

New penalty notice code of conduct and consultation

A national Framework for penalty Notices for school absence, including unauthorised holiday absence, is being introduced following changes to the law. These new government regulations will come into effect from **19th August 2024**

Families will have received an important update letter from Wiltshire Council with an update regarding changes to the penalty notice code of conduct for school absence.

What are these changes?

1. There will be a new national threshold of 10 unauthorised sessions for any reason (equivalent to 5 school days) within a rolling 10 school week period for when a penalty notice must be considered.
2. The new rules mean you will no longer be able to take your child out of school for one week's holiday without a penalty notice being issued.
3. There will be an increase in the penalty fine from £60 to £80 if paid in 21 days. If the fine is not paid by the first 21 days, it will rise to £160 if paid within 28 days of being issued.
4. If a second penalty fine is issued to the same parent for the same child within a 3-year rolling period, the fine will automatically rise to £160 with no option to pay the lower rate of £80.
5. If a parent then commits a third offence in a 3-year rolling period, the local authority will need to consider other enforcement options available to them.

Head teachers can use discretion to consider leave in exceptional circumstances only.

In order for consideration to be given, requests for absence must be for exceptional circumstances only.

Exceptional circumstances *could* include:

- Service personnel returning from a tour of duty abroad where it is evidenced the individual will not be in receipt of any leave in the near future that coincides with school holidays
- Where an absence from school is recommended by a health professional as part of a parent or child's rehabilitation from a medical or emotional issue.
- The death or terminal illness of a person close to the family.
- To attend a wedding or funeral of a person close to the family.

- Where there are exceptional and unforeseen circumstances that fall outside of 1 to 4 above, the headteacher agrees to consult with the education welfare officer prior to any authorisation being given to the parent. The education welfare officer will discuss each case with the Head of school and Attendance officer and will make a recommendation to the referring school.

Please note: [Evidence would be required](#) in each case.

- [Attendance Changes July 2024 -letter for parents.pdf](#)