

# **Improving School Attendance**

## **A Toolkit for Maintained schools and Academies**

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## **PURPOSE OF THIS TOOLKIT:**

This toolkit is aimed at providing maintained schools and academies with information and resources that will support activity around legal interventions to improve attendance.

Maintained schools and academies can also seek advice from local authority officers where this may be required.

In Nottinghamshire, the Family Service will work alongside schools to provide support to any family where attendance is an issue and to lead on the prosecution of cases where this is required.

This toolkit provides maintained schools and academies with guidance on:

- General Practice/strategies to address attendance issues,
- Absence for medical reasons
- home visiting
- Gathering evidence for legal proceedings
- Recording notes of interviews and
- Issuing Penalty Notices.
- Sample Letters for Penalty Notices

## CONSIDERING WHETHER TO TAKE LEGAL ACTION

Ensuring Children's right to their education can be addressed through a range of different interventions. Prosecution as outlined in the Local Authority's Enforcement Policy is one of those options and in most instances, it will be the last resort where all other efforts to address non attendance have failed. In all cases decisions to take legal action must be applied fairly and must be in the public interest.

Where legal action is being taken, there must be sufficient admissible evidence for there to be a realistic prospect of conviction before a prosecution can be undertaken. Consideration must also be given to whether there may be evidential difficulties at all stages of the process, and whether additional evidence may be required.

### Public interest

The Local Authority and schools should consider prosecution (or recommending prosecution) where it is appropriate to draw attention to the need for compliance with the law and to deter others.

### General Conduct

School and LA staff involved in prosecutions for irregular school attendance should act in line with the Code for Crown Prosecutors.

Key points to be aware of are:

- A duty to ***be fair, independent and objective***, not letting any personal views about ethnic or national origin, sex, religious beliefs, political views or the sexual orientation influence decisions and not being affected by improper or undue pressure from any source.
- Obligation to ***act in the interests of justice*** and not solely for the purpose of obtaining a conviction.
- A duty to review, advise on and prosecute cases, ***ensuring that the law is properly applied, that all relevant evidence is put before the court*** and that obligations of disclosure are complied with.
- A duty to act in accordance with the ***Human Rights Act 1998***.

### **Appropriate Action**

There are no hard and fast rules when deciding the most appropriate type of prosecution to take. The LA must make a professional decision as to what they consider to be the most effective way of dealing with each individual case and be able to justify that decision. It is vital that the child's interest and welfare is at the centre of any such decision. You will need to take into consideration various factors of the case, such as:

- Age of child
- Number of children in the family
- The possible effect on other siblings
- The extent of the non attendance
- Family history regarding school attendance
- Previous convictions
- Whether parenting support would be more appropriate to prosecution

### **Parental responsibility**

Under Section 7 of the Education Act 1996, the parent is responsible for making sure that their child of compulsory school age receives efficient full-time education that is suitable to the child's age, ability and aptitude

## **IMPROVING SCHOOL ATTENDANCE**

### **School practice to improve attendance will include:**

- Having in place an Attendance Policy that staff, pupils and parent/carers are familiar with. The Policy should outline the school's ethos, expectations in relation to behaviour and attendance and any arrangements for the escalation of concerns including the use of enforcement action.
- Promotion of the importance and legal requirements of good attendance to pupils and their parents/carers
- Following the Pupil Registration Regulations, particularly for accurate, up to date and correct usage of coding
- Robust systems for monitoring attendance and data to analyse absence patterns
- Setting of trigger point/thresholds
- Early intervention and a clear understanding of who does what and when
- Clear and timely communication with parent/carers concerns and expectations about attendance by
  - letters
  - meetings in school or other venues
  - home visits
- Identifying the causes for absence from pupils and parent's point of view
- Setting realistic targets and plans to support improved attendance.
- Supporting the most vulnerable pupils by:
  - referral/signposting to other agencies,
  - offering more suitable curriculum,
  - encouraging the return of pupils with catch up opportunities and reintegration plans
- Recording all actions in an Attendance case file
- Sending formal letter to parent/carers

### **Where there is no improvement after casework**

- Discuss cases with the Family Service's Senior Education Welfare Practitioner. They offer advice on casework and quality of evidence in the case file
- Make a referral through the Early Help Unit for a pupil whose attendance has not improved and whose parents have not engaged with school's efforts to resolve the issues.
- Make the case file available to the Family Service Enforcement Lead.

