

# Penalty notice fines for school attendance are changing from 19 August 2024

With the introduction of the new National Framework for Penalty Notices issued by the DfE, the following changes will come into force for penalty notices in respect of school attendance after 19 August 2024.

## 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 five school days or more) of unauthorised absence within a rolling 10 school week.

These sessions do not have to be consecutive and can be made-up of a combination of any type of unauthorised absence – code G, O or U. The 10 week school. Can span different terms or school years.

NB. DfE does not consider a need or desire for a holiday or other absence for the purpose of pleasure or recreation to be an exceptional circumstance. It is for a head teacher principle to consider any requests for exceptional leave of absence, practise the absence being taken. Should this be declined, the school will consider a referral to education inclusion for consideration of either penalty notice or prosecution process.

## **Penalty notices are used to act as a deterrent and to change parental behaviours.**

North Lincolnshire council reserved the rights consider remove direct to a prosecution process, to issue a penalty notice (in line with our code of conduct) alternative action.

## First offence

The first time a penalty notice is issued for unauthorised leave of absence, the amount will be:

- £160 per parent\*, per child paid within 28 days. Reduced to £80 per parent, per child if paid within 21 days.

## Second offence (within 3 rolling years)

The second time appointed notices issued for an authorised absence the amount will be:

- £160 per parent\*, per child paid within 28 days.

## Third offence

A penalty notice will not be issued for a third offence and North Lincolnshire Council will consider if the case will move to a court process directly. Prosecution can result in fines up to £2,500 and a criminal record. NB. Cases found guilty in a Magistrates Court may show on a parent's future DBS as 'failure to safeguard a child's education'.

Parents are reminded that penalty notices issued from the beginning of a new academic year, for any or authorised leave of absence taken from the start of the autumn term, would be charged at the new rates regardless of when the request for absence was presented to the school.

Per parent\* penalty notice fines are issued to each parent\* for each child that was absent. For example; three siblings absence for unauthorised term time leave which is on each parent receiving 3 separate fines.

# Definition of a parent - section 576 Education Act 1996 defines parent as natural biological parents, with their 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.