

# School Attendance

A Guide for Parents & Carers on Term-Time Absence

**Birmingham City Council** – August 2024 Update



# Understanding Term-Time Leave

Key updates following the New National Framework for Penalty Notices.



# How to Request Leave of Absence

## **1. Request Form**

You must complete an official "Leave of Absence" request form from your child's school. Requests should be made at least two weeks in advance.

## **2. School Decision**

The Headteacher is the only person who can authorize leave. They will write to you to approve or decline based on the evidence provided.

# Exceptional Circumstances

Leave of absence during term time can **only** be authorized if the Headteacher/Principal is satisfied that there are **exceptional circumstances**.

General family holidays or cheaper travel costs do not qualify as exceptional. Each case is looked at individually, considering the specific reasons provided by the parent.



# The National Threshold

**10**  
SESSIONS

## **Mandatory Consideration**

A Penalty Notice must be considered when a child reaches **10 sessions** (equivalent to 5 school days) of unauthorised absence within a rolling 10-school week period.

The 10-week period can span different terms or even different school years.

# Penalty Notice Fines: First Offence

Payment Timeline	Fine Amount (Per Parent / Per Child)
Paid within <b>21 days</b> of receipt	<b>£80</b>
Paid between <b>22 and 28 days</b>	<b>£160</b>
Failure to pay within 28 days	Potential Prosecution in Magistrates' Court

*\*Part payments or payment plans are not available under national law.*

# Second and Further Offences

- 2 **Second Offence within 3 Years:** A second penalty notice issued to the same parent for the same child is charged at a flat rate of £160, payable within 28 days. No discount applies.
- **Third Offence within 3 Years:** A third penalty notice will **not** be issued. Instead, the local authority will consider direct prosecution in a Magistrates' Court.
- ↻ **Rolling 3-Year Period:** The framework tracks offences over a rolling three-year period to ensure consistent attendance.

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# Legal Responsibilities

Understanding who is liable for school attendance.



# Who counts as a 'Parent'?



## **Natural Parent**

Any natural parent, whether married or not, who has a legal tie to the child.



## **Legal Responsibility**

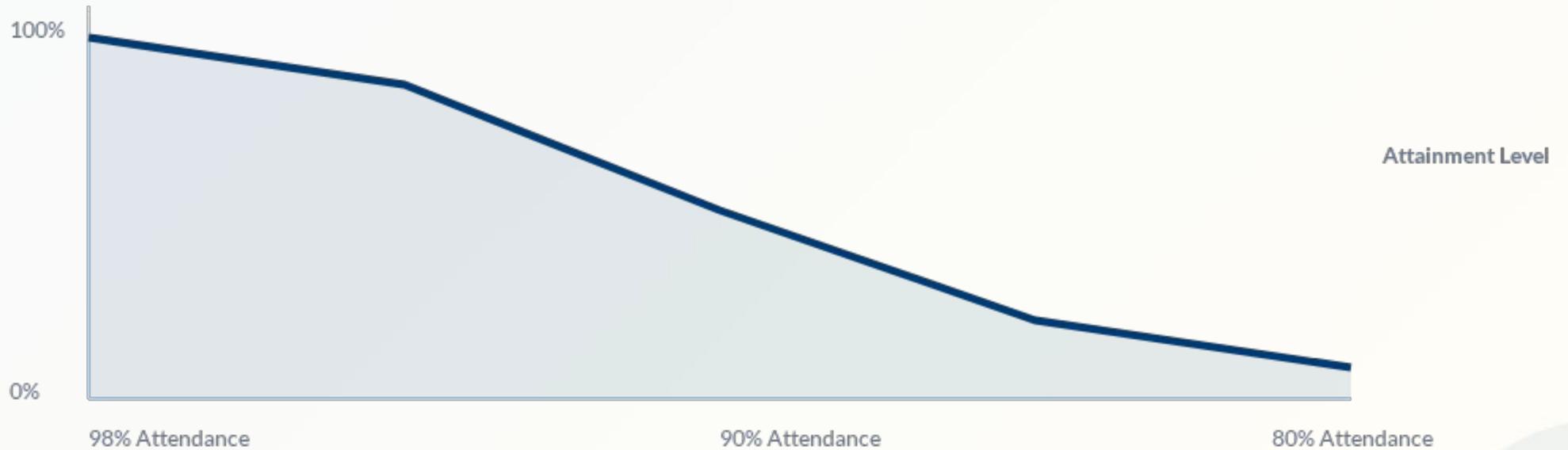
Any person who has Parental Responsibility as defined in the Children Act (1989).



