

Penalty Notice information for Parents and Carers

Following requests from a number of schools, the county council will be taking a stronger stance on unauthorised absence from 1 September 2014. Parents have a legal responsibility (Education Act 1996, Section 7) for ensuring their children receive a full-time and efficient education, and the county council have a duty to enforce this where necessary.

Below is a list of questions to help answer any queries you may have about the new Penalty Notice Code of Conduct.

Why is it important to ensure my child is attending school?

There are many reasons why it's important for your child to be at school within term time:

- Regular school attendance is vital in ensuring that children maximise the educational opportunities available to them.
- It is also an important element in keeping your child safe.
- Statistics and research tell us that non-attendance impacts upon children's abilities to achieve A* – C grades in their examinations at the end of Year 11.
- Attending school regularly also reduces anti-social behaviour and the risk of children becoming involved in crime and substance misuse.

What can I do to help with my child's attendance?

To help your child's attendance as well as adhere to the new Penalty Notice Code of Conduct you can:

- Send your child to school on time every day.
- If your child is unwell, contact the school on the first day of absence and return your child to school as soon as possible.
- Make sure your child knows you do not approve of them missing school.
- Take holidays during school holidays.
- Talk to staff as soon as any issues arise.

What is a Penalty Notice?

A Penalty Notice is a fine issued by the county council to parents for a child's unauthorised absence from school.

The law says that parents/carers, whose children are of compulsory school age and absent from school without good reason are committing an offence and the parents/carers may be prosecuted in the Magistrates Court.

Section 23 of the Anti-Social Behaviour Act 2003 introduced additional powers under Section 444 of the Education Act 1996 authorising Local Authorities to issue Penalty Notices in cases of unauthorised absence from school.

Schools decide whether they adopt Suffolk County Council's Penalty Notice Code of Conduct. If the protocol is adopted by the school, then they can refer any

unauthorised pupil absence to the Lead Attendance Officer at Suffolk County Council. If the referral is appropriate, the Lead Attendance Officer will process the referral and issue a Penalty Notice.

When will a Penalty Notice be issued?

Suffolk County Council will issue a Penalty Notice:

- When a referral from a school has been received notifying the county council that unauthorised absence has occurred for the first time or,
- Where a pupil is stopped with parents/carers during a truancy sweep and the absence is not authorised by the school.

What is a truancy sweep?

A truancy sweep is part of a series of planned operations aimed at ensuring young people are in school learning. This is where a parent is stopped with their child (under Section 16 of the Crime and Disorder Act 1998) by a Police Officer and an Education Welfare Officer and asked to provide a satisfactory explanation for the child's absence, which has been confirmed as authorised by the school.

How is the penalty notice fine calculated?

Suffolk County Council will issue each parent/carer with a £60 Penalty Notice fine for each child who has unauthorised absence.

Parents will not receive more than one Penalty Notice per child in any academic year. Further unauthorised absences of that pupil should be referred to the Education Welfare Officer for appropriate action.

If your child attends an academy, please be aware that academies do not use the Education Welfare Service and therefore any unauthorised absence reported will refer directly for prosecution.

There will be no warning letters issued and no sessions or days allowed before a fine is imposed - any unauthorised absence will result in an immediate fine.

How do I pay and what happens if I do not pay?

Details of payment arrangements will be included on the Penalty Notice.

The penalty is £60 per parent per child if paid within 21 days, increasing to £120 between 21 and 28 days. The penalty must be paid in full and not by instalments.

If you do not pay the penalty in full within 28 days of the issue, the county council is required to start legal proceedings against you in the Magistrates Court for the original offence of failing to ensure your child attends school regularly. This may lead to a fine up to £1000.

Payment of the Penalty Notice discharges parents/carers liability for the period to which the Penalty Notice relates.

What if I want to appeal?

There is no statutory right of appeal once a notice has been issued.

There are limited circumstances in which the fine may be withdrawn. Details of which can be found in the Penalty Notice Code of Conduct 2014, which is available at the following web address:

<http://www.suffolk.gov.uk/education-and-careers/pupil-welfare-and-support/school-attendance-penalty-notices/>

For further Information about the Penalty Notice Code of Conduct or your child's attendance please contact your child's school in the first instance.