## HOME VISITING

Visiting parents/carers and students at their homes is a reasonable and suitable response to attendance concerns. It will often be the first contact with a family and will establish a line of communication and hopefully form a positive working relationship.

### Points for considerations when home visiting

- We have no right of entry therefore we enter a home by invitation
- A home must not be entered if a child is alone
- Consider your safety, it maybe more appropriate to stay at the doorstep or to convene a meeting at school or alternative venue or if necessary, to communicate by letter
- Visiting by appointment or “cold calling” methods have their pros and cons. An appointment letter is a good introduction for a first home visit, and it can also be used as documentation for legal proceedings. The geography of the area, the time you have available and the relationships you have may determine the effectiveness of cold calling  
Always carry your I.D. Card and have it visible when visiting
- A home visit must always be conducted within the ethos of equal opportunities. Consideration of safeguarding issues and confidentiality are also important.

### Preparation for a home visit

- Gather any background information you need
- If other agencies are involved it maybe appropriate to contact them to gain further information
- Be clear about the purpose of your visit

### On the visit

- Introduce yourself, explaining your role and the reason for your visit
- Confirm who you are talking to
- It may be appropriate to explain the legal position regarding attendance and possible implications of continued irregular attendance
- At the end of the visit it should be made clear what the expectations are. What actions need to be taken and by whom. A further visit, a meeting at school, a review date could be arranged
- Make sure parent/carers have your name and contact number
- It is sometimes helpful to confirm any agreements or arrangements by sending a letter after your visit

### Guidance for gathering evidence for legal work during a home visit

1. Explain who you are and why you are visiting.
2. Ask the parent their full name and DOB, the child's full name and DOB
3. Who has day to day care?
4. Show the parent the register and explain it. (Expectation is 5 days full time)
5. Ask why the child has not been attending
  - Ask what the parent has done. Tell back the history if it's a long-standing case.
6. Read the section of the law and the four defences to the parent

#### **Section 444 (1) of the Education Act 1996 states:**

*If a child of compulsory school age who is a registered pupil at a school fails to attend regularly at the school the parent is guilty of an offence.*

Maximum fine £1000

#### **There are only 4 defences:**

- 1- With Leave (where permission is given by the school)
- 2- Sickness or unavoidable cause
- 3- On any day of religious observance by the religious body to which the parent belongs
- 4- If the school is more than 3 miles from the child's home and the Local Authority has not provided transport.

The parent would have to prove one of the above defences in order to be deemed not guilty. If they seem to think they are not guilty ask them to seek legal advice.

Outline the court process i.e. Notice to Attend letter, Formal Warning Letter, Court Action Letter, timelines etc. When the parent could expect to be in court.

Give advice e.g. Medical evidence and what form this could take

Escort to school

Keep in contact with school

Sanctions and Rewards

Who else could help (family/other agencies)

Parenting support?

Agree Actions and a review date

## RECORDING INTERVENTIONS

Recording is used as a basis for preparing evidence for court proceedings. It is therefore essential that the records are accurate, up to date and clear.

The court can ask to examine records at any time during the court process. Although a case rests on the child's record of attendance, it is helpful to the case if your records clearly show that:

- everything has been done to try to resolve the matter
- the defendant has been made aware of the non-attendance during the period in question
- avenues have been explored as to the cause of the absence
- the parents have been advised of their responsibility and any other advice that would help them in the matter.

Always remember:

“If it is not written down, then it never happened!”

