

Important Information for Parents - Changes to the issue of Penalty Notices to address School Attendance from 19th of August 2024: THE EDUCATION (PENALTY NOTICES) (ENGLAND) (AMENDMENT) REGULATIONS 2024 No. 210.

Dear Parent,

From 19.08.24 new legislation comes into force regarding the criteria for and the issue of penalty notices to address school attendance. A national framework for parental fines is being introduced for any pupil who misses 10 or more half-days within any 10-week period. **Please note that if you have requested a Leave of Absence that commences from September 2024 onwards, any Penalty Notice/s issued will be at the new rates and trigger the start of the three year threshold period, as specified below.**

The following changes have been made:

- the number of unauthorised absences that may trigger a potential fine: **10 unauthorised absences (5 days) in a 10 school week period.**
- the number of penalty notices that can be issued to a parent in respect of the same individual child: **a maximum of 2 penalty notices will be issued (per parent, per child) within a 3 year period**
- for the first penalty notice issued to each parent in respect of the same individual child in a 3-year period: **the amount of the penalty notice has increased from £120 to £160 if paid within 28 days and £60 to £80 if paid within 21 days**
- **any second penalty notice issued to the same parent in respect of the same individual child within 3 years of the date the first penalty notice issue is now set at £160 to be paid within 28 days – NB: No discount for earlier payment is offered.**
- **any further absences will proceed for prosecution in the Magistrate Court** for the same parent in respect of the same child within 3 years of the date of the first penalty was issued – The maximum fine the court can impose for a first offence is £1,000 per parent, per child. If, however, you have a history of offences of this nature you may be prosecuted under Section 444(1A) Education Act 1996 and the court can fine you up to £2,500 per child, order payment of the prosecution costs, impose a Parenting Order and/or sentence you to a period of imprisonment of up to 3 months. This reflects the seriousness of unauthorised absence from school.

Please speak to us if you have concerns about your child's attendance - we want to support you to address any barriers which prevent your child attending on time every day.

From 19th August 2024, the new National Framework for issuing penalty notices will apply

National Threshold

There will be a single consistent national threshold for when a Penalty Notice must be considered by all schools in England of 10 sessions (usually equivalent to 5 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.

The 10-school week period can span over different terms and school years.

Penalty Notice Fines will continue to be issued per parent per child.

For example: 2 parents with 3 children would receive a total of 6 Penalty Notices

1

First Offence

The first time a Penalty Notice is issued for a Term Time Holiday or Irregular School Attendance the Penalty Notice will be charged at:

£160 per parent, per child paid within 28 days.

Reduced to £80 per parent, per child if paid within 21 days.

(Unpaid Penalty Notices after 28 days may result in a prosecution)

2

Second Offence

(within 3 years of the First Offence)

Where it is deemed appropriate to issue a second Penalty Notice to the same parent for the same pupil within 3 years of the first notice, the second Penalty Notice will be charged at:

£160 per parent, per child paid within 28 days.

(Unpaid Penalty Notices after 28 days may result in a prosecution)

3

Third Offence and any further Offences

(within 3 years of the First Offence)

The third time that an offence is committed for either a term time holiday and/or Irregular attendance, a Penalty Notice will not be issued, the case may be proceeded straight to prosecution under the Single Justice Procedure.

If found guilty of the offence of 'failure to secure their child's regular attendance at a school' the Magistrates can impose a fine up to £1,000 and you will have a criminal record

PLEASE NOTE: If you take any Leave of Absence PRIOR to 19th August 2024 (e.g. in July 2024) then the Penalty Notice will be at the old rate of £60/£120. Any Leave of Absence taken in September 2024 will be charged at the new rates as above