



## Penalty Notice fines for school attendance are changing

The government has introduced a new National Framework for Penalty notices with effect from 19<sup>th</sup> August 2024

### What is a Penalty Notice?

A penalty notice is an out of court settlement which is introduced to change behaviour without the need for criminal prosecution. If repeated penalty notices are being issued and they are not working to change behaviour and improve attendance, they are unlikely to be the most appropriate tool. Therefore, from August 2024 **only 2** penalty notices can be issued to the same parent in respect of the same child within a 3-year rolling period and **any second notice within that period is charged at a higher rate.**

Any further offences will result in criminal prosecution

The law will be clear that where a penalty notice threshold has been met- in each individual case, the school **MUST** consider if a penalty notice is appropriate.

### Threshold for Penalty Notices

#### 5 days of unauthorised absence

-Penalty Notice fines may be issued for **ANY** term-time absences that are unauthorised (e.g. a 5-day term time holiday)- whether these absences are taken one after the other or accumulated over a rolling period of 10 school weeks.

#### 10 sessions of unauthorised absence in any 10-week period

Penalty Notice fines will also be considered where there have been 10 sessions of unauthorised absences in any rolling period of 10 school weeks

**A school day has 2 sessions per day - 1 morning, 1 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 )

The sessions can be consecutive or not

The period of 10 school weeks can also span different terms or school years so will transfer over from one school year to the next (e.gh 2 session of unauthorised absence in Summer Term and a further 8 within the Autumn Term)

#### First Offence

The first time a Penalty Notice is issued for a term time unauthorised absence or irregular attendance 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 a term-time unauthorised absence or irregular attendance to the **same parent** for the **same child** the amount will be:

**£160** per parent, per child – NO REDUCTION

#### Third Offence or any other offence (in a 3-year rolling period)

The third time the offence is committed by the **same parent** for the **same child** a penalty notice will **NOT** be issued but the family will be referred to the Local Authority for **prosecution** which may result in fines **upto £2500 per parent per child.**

### Unchanged

Penalty notices are issued **per parent, per child**. This means that fines are issued to each parent with parental responsibility for each child who is absent, even if parents are separated or not living in the same household.