



Farington Moss St. Paul's C.E. Primary School

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September 2025

Dear Parents,

EXCESSIVE LEAVE IN TERM TIME - S444 EDUCATION ACT 1996

Lancashire County Council have reviewed the arrangements for pupils who are absent from school due to unauthorised leave/ holidays.

Attendance at school is vital to help children thrive and achieve their best. Children who are absent from school can fail to meet their academic potential and those who fall below 90% attendance are at significant risk of underachieving.

Absence during term time must be avoided. If you are considering taking your child out of school for any reason, it is essential that you request permission for the absence, even if this is for an appointment.

When penalty notices are issued, parents have the opportunity to discharge liability for an offence under S444 of the Education Act instead of being persecuted by the Local Authority. The penalty notice regulations determine the amount of the penalty notice fine. Unfortunately, some parents are choosing to remove their child (ren) from school for longer periods as the fine amount is the same regardless of the number of school days missed.

However, from 01/01/2025, the following rules were put in place:

1. **Unauthorised leave, less than 15 school days:** a penalty notice being issued.
2. **Unauthorised leave of 15 school days or more:** the Local Authority will review any requests for penalty notices and may **prosecute** each parent and **not** offer the opportunity to pay a penalty notice fine.

Where enough notice is given for a warning to be issued and a request made for 3 weeks (15 school days) or more out of school, the Local Authority may issue you with a warning explaining that you will not have the opportunity to pay a fine and that you will be prosecuted if the leave is still taken. Even if the authority doesn't send you a warning letter, you can still be prosecuted for the offence as there is no legal entitlement to a warning or a penalty notice.

Failure to ensure your child's regular attendance at school is a criminal offence. This means that if you are convicted, it could result in a **fine of up to £2,500 and you will have a criminal record**.

We have been asked by Lancashire County Council to issue this letter to parents to inform you that this procedure will now be applied to all excessive leave requests made to this school.

Thank you for your support concerning this matter.

Kind Regards,
Mrs Napier
Attendance Lead.