### Good Recording

- Is factual, accurate, lucid and readable
- Displays relevant narrative and differentiates between fact and feeling and opinion. - ‘I feel that ...’ ‘In my opinion.....’
- Is condensed and concise
- Displays interpretation and reflection
- Defines nature of problem objectively
- States client's views
- Includes other views, e.g. school, parent etc.
- Clearly defines who named person is, e.g. John Brown, Head teacher, not John
- Avoids slang, jargon
- Is up-to-date
- Avoids allegations about clients, colleagues, other agencies
- Avoids unverifiable data obtained from third parties
- Dates entries
- Is written contemporaneously – i.e. within 24 hours of interview
- Uses summaries and statements of goals

## **Making records before and after Visits/interviews**

These are some helpful techniques for recalling interview content that many workers have found helpful. **If you do intend to make notes during the interview always seek permission before doing so.**

1. Keep note taking during interviews to the absolute minimum. It makes the worker lose eye contact with the client, thus breaking any rapport that may have developed. Clients may also become uneasy about what the worker is writing down. Never take notes when an individual is talking about his feelings or discussing matters that are sensitive, emotionally laden, or difficult to express. Note taking will turn off such expression of feelings very quickly. Unfortunately, some workers who are unsure of their skills in dealing with emotional material subconsciously resort to note taking and other inappropriate techniques to cut off the presentation of feelings with which they feel insecure.
2. It is a good idea to take notes when the client is supplying specific factual data that will be difficult to remember accurately without a reminder. Names of family members, addresses, dates of birth, and similar data may be written down as told. Most clients will not object to note taking if they can see that it will help them obtain the best possible service.
3. If the individual appears uneasy, share with him what is being written down or discontinue note taking altogether. If it comes to a choice between taking good notes so as to produce an accurate record and establishing good rapport with the client so as to provide effective service, the latter must take priority.

A pocketbook specifically for note taking is useful as rough draft or outline notes taken immediately after an interview are often used for subsequent formal recording. When the formal recording is completed, all rough draft notes should be destroyed. They do not belong in the case record or on the worker's desk, creating risk of confidentiality violations.

### **Important notes:**

- Records should be kept in chronological order.
- Recording should be dated and signed.
- If a child has not been seen by any professional over a lengthy period, every attempt should be made to get to see that child. Any child seeming to be 'missing' is followed up, depending on the nature of concern.

## **ABSENCE FOR MEDICAL REASONS**

### **Purpose**

This advice aims to help schools, local authorities and health professionals prevent avoidable and unnecessary absence which parents attribute to illness.

### **Introduction**

1. Pupils are not expected to attend to school when they are not well enough to do so whether as a result of short term, long term or recurring illnesses. But they should not be kept away from school when they are well enough to go to lessons or when they have minor ailments which do not prevent them from taking part in their education. A useful rule of thumb is whether the ailment would keep parents and teachers away from work.

### **Seeking Medical Evidence**

2. Schools should have an established system in place to enable parents/carers to report their child's absence because of illness. It is reasonable for the school to ask the nature of the illness, ask the parent the expected length of absence and make arrangements for the parent to call the school again if the situation changes.

3. Schools have the right to consider whether to accept the parent/ carers position with regard to medical absence as there are occasions when parents report parentally condoned absence to the school as medical absence. If the school has concerns that the illness may not either be genuine or warrant the amount of absence accruing, the school may ask the parent to substantiate the illness by asking to see additional evidence such as an appointment card or medical certificate.

4. However, they should not request additional evidence every time pupils miss school due to illness. Restricting such requests to when the school has concerns that a pupil was not ill or that the illness was trivial and did not warrant time off reduces the administrative burden on schools. Schools and local authority staff should also be aware of the pressure they could place on doctors' appointment systems if they request parents/carers to produce a Doctor's Note every time pupils are ill, particularly if doctor did not treat the illness at the time. In general, it is not the responsibility of the school or local authority to chase or gather medical evidence from a GP or other medical professional on behalf of a parent whose child is missing school.

5. Schools should have a clear policy to address incidences of recurring absence where illness is given as a reason, but there are indications or concerns that this may not be the case.

## THE ATTENDANCE REGISTER

6. It is at the discretion of the head teacher whether to authorise absence and they can refuse to authorise absence if, after considering all the available information, they believe that the pupil's absence does not appear to be caused by genuine illness. If the school chooses not to authorise the absence it should notify the parent or carer of this. If a school accepts that a pupil was not well enough to attend school, the absence must be authorised and recorded using Code I.

