in the context of a prosecution for unauthorised non-attendance at school.

The Supreme Court said that "*regular*" means "*in accordance with the rules published by the school*" and rejected the view that regular meant "*sufficiently frequently*". Full details of this judgement can be found on the Supreme Court website: www.supremecourt.uk.

This clarifies the position regarding term time absence and it is clear that schools can determine whether an absence is authorised or not. In coming to their decision schools need to abide by Hampshire County Council's Code of Conduct when issuing Penalty Notices. All schools, maintained and academies, should be implementing the Code of Conduct and warning parents of the likelihood of legal action if absence is not authorised. A copy of the Code of Conduct for legal intervention is available on the right hand side of this page together with a leaflet which explains how Penalty Notices are issued.