

Statutory Attendance Support Team

Penalty Notice Fines – Sept 2024



Helping Parents understand Penalty Notice Fines for School Attendance

From 19 August 2024, there is a National Framework for Penalty Notice Fines being issued for unauthorised absences recorded by schools.

National Threshold

A single consistent national threshold for when a Penalty Notice **must** be considered by **ALL** schools in England, this is:

- 10 sessions (usually equivalent to 5 school 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.
- For example, a 5-day unauthorised leave of absence would meet the national threshold.
- The 10-school week period can span different terms or school years.

Who may be fined?

- Penalty Notice Fines are issued to each parent who allows their child to be absent without authorisation from school.
- For example, 3 siblings absent for unauthorised leave during term-time would result in each parent/carer receiving 3 separate fines.

Definition of Parent

- Section 576 of the Education Act 1996 states that, in relation to a child or young person, a 'parent' includes any person who is not a parent (from which can be inferred 'biological parent') but who has parental responsibility for or care of the child.
- Parent refers to a **person who typically has care of a child or young person if the child lives with them either full or part time and they look after them**, irrespective of what their biological or legal relationship is with the child.

First Offence

The first time a Penalty Notice is issued for unauthorised absence, the fine amount will be:

- £80 per parent, per child if paid **within 21 days**.
- If **not paid within 21 days**, the fine will increase to **£160 per parent, per child**, payable between the 22nd and 28th day.

Second Offence (within 3 years)

The second time a Penalty Notice is issued for unauthorised absence, a reduced rate is not available. The amount therefore will be:

- £160 per parent, per child – payable within 28 days.

Third Offence and Any Further Offences (within 3 years)

The third time an offence is committed, a Penalty Notice **WILL NOT** be issued, and the case will be presented **straight to the Magistrate's Court**:

- **Prosecution** can result in **criminal records** and **fines of up to £2,500**.
- Cases found **guilty** in a **Magistrates Court** can show on the parent's future DBS (Disclosure and Barring Service) certificate (Disclosure and Barring Service) due to a **'failure to safeguard a child's education'**