7. A copy of the Pupil Registration regulations is available at [www.statutelaw.gov.uk/pupilregistration](http://www.statutelaw.gov.uk/pupilregistration)

8. Guidance on the regulations and the national attendance and absence codes is at <https://www.gov.uk/government/publications/school-attendance>

### **Can a parent take their child on holiday during term time?**

Under the revised regulations, Head Teacher no longer have the discretion to agree up to 10 days leave for a family holiday during term time.

Instead Head Teachers can only agree a leave of absence during term time in exceptional circumstances. The NAHT have produced some guidance for Head Teachers on what might constitute an exceptional circumstances.

As a general principle, schools should consider each request individually taking into account the circumstances, such as:

- the nature of the event for which leave is sought;
- the frequency of the request;
- whether the parent gave advance notice;
- the pupil's attainment, attendance and
- Possible impact on learning and examinations and
- the students ability to catch up on missed schooling.

## ISSUING OF PENALTY NOTICES

The information in this section of the toolkit must be read in conjunction with the ***“Nottinghamshire Local Code of Conduct for Penalty Notices issued in respect of Truancy and Excluded Pupils.”***

### Explanation of the Nottinghamshire Code of Conduct

Sections 444A and 444B of the Education Act 1996 (introduced by section 23 of the Antisocial Behaviour Act 2003) introduced penalty notices as an alternative to prosecution under section 444. Parents may discharge potential liability for conviction for an offence under section 444(1) by paying a penalty.

Nottinghamshire Local Authority Area has a **Code of Conduct** to enable Penalty Notices to be issued by authorised persons for truancy or where a pupil is found to be in a public place during the first five days of exclusion.

The purpose of the local Code of Conduct is to ensure that the power to issue penalty notices is applied consistently and fairly across the local authority area and that suitable arrangements are in place for the administration of the scheme.

A penalty notice is a suitable intervention in circumstances where the parent is judged capable of securing their child’s regular attendance or whereabouts but is not willing to take responsibility for doing so.

The law states that authorised LA staff, Head Teachers and school staff authorised by them (deputy/assistant heads), the Police, Community Support Officers and accredited persons may issue Penalty Notices, although there is no requirement for them to do so.

Head teachers can request that the Local Authority through it’s Family Service issue Penalty Notices on their behalf. In Nottinghamshire head teachers (or school staff authorised by them) can issue penalty notices. Should a school issue penalty notices it is necessary to inform the local authority in order for the payment to be monitored. The Local Authority will only prosecute cases where the Penalty Notice has not been paid if the Code of Conduct has been followed by the school issuing a penalty.

The penalty is set at £120 and should be paid within 28 days of the date on which the notice starts. If the penalty is paid within 21 days of the date on which the notice starts the sum is reduced to £60. In line with the national requirements the notice is always payable to the Local Authority.

Where the local authority is requested to issue a penalty notice it will be necessary for the LA to receive details of the pupil's absence and the evidence to be presented to the magistrates' court should the penalty be unpaid. **The standard of evidence required is the same as that required for court cases brought under section 444(1) of the Education Act 1996.**

Where a penalty is unpaid, the Local Authority will take legal action under Section 444(1) of the Education Act 1996 for the original offence. In this case it is necessary for the person who requested the issue of a penalty notice to provide evidence for the court case by way of a Section 9 Statement (a witness statement admissible in court under the Criminal Justice Act and the Magistrates' Courts Act and Rules).

There is no flexibility in the deadline for payment of fines.

Notices can only be withdrawn by the local authority to whom the fine is to be paid and in all instances will only be withdrawn where:

- it ought not to have been issued; or
- it ought not to have been issued to the person named as the recipient;  
or
- it appears to the authority that the notice contains material errors,
- it interferes with existing intervention strategies or legal proceedings

### **COVID 19 – Pupils Returning to School**

Guidance was released by the Departments for Education in July 2021 for the 2021-22 academic year.

