Bladon C of E Primary School

Helping Parents understand Penalty Notice Fines for School Attendance

There is a National Framework for Penalty Notice Fines being issued for unauthorised absences recorded by schools. All schools by law must follow the Department for Education's statutory guidance relating to school attendance. They must use the appropriate national attendance or absence code, and follow the criteria set out within the guidance.

The statutory guidance states:

- A leave of absence must not be granted unless there are exceptional circumstances and must be requested in advance

- A leave of absence must be requested in advance by a parent who the pupil normally lives with

- Schools must judge each application individually, considering the specific facts and circumstances and relevant background context behind each request

- Where a leave of absence is granted, the school will determine the number of days a pupil can be absent from school

- A need or desire for a holiday or other absence for the purpose of leisure and recreation would not constitute an exceptional circumstance

- A school cannot grant a leave of absence retrospectively. If the parent did not apply in advance, the leave of absence should not be granted

- Where this guidance refers to a parent, the school and/or local authority will need to decide which adult(s) is most appropriate. Generally, parents include:
    - All natural parents, whether they are married or not;
    - All those who have parental responsibility
    - Those who have day to day responsibility for the child

Please note all schools are expected to regularly inform parents about their child's attendance and absence. Taking your child out of school during term time could be detrimental to their educational progress. If the absence is not authorised and the leave is taken, schools may refer to the Local Authority for legal action. Please find overleaf information regarding Penalty Notice Fines for School Attendance.

National Threshold

A single consistent national threshold for when a Penalty Notice must be considered by ALL schools in England, this is:

- 10 sessions (usually equivalent to 5 school days) of unauthorised absence within a rolling 10 school week period
- These sessions do not have to be consecutive and can be made up of a combination of any type of unauthorised absence
- For example, a 5-day unauthorised leave of absence would meet the national threshold
- The 10-school week period can span different terms or school years
- **Please note:** If your child arrives after the register has closed, they will receive an unauthorised absence mark (Code U) for that session. Repeated late arrivals after the register has closed contribute towards the national threshold for considering a Penalty Notice (10 unauthorised sessions within a rolling 10-school-week period), alongside any other unauthorised absences.

Who may be fined?

- Penalty Notice Fines are issued to each parent who allows their child to be absent without authorisation from school
- For example, 3 siblings absent for unauthorised leave during term-time would result in each parent receiving 3 separate fines

First Offence

The first time a Penalty Notice is issued for unauthorised absence, the fine amount will be:

- £80 per parent, per child if paid **within 21 days**
- If **not paid within 21 days**, the fine will increase to **£160 per parent, per child**, payable between the 22nd and 28th day

Second Offence (within 3 years)

The second time a Penalty Notice is issued for unauthorised absence, a reduced rate is not available. The amount therefore will be:

- £160 per parent, per child – payable within 28 days

Third Offence and Any Further Offences (within 3 years)

The third time an offence is committed, a Penalty Notice WILL NOT be issued, and the case will be presented **straight to the Magistrate's Court**

- **Prosecution** can result in **criminal records** and **fines of up to £2,500**
- Cases found **guilty** in a **Magistrates Court** can show on the parent's future DBS certificate (Disclosure and Barring Service) due to a **'failure to safeguard a child's education'**

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