



11<sup>th</sup> October 2016

To All Parents/Carers

Dear Parents/Carers

## High Court judgment on unauthorised pupil absence

We would like to explain the current position with regards to students' absences from school.

A judgement was made in the high court (May 2016) in respect of school absence following a legal case of Isle of Wight Council v Jon Platt. A letter was subsequently sent to all school/academies outlining the Government's position on unauthorised school absence from Nick Gibb, MP. This letter advised that the Government is clear that no child should miss school apart from in 'exceptional' circumstances.

Over the past six years, schools and local authorities have reduced overall absence to make sure more children attend school every day. Overall absence in primary, secondary and special schools has been reduced since 2010/11 and continues to reduce further, indeed it has reduced by a third since the regulations were changed in 2013 to ensure that absence is only granted in exceptional circumstances. This is a significant achievement and will support students to achieve their potential.

There is clear evidence that absence from school is linked to lower levels of attainment. The Department for Education's (DfE) latest analysis shows that every extra day missed was associated with lower attainment at age 11 and at age 16. In other words, every extra day of school that is missed can affect a pupil's chance of gaining good GCSE results.

The DfE has confirmed that:

- If a pupil has an attendance level above 90% this is not regarded as 'regular' attendance. Schools/academies should set their minimum attendance at 95% or above. Legislation supports legal action being taken against parents who fail to ensure their child attends school for 90% and below for a specific period or overall. E.g. 90% overall is 19 days of absence throughout the year, 90% for a 6 week period is 7 days of absence.
- Local Authorities are not required to repay fines that have been paid by parents based on the outcome of the high court judgement, as the fines have been issued legally using set criteria which still stands.
- As set out in the Education (Pupil Registration) (England) Regulations 2006 amended in 2013 - that headteachers continue to have the power to authorise leave of absence, but **only** in exceptional circumstances.



- While family holidays are enriching experiences, the school year is designed to give families the opportunity for these breaks without having to disrupt their children's education. It is for schools to consider the specific details and relevant context behind each request. Schools know their pupils best and are well placed to make those judgements.

We felt it would be useful for you to have the above information to assist you with making good choices in respect of your child's absences from school. We are keen to work with families to prevent unnecessary absences occurring and would like to take this opportunity to thank you in anticipation of your support to improve our students' attendance levels.

Yours faithfully

A handwritten signature in dark ink, appearing to read 'R. Spencer', with a stylized flourish at the end.

Richard Spencer  
Principal