This includes guidance on the marking of registers:

[Addendum: recording attendance in relation to coronavirus \(COVID-19\) during the 2021 to 2022 academic year - GOV.UK \(www.gov.uk\)](#)

And some best practice guidance:

[Improving school attendance: support for schools and local authorities - GOV.UK \(www.gov.uk\)](#)

Support is also available through a DfE funded programme delivered by [www.barnardos.org.uk/see-hear-respond](http://www.barnardos.org.uk/see-hear-respond) providing a combination of online and face to face support to help vulnerable children return to school. Visit the <https://www.barnardos.org.uk/support-hub>

In line with the DfE guidance the LA will need to be confident that any prosecution is in the public interest and that parents who have legitimate reasons in line with public health guidance for their children not to be in school are not unfairly penalised.

### **Example letter warning of Penalty Notice for Holidays taken in term time**

5 April 2012

Mr XXX & Ms XXX  
XXX Meadow Lane  
Nottingham  
NG7 5HP

Dear Mr XXX &amp; Ms XXX

**PENALTY NOTICE WARNING**Child X (dob XX/XX/XXXX)

I note your application to take ..... out of education for .... days to go on holiday. Schools are only allowed to agree a leave of absence during term time in exceptional circumstances.

I have considered your application and do not feel it meets the exceptional circumstances criteria and therefore your request has been declined. Should you decide to remove your child from school on the dates indicated in your application then their absence will be marked in the register as unauthorised.

An unauthorised leave of absence of more than 3 days/6 sessions (over a 6 week rolling period) for the purpose of a family holiday can lead to you being issued with a penalty notice fine of up to £120 for each child who is absent. The fines can be issued to both parents for each child.

If you do remove ..... from school for the period stated in your application I will request that the local authority issues a penalty notice.

Yours sincerely

Ms XXX XXXX  
Assistant Principal

**Example letter warning of Penalty Notice for unauthorised absence**

X Academy

5 April 2012

Mr XXX & Ms XXX  
XXX Meadow Lane  
Nottingham  
NG7 5HP

Dear Mr XXX & Ms XXX

**PENALTY NOTICE WARNING**

Child X (dob XX/XX/XXXX)

The registers at X Academy show that, to date, your child has missed X days (X sessions) of school due to unauthorised absences over the last X weeks.

You, as parent, have legal responsibility under Section 444(1) of the Education Act 1996, for ensuring that your child attends school regularly. As such unless your child's attendance improves you will be referred to the local authority for a Penalty Notice to be issued under Section 444 of the Education Act 1996 for failing to ensure the regular attendance of your child.

Should your child (Insert name) any further absence which result in them having in excess of 3 days (6 sessions) over a 6 week rolling period we will request that the local authority issue a penalty notice of up to £120 for each child who is absent. The notice can be issued to both parents/carers for each child whose absence meets the Penalty Notice threshold.

Please take immediate steps to ensure your child gets to school on time every day and obtain medical evidence if he/she is too ill to attend. Any other reason for absence should be discussed with the school and it is the school's decision whether to authorise any absence that is not covered by medical evidence.

| Yours sincerely

Mr XXX XXXX  
Assistant Principal

**Example letter to Local Authority requesting Penalty Notice to be issued**

X Academy

Our Ref:

Family Service  
Home Brewery Building  
Sir John Robinson Way  
Arnold  
Nottingham  
NG5 6DA

**For the Attention of Senior Education Welfare Practitioner**

Dear.....

**Penalty Notice Request – Top Academy**

I am requesting that Mr xxxxxxxx and Ms xxxxxx are issued with a Penalty Notice for failure to ensure that xxxx(child) (date of birth xx/xx/xx) attends school regularly.

I enclose a copy of the letters sent to Mr xxxxxxxx and Ms xxxxxx, a copy of child's attendance certificate, showing the unauthorised absences and a copy of the case notes.

I look forward to hearing how the case has progressed.

Yours sincerely

Mr xxxxxxxx  
Principal

**Example letter advising parent that school have requested Penalty Notice to be issued for holiday in term time**

Our Ref:

Mr xxxxxxx & Ms xxxxxxx  
XX Meadow Lane  
Nottingham  
NG7 5HP

Dear Mr xxxxxl & Ms xxxxxx

**Child X (dob XX/XX/XXXX)**

On (Date) we wrote to you to explain that the .....Academy would not authorise .....(child name) absence from school for ..... days for a holiday. We also informed you that this could lead to a Penalty Notice being issued to you.

