Dear (XXX)

Thank you for your email, although I am disappointed that I didn’t receive the answers to my questions.

Instead, I shall answer the questions that you were unable to.

**1 - *Please can you let me know what law states that my child is unable to miss any days off of school.***

There isn’t one. There is ‘The Education Act 1996’, which makes it an offence for a parent to “fail to secure their child’s regular attendance at the school”. Considering that both my children have between 98-100% attendance, these 5 days do not conclude to ‘regular’.

**2 - *Please can you inform me as to which law states that I must get prior written consent to take my child out of school?***

Again, there isn’t one. The Education (Pupil Registration) Regulations 2006 (as amended) now state that a leave of absence during term time can only be approved by a Head Teacher/School Governing Body - IF there is no prior arrangement for the parent to educate whilst away from school. As per my first email, I absolutely will be educating my children whilst we are out of the country, which then leads me on to another question that was left unanswered.

***3 - Please give me the definition of the word ‘educating’ so I know which levels of education to give my children whilst they are away from school for 5 days.***

Section 7 of the Education Act 1996, states Duty of parents to secure education of children of compulsory school age.

“The parent of every child of compulsory school age shall cause him to receive efficient full-time education suitable—

(a)

to his age, ability and aptitude, and

(b)

to any special educational needs **[F1**(in the case of a child who is in the area of a local authority in England) or additional learning needs (in the case of a child who is in the area of a local authority in Wales)**]** he may have,

either by regular attendance at school or otherwise.”

Please note the highlighted ‘or otherwise’. I am choosing to exercise my right as a parent to educate my child ‘otherwise’. They will be seeing different cultures, learning valuable life lessons, being informed about other cultures - subjects that they rarely learn at school.

4 - Please show me the act, statue, law or legislation that states that my child is not allowed out of school for mental health days.

As a governing body and a local education authority, you should know more than anyone how important mental health respite is for children. With everything that has happened over the last 2 years, I feel my child not only deserve to have some happy memories and a holiday, but it is needed.

Also, I would like to point out that between my children, they have been unable to attend school for 13 days out of this academic year due to ‘inset days’ and ‘teacher training days’ (this is forgetting the half a year they were out of school in 2020!).

As stipulated under the School Teachers’ Pay and Conditions Document, every school is only able to have 5 compulsory Inset days during an academic year. Each of these schools have exceed their legal allowance, therefore, in accordance to the law and my legal rights, I would like to issue you the attached invoice for the Local Education Authority to pay at their earliest convenience.

As per and in accordance with The Education (Penalty Notices) Regulations 2007 (as amended) set out the amounts of and periods in which penalties are to be paid as follows:

**Period for Payment of FPN**

* Penalty Amount Paid within 21 days of the FPN being issued - £60 ( per child, per teacher)
* After 21 days but before 28 days of the FPN being issued - £120 (per child, per teacher)

Payments will not be accepted after the 28th day and payments cannot be paid in part or by instalments.

The 2007 Regulations also provide that If a FPN is paid within the time limits, the teacher will have discharged his or her liability in relation to the offence and no further action will be taken.

Should the FPN not be paid in the amounts or within the periods provided for by the Regulations, the matter will then be referred back to myself for proceedings in the Magistrates’ Court to be instigated in respect of the matter.

I look forward to hearing from you.

Kind regards