



6th May 2026

Dear Parents/Carers

Attendance Matters

The law does not grant parents an automatic right to take their child out of school during term time. Any absence from school will disrupt your child's learning. You may consider that a holiday will be educational, but your child will miss out on the teaching that their classmates will receive during your holiday. Attendance is vital to academic success and lost education poses a potential risk of underachievement. This is something we all have a responsibility to avoid.

The Department for Education no longer allows Headteachers to grant any leave of absence during term time unless there are exceptional circumstances. DFE statutory guidance is clear: holidays during term time will not be authorised unless there are exceptional circumstances. Unavoidable leave of absence requests for school-aged children are generally related to one off events that are rare, significant and short in duration. Family holidays are not considered unavoidable. If you consider that your request for absence is exceptional you will need to complete the Exceptional Leave of Absence Request form. A response will be sent to you as soon as possible. If leave is not authorised and you nevertheless withdraw your child from school, the absence will be recorded as unauthorised absence.

Taking your child out of school without permission may result in a Penalty Notice being issued.

What this means:

- A Penalty Notice may be issued if your child has **unauthorised absences**, including holidays.
- The fine is **£80 per child, per parent** if paid within 21 days, rising to **£160** if paid within 28 days.
- Failure to pay may result in prosecution.
- There is **no right of appeal**—if you believe a notice was **issued in error**, you must contact the school directly.

We understand that holidays are important for family time, but we are legally required to prioritise your child's education and wellbeing. Every school day counts.

If your child is absent from school without authorisation, you will be committing an offence under the Education Act 1996. We may submit a request to Cornwall Council for a Penalty Notice to be issued, in accordance with Sections 444A and 444B of the said Act. Penalty Notices are issued per liable parent, per child and each carry a fine of £80 if paid within 21 days or £160 if paid after this but within 28 days. If your child is further absent from school without authorisation within any 3-year period, you will be committing a further offence under the Education Act 1996. We may submit a request to Cornwall Council for a Penalty Notice to be issued, in accordance with Sections 444A and 444B of the said Act. Penalty Notices for a second offence are issued per liable parent, per child and each carry a fine of £160, payable within 28 days. Importantly, fines per parent will be capped to two fines within any three-year period. Once this limit has been reached, other action such as a parenting order or prosecution will be considered. Failure to pay the Penalty Notice may also result in legal action. If you are prosecuted and attend court because your child has not been attending school, you could get a fine of up to £2,500. Cornwall Council may also apply for the costs incurred in taking the matter to Court, including legal costs. Absence not authorised by the school may also result in a prosecution in the Magistrates' Court under Section 444(1) or Section 444(1A) of the Education Act 1996, leading to a fine of up to £2,500 and/or a custodial sentence. Again, Cornwall Council may also apply for the costs incurred in taking the matter to Court, including legal costs. Money raised from fines is only used by the local authority to cover the costs of administering the system, and to fund attendance support. Any extra money is returned to the government.

'Parent' as set out in Section 576 of the Education Act 1996, defines parent to include: natural parents, whether they are married or not; any person or body who has parental responsibility for a child (as defined by the Children Act 1989) and; any person who, although not a natural parent, has care of a child. Having care of a child means a person with whom a child lives and who looks after a child, irrespective of what their relationship is with said child.

All requests must be completed on the Exceptional Leave of Absence Request form which you can get from the school office; letters will not be accepted. This form should be returned to the School Office at least 15 school days before the start of the absence.

I hope you will support our efforts in raising attendance and attainment at Mullion Primary School. If you have any questions or need to discuss exceptional circumstances, please contact the school office.

Best wishes



Rob Chirgwin