

What happens if I do not pay?

You have up to 28 days from receipt to pay the Penalty Notice in full, after which the LA is required under the Act to commence proceedings with the Magistrates Court for the original offence of poor attendance.

If proven, this can attract a range of fines up to £2500 and/or other penalties such as parenting orders and in the most serious of cases, custodial sentences.

Can I be prosecuted if I pay the Penalty Notice but poor attendance continues?

Not for the period included in the Penalty Notice, payment discharges your liability in this respect. However it may be the case that a prosecution may be considered for further periods of poor attendance.

Can I get help if my child is not attending school regularly?

Yes, please contact school immediately if you are having problems getting your child into school. They will offer support and seek advice from the local authority on how this could be rectified without a Penalty Notice or Prosecution.

Reporting Absences

It is imperative that if your child is going to be absent from school, you contact us as soon as possible on 01623 478090.



Fixed Penalty Notices

Information & Guidance for Parents and
Carers

What is the Anti-Social Behaviour Act 2003?

Section 23 of the Act gives powers to the Local Authority (LA) and other designated bodies to issue Penalty Notices where a parent/carers is considered capable of but unwilling to secure an improvement in their child's school attendance.

Why is good attendance important?

Reducing absence from school is a key priority nationally and locally as missing significant periods of school is proven to have a detrimental effect on student attainment levels, friendship groups, disrupts school routines and can leave young persons vulnerable to anti-social behaviour and youth crime. Above all, missing school seriously affects children's longer term life opportunities.

What is a Fixed Penalty Notice?

Under existing legislation, parents/carers commit an offence if a child fails to attend regularly and the absences are classed as unauthorised (those for which the school cannot or will not give permission). Depending on circumstances, such cases can result in prosecution under Section 444 of the Education Act 1996. A Penalty Notice is an alternative to prosecution, which would not require an appearance in court whilst still securing an improvement in a student's attendance. Payment of a Penalty Notice enables parents to discharge potential liability for conviction.

When are they used?

Penalty Notices may be used in a range of circumstances where unauthorised absences occur:

- ◆ Unauthorised leave of absence/holidays in term time, where school is not notified but a holiday is suspected, parents/carers may be asked to provide evidence to the contrary.
- ◆ Unnecessary parentally condoned absence.
- ◆ Persistent absence without supporting evidence.
- ◆ Persistent late arrival to school

In every case, a student will have missed a minimum of 5 days/10 sessions (am/pm) during the previous 6 weeks before a Penalty Notice is issued, except for unauthorised holidays, where this reduces to 3 days/6 sessions.

The Academy will not take such action lightly and would rather work with parents/carers to improve attendance without having to resort to legal action. Attendance is so important, however, that the Academy will seek enforcement from the Local Authority if we have not secured an improvement in a student's attendance.

How are they issued?

By post to your home. You will be notified that we are applying for a Penalty Notice.

What are the costs?

£120 per child, per parent reducing to £60 per child, per parent if paid within 21 days. All monies are paid to the Local Authority.