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**Please ask for:** Gary Perkins

**School Improvement Team  
Attendance Service  
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Dear Parent/Carer,

As Head of School Improvement for Peterborough City Council part of my role is to lead the Attendance Service. I am writing to you to clarify the position of myself and my team regarding the unauthorised or persistent absence from school of children within Peterborough.

To achieve our aim of raising standards in education and ensuring that all pupils can fulfil their potential, we must ensure that pupils attend school regularly to benefit from their education. Missing out on lessons leaves pupils vulnerable to falling behind. Those with poor attendance tend to achieve less in both primary and secondary school.

We intend and expect that attendance levels at all schools in Peterborough should be better than the national average.

The government expects:

Schools and Local Authorities to:

- Promote good attendance and reduce absence, including persistent absence (those who are absent from school for 15% or more of their lessons);
- Ensure that every pupil has access to full-time education to which they are entitled

Parents to:

- Perform their legal duty by ensuring that their children of compulsory school age who are registered at school attend regularly.

In providing advice and guidance to schools I have made them aware of the contents of the law relating to school attendance. In particular I have informed schools of the law relating to leave of absence from school which states that:

“Head teachers should not grant leave of absence unless in exceptional circumstances. The application must be made in advance and the head teacher must be satisfied that there are exceptional circumstances which warrant the leave.”

I must also advise you that the education-related provisions of the Anti-social Behaviour Act 2003 apply to all parents who fall within the definition set out in section 576 of the Education Act 1996:

- ‘Parent’ means all natural parents, whether they are married or not; and includes any person who, although not a natural parent, has parental responsibility (as defined in the Children Act 1989) for a child or young person;

- Any person who, although not a natural parent, irrespective of Parental Responsibility has care of a child or young person. In essence, having care of a child or young person means that a person with whom the child lives and who looks after the child, irrespective of what their relationship is with the child, is considered to be a parent in education law.

Sections 444A and 444B of the Education Act 1996 introduced Penalty Notices under Section 23 of the Anti-social Behaviour Act 2003. A Penalty Notice is an alternative to prosecution under Section 444 and enables parents to discharge potential liability for that offence by paying a penalty. Should a Penalty Notice be issued, the charge will be £60 if paid within 21 days rising to £120 if paid within 28 days. The charge is per parent, per child.

Penalty Notices can be issued for any of the following:

- The pupil has at least 10 sessions of unauthorised absence (up to 2 penalty notices may be issued in any academic year).
- Persistent late arrival at school after the register has closed contributing to a level of attendance of 85% or below;
- Leave of absence in term time which has not been authorised by the school;
- Not remaining within the dates agreed for any authorised leave of absence without reasonable justification;
- Pupils identified in a public place whilst excluded from school (during the first five days of the exclusion period) without reasonable justification.

If you believe that at any stage your child's absence record at school may leave you liable to receive a Penalty Notice, it is very important that you take action immediately to secure their regular attendance. Support and guidance on attendance is always available and if you have any questions about this, or if you need any help to achieve an improvement then please contact your child's school in the first instance.

The issuing of Penalty Notices is not something which we wish to do, but as a last resort is what we are prepared to do. The Headteacher and Governing Body/Trust Board of your child's school have been advised that should any of the criteria above apply, we expect them to request that a Penalty Notice be issued and it is then for us to decide whether or not to proceed.

I hope that this letter has helped you to understand the requirements of the law, and the action which the Local Authority will expect to be taken should the law be broken. I hope also that we can all work together to improve the attendance of pupils at Peterborough schools to levels of which we can be rightly proud.

Yours sincerely



Gary Perkins  
Head of School Improvement  
Peterborough City Council