

Summary Tips for Schools and Education Providers Requesting Penalty Notices

Take steps to ensure good attendance → Issue a Warning Letter → No improvement consider pupils circumstances

Stage 1. Reasons for issuing a Penalty Notice

- You must show that support has not improved attendance
- That absences have not been authorised
- If it is a straightforward non-attendance case
- Period of unauthorised absence of 10 missed sessions in a period of 50 school days
- Unauthorised Term-Time Leave (including leave for family holiday)
- Any parent who takes a child out of school for term-time with:
 - Leave of 10 or more morning and afternoon sessions during any 100 possible school sessions or 50 school days
 - not authorised by the school (under exceptional circumstances)
- Evidence of parents being warned about a potential Penalty Notice



Tips to aid your application

- **Definition of who is a Parent?** – Natural parent, step-parent and anyone who has day to day care
- **Polices regarding Leave of Absence** in term time are to be published for parents and carers
- **A pupil must be of compulsory school age after 5th Birthday** (31st Dec; 31 March; 31 August to end of final school year)



When to issue a Penalty Notice



Unauthorised Absence

Unauthorised Leave

Arrives -Register is Closed

Excluded

Code O

Overt **truancy** (including pupils caught on truancy sweeps) or unauthorised absence

Parentally condoned **absences**

Code G

Unauthorised leave for the purpose of family holiday in term-time

Delayed return from **leave of absence** without prior agreement

Code U

Persistent late arrival at school (after the school register has closed)

Code E

An **excluded** child is found in a public place during school hours during the first five days of exclusion



Stage 2. How to request a Penalty Notice

- With authorisation from the Headteacher go to the Digital Front Door:
- [Access to the Service \(Digital Front Door\) - kelsi.org.uk](https://kelsi.org.uk)
- Provide the numbers of un-authorized days and sessions
- Add any other relevant information to support the referral
- Ensure correct details for both main and additional parents/guardians
- Provide the school's expected level of attendance as stated in their attendance policy



Stage 3. Issuing a Penalty Notice

- KCC Attendance Service will issue all Penalty Notices for all unauthorised absences and exclusions
- Penalty Notices will only be **issued by Post** and never as an 'on the spot action'
- Schools and parents/guardians are informed by letter if the request is withdrawn
- The school will be notified of the monitoring period
- After the monitoring period a **new Registration Certificate** will need to be sent to the Attendance Enforcement Team
- Non-payment of a Penalty Notice may result in prosecution
- If the case goes to court, schools will have to provide supporting evidence, including the **Certificate of Attendance**



Payment of a Penalty Notice within 28 days is £120 reduced to £60 if paid within 21 days of receipt of Notice and payment applies to each parent liable for the offence. Non-payment may result in prosecution. **Education Act Section 444A**

This is a brief summary for full details see Penalty Notice Code of Conduct and Guidance Notes as well as suggested **standard letters** which can be found [Here](#)



Tips- Prevent the return of your Penalty Notice request

- Update School Attendance Policy - since 6/4/17
- Leave refusal letter must be sent to all known parents
- The leave refusal letter must warn each parent of each child there is a risk of a Penalty Notice and a fine
- The refusal letter (absence for exceptional circumstance), must not use the wording '**your request for a family holiday**'



Tips – Prevent a withdrawal of a Penalty Notice

Penalty Notices can only be withdrawn in the following circumstances:

- The Penalty Notice was issued to the wrong person
- If KCC deems that the Penalty Notice should not have been issued
- The Penalty Notice contains material errors
- Penalty Notice did **not conform** to the terms of the **KCC Education Penalty Notices Code of Conduct**