I am now writing to advise you that a request has been made to the Local Authority to issue a Penalty Notice for failing to ensure that your child attends school regularly.

Should you wish to discuss any of the above, please do not hesitate to contact me.

Yours sincerely

Mr xxxxxxxxx  
Assistant Principal

**Example letter advising parent that school have requested Penalty Notice to be issued for unauthorised absence**

Our Ref:

Mr xxxxxxx & Ms xxxxxxx  
XX Meadow Lane  
Nottingham  
NG7 5HP

Dear Mr xxxxxl & Ms xxxxxx

**Child X (dob XX/XX/XXXX)**

Further to our letter dated (Insert Date) notifying you that your child had incurred unauthorised absence from school and that any further absence may result in a request to the Local authority to issue a Penalty Notice fine.

We are now writing to advise you that because your child (insert name) has had unauthorised absences in excess of 3 days over a 6 week period a request has been made to the Local Authority to issue a Penalty Notice to you for failing to ensure that your child attends school regularly.

Should you wish to discuss any of the above, please do not hesitate to contact me.

Yours sincerely

Mr xxxxxxxxx  
Assistant Principal

**Example letter warning of Enforcement due to Non-Attendance related to COVID19**

X Academy

[Date]

Mr XXX & Ms XXX  
XXX Meadow Lane  
Nottingham  
NG7 5HP

Dear Mr XXX & Ms XXX

Child X (dob XX/XX/XXXX)

The registers at X Academy show that, to date, your child has missed X days (X sessions) of school due to unauthorised absences over the last X weeks.

In March 2020 when the coronavirus (COVID-19) outbreak was increasing, the Government decided that no parent should be penalised or sanctioned for their child's non-attendance at school. However, now the circumstances have changed and the Government decided that all children must return to school from September 2020 unless they are unable to attend in line with public health advice because they are self-isolating and have had symptoms or a positive test result themselves; or because they are a close contact of someone who has coronavirus (COVID-19).

In addition, shielding advice for all adults and children were paused on 1 August, following a continued decline in the rates of community transmission of coronavirus (COVID-19). This means that even the small number of pupils who were identified on the shielded patient list can also return to school, as can those who have family members who were required to shield. I refer you to the [current advice on shielding](#)

We are concerned to minimise as far as possible the longer-term impact of the pandemic on your child's education, wellbeing and wider development. Your child's recent irregular attendance we believe increases that risk further.

We appreciate that this the return to school can be an anxious time for both pupils and parents. If this is the case then we would want to talk to you about the support that is available for your child and explain to you the various measures

we have put in place in response to COVID19 to safeguard your child. If you wish to discuss either of these then please get in touch with [Name]

You, as parent, have a legal responsibility under Section 444(1) of the Education Act 1996, for ensuring that your child attends school regularly. As such unless your child's attendance improves you will be referred to the local authority for a either a Penalty Notice fine or prosecution under Section 444 of the Education Act 1996 for failing to ensure the regular attendance of your child.

Please take immediate steps to ensure your child gets to school on time every day and obtain medical evidence if he/she is too ill to attend. Any other reason for absence should be discussed with the school and it is the school's decision whether to authorise any absence that is not covered by medical evidence.

Yours sincerely

Ms XXX XXXX  
Assistant Principal

## Sample Penalty Notice

### Penalty Notice S.444A EDUCATION ACT 1996 Please read the notes attached carefully

If a child of compulsory school age who is a registered pupil at a school fails to attend regularly at the school, or fails to attend regularly at alternative provision, the child's parent is guilty of an offence under s.444 Education Act 1996.

**To:(PARENTNAME)**

**Of:(PARENTADDRESS)**

You are a parent of **CHILD NAME** (called in this notice “the pupil”) who is a registered pupil at **NAME OF SCHOOL**.

Between **DATE** and **DATE** the pupil failed to attend school regularly.

This notice gives you the opportunity to pay a penalty fine instead of being prosecuted for the offence given above. The amount of the penalty is £60/£120 in accordance with the table attached. If you pay this penalty within the time limits set out overleaf, no further action will be taken against you in connection with the offence as set out in this notice.

