

Attendance legal update for parents for the academic year 2024/5

At the end of February 2024, the Department for Education announced a number of changes to the law relating to pupil's attendance. These statutory changes will come into effect on 19th August 2024. These changes include new absence fine rates, thresholds at which penalties must be considered, requirements to share daily data with the government and new absence codes. We will be updating our school attendance policy to reflect these changes:

Here's what you need to know:

1. £80 fines and improvement notices

Absence fines charged to parents will rise from £60 to £80 (or £160 if not paid within 21 days). Schools decide whether to issue fines, but councils administer them. A fine for parents must be considered if a child misses 5 days of school for unauthorised absence.

From the autumn term, only two fines can be issued to the same parent for the same child within a three-year rolling period. However, any second notice will automatically be charged at £160 per child.

New "improvement notices" will also be the "final opportunity for a parent to engage in support and improve attendance before a penalty notice is issued."

Fines of up to level 4 (£2,500) and /or community order or imprisonment of up to 3 months still remains for parents who fail to secure their child's regular attendance at school.

2. National fine thresholds

From September, schools will consider a fine if a pupil misses 10 sessions (half days) of unauthorised absence in a rolling period of 10 school weeks. The threshold can be met with "any combination of unauthorised absence". For example, four sessions in term time plus six instances of arriving late. The period of 10 weeks can also span "different terms or school years".

However, councils also "retain the discretion to issue one before the threshold is met." This could include where parents "are deliberately avoiding the national threshold by taking several term time holidays below the threshold, or for repeated absence for birthdays or other family events".

3. Mandatory daily data sharing

Schools will now share their daily attendance registers across the education sector – including the department for education, councils and trusts in the next stage of the government's drive to reduce pupil absence in school. Schools, trusts and councils will be able to access this data via an interactive secure data dashboard maintained by the department for education.

4. Flag long term sick leave with LAs

Schools will now have to give councils the name and address of sick pupils who they believe will miss 15 consecutive or cumulative days. Schools will also be "expected to inform a pupil's social worker if there are unexplained absences from school".