

Penalty Notice Changes

With the introduction of the new National Framework for Penalty Notices on 19th August 2024 there are significant changes in the way that Penalty Notices are to be issued and an increase in the charges associated with them. These are nationwide changes implemented for consistency across all Local Authorities.

Term Time Leave is only allowed in exceptional circumstances communicated in advance with evidence provided as soon as possible to the Headteacher.

First Offence

For the first time a Penalty Notice is issued for unauthorised term time leave or irregular attendance the amount will be;

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



Please ensure you communicate all absences for your child to school.

Second Offence

Within 3 years of the first offence. The second time a Penalty Notice is issued for unauthorised term time leave or irregular attendance the amount will be;

- £160 per parent per child paid within 28 days.
- No reduction for early payment.

Third Offence Onwards – Within 3 years of the first offence

The third time an offence is committed for unauthorised term time leave or irregular attendance a Penalty Notice will not be issued, and the case will be presented straight to the magistrate's court. Fines can be around £2500 per parent, per child. Cases found to be guilty in the magistrate's court can show as a criminal record.

Notices to Improve

A Notice to Improve is a final opportunity for a parent to engage in support and improve before a penalty notice is issued. If the national threshold has been met and support is appropriate but offers of support have not been engaged with by the parent or guardian or have not worked, a Notice to Improve should usually be sent to give parents or guardians a final chance to engage in support. A Notice to Improve does not need to be issued in cases where support is not appropriate and an authorised officer can choose not to issue one in any case, including cases where support is appropriate, but they do not expect a Notice to Improve would have any behavioural impact (because the parent has already received one for a similar offence).

If sufficient improvement is not made following the service of a Notice to Improve, a penalty notice may be issued either during or at the end of the designated time period.

Don't forget.

Penalty Notices are issues Per Parent, Per Child.

For example, 3 siblings absent would result in each parent receiving 3 fines. This could amount to £960

DfE Blog for Parents

<https://educationhub.blog.gov.uk/2024/02/29/fines-for-parents-for-taking-children-out-of-school-what-you-need-to-know/>



10 sessions in 10 weeks

Penalty Notices will be considered for any 10 sessions of unauthorised absence in 10 weeks. **5 Consecutive days** of term time leave can trigger a Penalty Notice

Changes to the Issuing Fixed Penalty Notices from Autumn 2024

From Autumn 2024 there are significant changes in the way that penalty notices are to be issued and an increase in the charges associated with them.

The national threshold for issuing a penalty notice is 10 sessions of unauthorised absence in a rolling period of 10 school weeks. This can be met with any combination of unauthorised absence (e.g. 4 sessions of term time holiday plus 6 sessions of arriving late after the registers close). These sessions can be consecutive or can now span across different terms or school years.

When the threshold has been met the school will either offer appropriate support if appropriate or immediately issue a penalty notice if it is the best available tool to improve a pupil's attendance.

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Penalty Notices

From Autumn 2024 only 2 penalty notices can be issued to the same parent/guardian in respect of the same child within a 3-year rolling period and any second notice is charged at a higher rate.

- The first penalty notice issued to a parent in respect of a particular pupil will be charged at £160 if paid within 28 days. This will be reduced to £80 if paid within 21 days.
- A second penalty notice will be charged at a flat rate of £160 if paid within 28 days.
- A third penalty notice cannot be issued to the same parent in respect of the same child within 3 years of the date of issue of the first. In a case where the national threshold is met for a third time (or subsequent times) within those 3 years, alternative action should be taken instead. This will often include considering prosecution but may include other tools such as one of the other attendance legal interventions.

If the penalty notice is not paid by the end of the 28-day period, the local authority will decide either to prosecute for the original offence to which the notice applies, or withdraw the notice. Parent(s) can only be prosecuted if 28 days have expired, and full payment has not been made. There is no right of appeal against a penalty notice.

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