



Appendix 1

Penalty notices for non-school attendance

You have to get permission from the headteacher if you want to take your child out of school during term time. You can be fined for taking your child on holiday during term time without permission from the headteacher of the school.

You can only take your child out of school in term time if:

- you make an application to the headteacher in advance (as a parent the child normally lives with)
- there are exceptional circumstances

It is up to the headteacher how many days your child can be away from school if leave is granted.

What happens if I receive a penalty notice?

An initial fixed penalty notice of £60 is issued to each parent for each child (so a two parent family with two children would be fined £240).

Penalty notice costs

When you pay	Amount to pay
Payment within 21 days	£60
Payment within 22 and 28 days	£120

Can I appeal?

There is no statutory right of appeal once a penalty notice has been issued.

What happens if I don't pay?

If we do not receive payment within 28 days from the issue of the penalty notice you may be prosecuted for the offence of irregular attendance and could be subject to a fine of up to £1,000 on conviction per child and / or a parenting order or a community service order and also costs.

Can I be prosecuted if I pay the penalty notice?

You cannot be prosecuted for the period of absence identified in the penalty notice. You may subsequently be prosecuted for further periods of unauthorised absence from school. Each case is considered on an individual basis.

What is a penalty notice?

A penalty notice (PN) is an alternative to prosecution and requires the parent(s) to pay a fixed amount as a fine for their child's irregular attendance at school. It is issued per parent, per child.

Who issues them?

In Northamptonshire the Local Authority issues them through the Educational Inclusion and Partnership Team following notification from the school.

When are they used?

- **When a pupil has a minimum of 10 school sessions recorded as unauthorised in a 6 school week period; (a school day is two sessions - morning and afternoon) or**
- **When a pupil has a series of unauthorised absences leading to irregular attendance**

This includes:

- Any absence marked in the register as unauthorised.
- Persistent late arrival at school after the register has been taken and is recorded as an unauthorised absence.
- An absence in term time which has not been authorised by the head teacher. The Government has directed that head teachers may only grant leave in exceptional circumstances.
- PNs can also be used during the first 5 days of exclusion. Parents are made aware of the consequences by letter when a child is excluded from school.

Please note

If the school refers a period of absence that is longer than 15 consecutive school days, the Educational and Inclusion Partnership team may consider that a penalty notice is not appropriate.

In these instances the matter may proceed to a prosecution. If a parent knows that their child is failing to attend school regularly and there is reasonable justification for not ensuring that their child attends then it is for the parent or carers to prove that reasonable justification.