

What happens if I pay the penalty notice, but my child is still absent from school?

If you pay the penalty notice this discharges your liability for the period to which the penalty notice relates. However, if further absences occur, depending upon the circumstances, a prosecution might be considered for any further periods of unauthorised absence. It is vital that you work closely with your child's school and any support agencies offered.

Contact details:

School Attendance
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WHAT IS A PENALTY NOTICE?

INFORMATION LEAFLET



Advice for parents/carers

Children and Young People's Services

What is a school penalty notice?

School penalty notices were introduced in 2003 as an alternative to prosecution with the aim to improve school attendance.

A fixed penalty notice gives the parent the opportunity to discharge their liability for the offence under section 444 of the Education Act 1996. If a penalty notice remains unpaid the local authority must either proceed to prosecute for the offence to which the penalty notice relates which may lead to a fine of up to £1000 or withdraw the penalty notice.

How much is a penalty notice?

The penalty is £60 (per parent, per child) if paid within 21 days, it rises to £120 if paid between 22 and 28 days.

Failure to pay within 28 days may result in prosecution.

Why have I been given a penalty notice?

A school penalty notice may be issued to any parent of a child for:

- Unauthorised leave of absence including holidays in term time.
- Parentally condoned absence where the parent is deemed capable but unwilling to address attendance problems (for example, a failure to engage with support measures).
- A parent continually failing to provide an explanation for a pupil's absence in accordance with the school's procedures.
- The pupil having a record of unauthorised absences which appear to have been avoidable.
- A pattern of poor attendance that develops during a pupil's final year of compulsory education.
 - Persistent late arrival after the school register has closed.

This is not an exhaustive list, and each case will be considered individually.

Both my partner and I have been issued a penalty notice for our child. Is this right?

Yes. Parents and those who have day to day care of children are individually legally responsible for securing children's school attendance.

For more information, please see the 'Who is a Parent' leaflet available on the School Attendance pages of Suffolk County Council Website.

How is it paid?

Information on how to pay is included with the penalty notice and is also available on our website www.suffolk.gov.uk

I want to pay by instalments, can I do this?

Part payments are not acceptable, and the penalty notice must be paid in full.

Suffolk County Council is not able to offer payment plans to pay fixed penalty notices.

Where does the money go?

When the penalty notice is paid, the sums received are used by the Local Authority to issue and enforce the Penalty Notices and prosecute recipients who do not pay. Any surplus must be paid by the Local Authority to the Secretary of State.

What happens if I don't pay the penalty notice?

Failure to pay can result in prosecution under Section 444 of the Education Act 1996 for the offence of failing to ensure your child's regular attendance at school.

If full payment is not received within the time the Local Authority may commence proceedings in the Magistrates Court. If proven, this can result in fines of up to £1000.

You will have a criminal record if found guilty of the offence.