NATEBY PRIMARY SCHOOL

SCHOOL ATTENDANCE

Penalty notices for unauthorised school absence

A guide for parents and carers | National framework introduced 19 August 2024

WHEN CAN A PENALTY NOTICE BE CONSIDERED?

The national threshold is 10 sessions of unauthorised absence in a rolling period of 10 school weeks. This is equivalent to 5 school days because each school day has two sessions: one morning and one afternoon.

The 10 sessions may be consecutive (for example, a full week of unauthorised absence) or spread across the 10-week period. They may relate to different types of unauthorised absence and can span school terms or academic years.

The threshold is a trigger for the local authority to consider a penalty notice; it does **not** mean that a notice must automatically be issued in every case.

WHAT HAPPENS WITH UNAUTHORISED ABSENCE?

Lancashire's local procedure provides for a formal **Notice to Improve** in cases of unauthorised absence other than unauthorised term-time leave. The notice warns that a penalty notice may be issued and sets a **15-school-day** period during which attendance is closely monitored. If the required improvement is not achieved, a penalty notice may be issued.

A Notice to Improve will generally **not** be issued where all or most of the absence is due to unauthorised leave or a term-time holiday. In these cases, parents should be told in writing that the leave has not been authorised and that legal action may be considered if it is taken.

Decisions are considered individually, taking account of the national framework, support offered where appropriate and the local Code of Conduct.

WHAT IS A PENALTY NOTICE?

A penalty notice is a financial penalty used as an alternative to prosecution for certain unauthorised school absences. It is intended to improve attendance. The local authority considers each case in line with the national framework and its Code of Conduct.

FIRST PENALTY NOTICE

£160 per parent, per child.
Reduced to **£80** if paid within 21 days.
The full amount must be paid within 28 days.

SECOND PENALTY NOTICE

If a second penalty notice is issued to the **same parent for the same child** within a 3-year rolling period:

£160 per parent, per child.
There is **no reduced payment** for early payment. The amount must be paid within 28 days.

THIRD OR SUBSEQUENT OFFENCE

A third penalty notice cannot be issued to the same parent for the same child within the 3-year rolling period. The local authority will consider alternative action under the law and its Code of Conduct. This may include prosecution or an Education Supervision Order; prosecution is not automatic in every case.

LOCAL AUTHORITY DISCRETION

The national framework allows the local authority to consider a penalty notice before the 10-session threshold is reached where an offence has been committed and the circumstances justify it. Examples include deliberately avoiding the threshold through repeated term-time holidays below it, or repeated absences for birthdays or other family events. Any decision must follow the local Code of Conduct and consider the individual circumstances.

WHO IS FINED?

Penalty notices are issued **per parent, per child**. Each parent who is liable for the attendance offence may receive a separate penalty notice for each child. For example, if two siblings are absent for an unauthorised term-time holiday, each liable parent may receive two penalty notices.

IMPORTANT

A penalty notice is not issued automatically when the threshold is reached. The local authority must consider the individual circumstances and whether issuing a notice is appropriate. If you are concerned about your child's attendance, please contact the school as early as possible.

For further information about attendance and penalty notices, please contact the school office or refer to the Department for Education and Lancashire County Council guidance.

This leaflet is a summary for parents and carers. Decisions about penalty notices are made by the local authority under the legislation and its current Code of Conduct.