## **Daily Care**

Any person who has day-to-day care of the child (e.g., a step-parent or guardian).

# Attendance & Attainment Impact

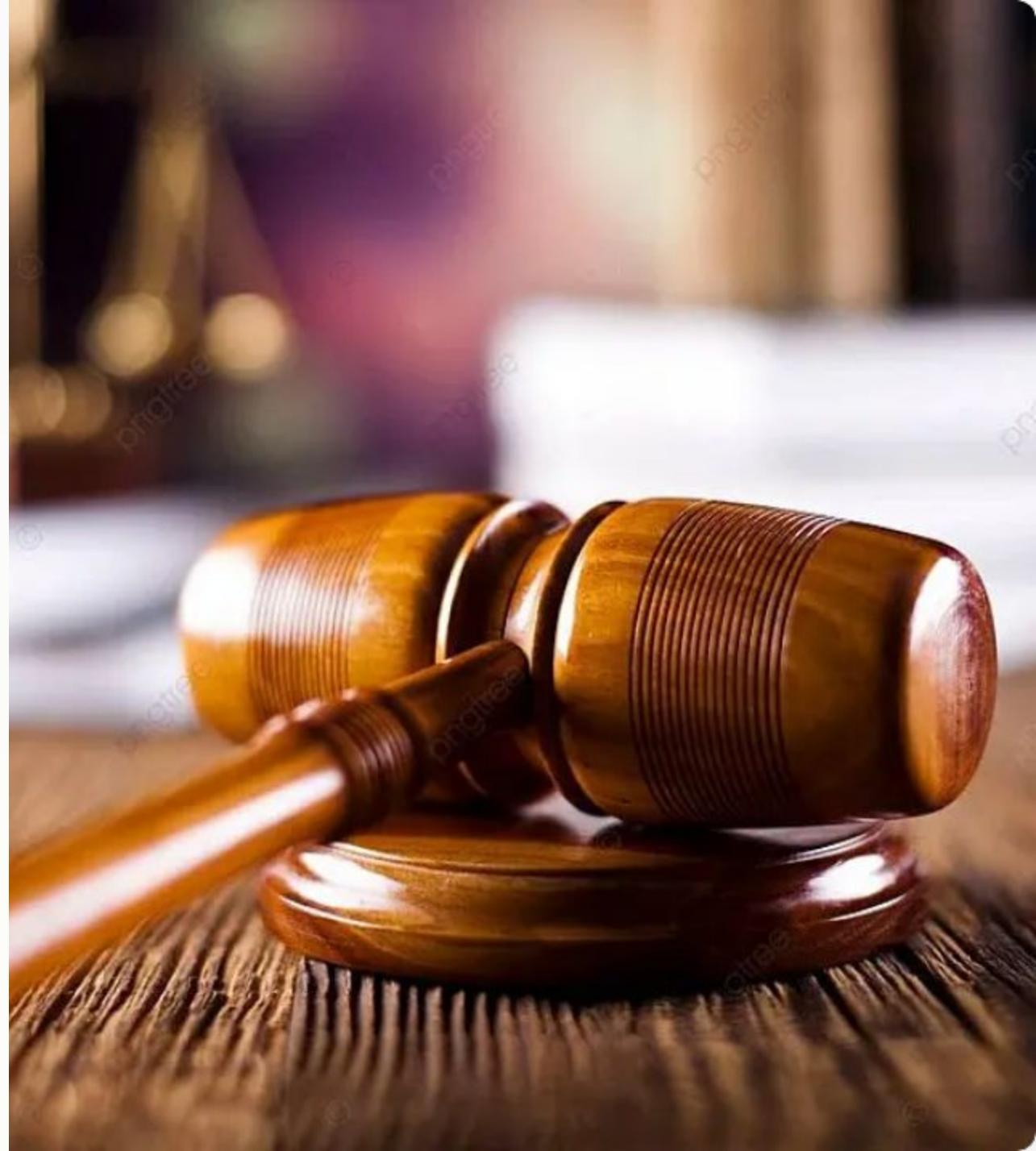


*Research shows that a drop in attendance directly correlates to a significant drop in GCSE and SATs attainment results.*

# Prosecution & Records

Under **S444 of the Education Act 1996**, failing to secure a child's regular attendance is a criminal offence.

If cases are presented before a Magistrate's Court, fines can reach up to **£2,500**. Convictions often result in a criminal record which may show on future **DBS certificates**.



# Questions?

Your child's attendance is our priority.

**Visit: [www.birmingham.gov.uk/attendance](http://www.birmingham.gov.uk/attendance)  
Contact your child's school for specific policy details.**