Payments should be made within 28 days. Payment should be made to Nottinghamshire County Council in the manner indicated in attached notes. Payment within 21 days leads to a reduction in the penalty to £60.

Late or part payments will not be accepted and no reminders will be sent. **If payment is not received by (DATE) you may be prosecuted for the offence and could be subject to a fine of up to £1000.**

Please note you may have received more than one penalty notice. Penalty notices are issued PER CHILD PER PARENT

This notice is issued by **(NAME AND JOB TITLE AND ADDRESS)**

**Date of Issue:**

**Your Reference:**

## PART TWO- How to Pay

**By Post:** Please complete your cheque and send to:  
Family Service, Lawn View House, Station Road, Sutton In Ashfield,  
Nottinghamshire, NG15 7GA. Please make your cheque payable to  
Nottinghamshire County Council and write your penalty notice reference number  
on the back of the cheque.  
PLEASE NOTES cheques will be accepted if they arrive with the LA by the  
payment date.

**By Debit or Credit Card:** Please telephone 0115 804 3500 and have your  
Penalty Notice reference number to hand. Office hours are 8.30-5pm mon-thurs,  
8.30-4.30pm fri.

**Payment Queries:** If you have any issues with the payment options please  
contact [penalty.notices@nottscc.gov.uk](mailto:penalty.notices@nottscc.gov.uk)

### Amount of penalty

The amount of the penalty is as follows:

#### When paid

<b>Within 21 days (date)</b>	<b>£60</b>	<b>To be received by 4.30pm</b>
<b>Within 28 days (date)</b>	<b>£120</b>	<b>To be received by 4.30pm</b>

### Contact Details

If you have any queries about this notice, please contact (NAME AND JOB  
TITLE AND ADDRESS)

### **Code of Conduct**

This notice is issued in accordance with a local code of conduct drawn up by the Nottinghamshire LA. Any questions or correspondence about the code should be addressed to (NAME AND JOB TITLE)

### **Withdrawal**

This notice may be withdrawn by the Nottinghamshire LA if it is shown that it should not have been issued to you or has not been issued to you in accordance with the local code of conduct. If you believe that the notice was wrongly issued you must contact the LA to ask for it to be withdrawn as soon as possible, stating why you believe the notice to have been incorrectly issued. The LA will consider your request and will contact you to let you know whether the notice is withdrawn. If the notice is not withdrawn and you do not pay, you will be liable to prosecution for the offence that your child has failed to attend school regularly.

### **Payment**

You should make payment choosing your preferred method from options explained in Part Two of the Penalty Notice.

### **Prosecution**

If you do not pay the penalty, and the notice is not withdrawn, you will be prosecuted for the offence of failing to ensure your child's regular attendance at school. You will receive a separate summons for this which will give you notice of the time and date of the court hearing. You will be able to defend yourself and you would be advised to seek legal representation; in some circumstances you may be entitled to legal aid.

### Schedule for the issuing of Penalty Notices for holidays in term time

<b>Parent applies for holiday</b>	Reply to application in writing to explain that the holiday absence has not been approved and the absence will be unauthorised and that this may lead to a PN being issued
<b>Child is absent for family holiday</b>	Mark register as unauthorised
<b>Child returns to school following holiday</b>	Write to parent to explain that request has been made to LA for issuing PN
	Write to LA with all info necessary to issue a PN within 2 weeks of holiday.

### Checklist for the issuing of Penalty Notices

Has there been in excess of 3 days (6 sessions) of Unauthorised absences over 6 week rolling period where the absence is general in nature?	
Has there been in excess of 3 days (6 sessions) of unauthorised absence over a 6 week rolling period <b>and</b> evidence that this was for the purpose of a family holiday?	
Is the attendance certificate attached	
Is it <u>fair</u> to issue a PN? Suitable provision? Needs met? Support offered and fair warning given? Other agencies in agreement?	
Who has parental responsibility? 1 or 2 parents at home?	
Are parent(s) first names given	
Are contemporaneous notes kept of all conversations, meetings and copies of letters also? It is easier if one person can keep these notes in case of a court case	