Penalty Notices Information

Penalty Notices for Unauthorised Leave of Absence
The Education (Pupil Registration)(England) (Amendment) Regulations 2013, which became law in September 2013, state that Headteachers may not grant any leave of absence during term time unless there are exceptional circumstances. In all cases, the Headteacher will judge whether there are exceptional circumstances, and determine how many days of authorised absence may be granted. Parents/Carers who take their child out of school for **five days or more** during term time, without the authority of the Headteacher, will each be liable to receive a penalty notice. No warning will be given where it can be shown that the parent/carer has previously been warned of their liability to receive a penalty notice.

Penalty Notices for Unauthorised Absence
Penalty notices may also be used in relation to irregular attendance, where a parent/carer is failing to ensure their child’s regular school attendance. This may include a child arriving late to school after the close of registration at 9:00am. Before a Penalty Notice is issued the parent will be sent a formal warning by the Local Authority of their liability to receive such a notice.

Penalty Notices for Exclusions
If a child is excluded from school Section 103 of the Education and Inspections Act 2006 places a duty on parents/carers to ensure that their child is not in a public place without justifiable cause during school hours. This duty applies to the first five days of the exclusion and failure to do so will render the parent/carer liable to a Penalty Notice. Alternative education provision will be made available from the sixth day of any exclusion.

Amount payable for a Penalty Notice
The amount payable for a Penalty Notice issued in any of the above circumstances is £60 if paid within 21 days of receipt of the Notice, rising to £120 if paid after 21 days but within 28 days. If the Penalty Notice is not paid, the Local Authority will consider a prosecution in the Magistrates Court for the offence for which the Notice was originally issued.

Please be aware that each parent is liable to receive a Penalty Notice for each child who incurs unauthorised absences, for example, if there are two parents and one child, each parent will receive one Penalty Notice. If there are two parents, and two children incur unauthorised absences, each parent will receive two Penalty Notices, which in this case would amount to £120 each if paid within 21 days.