PENALTY NOTICE FINES FOR IRREGULAR ATTENDANCE AT SCHOOL

IMPORTANT INFORMATION FOR PARENTS

THE NEW RULES

September 2024

In August, the DfE introduced new rules for school attendance and how poor attendance will be managed. Regular school attendance is vital for children to reach their full potential. If your child is absent for any reason, it is important that you communicate fully with us.

Penalty notices are issued as an alternative to prosecution where parents have failed to ensure their child attends school regularly. They can be used in cases where absence has not been authorised by a headteacher and can be in respect of any unauthorised absence, irrespective of reason. The notices are used to prevent the need for court action, for example, when support has not been engaged with or is not appropriate (for example, leave of absence during term time).

LEAVE

Headteachers are unable to grant leave of absence during term time unless there are exceptional circumstances. Generally, a need or desire for a holiday or other absence for the purpose of leisure and recreation would not be an exceptional circumstance.

ABSENCE

A Penalty Notice may be issued if there are 5 days / 10 sessions of absence in a period of 10 school weeks - where absence has not been authorised. The days/sessions do not need to be consecutive for a notice to be issued and can be several instances of leave over a period of 10 school weeks.

Each school day has 2 sessions. One in the morning and one in the afternoon.

A school week means any week in which there is at least one school session. The threshold can be met with any combination of unauthorised absence (e.g. 6 sessions of holiday plus 4 sessions of arriving late after the register closes all within 10 school weeks). These sessions can be consecutive (e.g. 10 sessions of holiday in one week) or not (e.g. 6 sessions of unauthorised absence taken in 1 week and 1 per week for the next 4 weeks). The period of 10 school weeks can also span different terms or school years (e.g. 2 sessions of unauthorised absence in the Summer Term and a further 8 within the Autumn Term).

AMOUNT

First Offence

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

- £160 per parent, per child (if paid within 28 days)
- Reduced to: £80 per parent, per child if paid within 21 days

Second Offence

(in a 3-year rolling period)

The second time a Penalty Notice is issued for unauthorised absence the amount will be:

- £160 per parent, per child (if paid within 28 days)

There is no reduction in the amount.

Third Offence or Any Further Offences

(in a 3-year rolling period)

The third time an offence is committed for an unauthorised absence a Penalty Notice will NOT be issued but will be referred to Lincolnshire County Council for consideration of prosecution in a Magistrate Court for prosecution which may result in fines of up to £2,500 per parent, per child. Cases found guilty in a Magistrate's Court can show on a parent's future DBS certificate due to 'failure to safeguard a child's education.'

Who is a "Parent"?

Section 576 of the Education Act 1996 defines "parent" as: All natural (biological) parents, whether they are married or not; Any person who, although not a natural parent, has parental responsibility for a child or young person; Any person who, although not a natural parent, has care of a child or young person.

For more information, visit https://www.gov.uk/government/publications/working-together-to-improve-school-attendance to see the full guidance from the DfE.

The Griffin Federation

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