

## The cost of a Penalty Notice

If a notice is required the parent will be given a 15 day warning. During this period they will have the opportunity to provide evidence which demonstrates why a notice should not be issued. It will be for the school to determine if the evidence is accepted.

There are no limits to the number of formal warnings for a penalty notice that can be issued.

### Legal Practicalities.

If the school attendance does not improve the penalty notice is

**£60 if paid within 28 days of receipt of the notice;**

**this rises to £120 if paid after 28 days but within 42 days of receipt;**

**if the penalty notice is not paid in full by the end of the 42 days the Local Authority must either prosecute for the offence or withdraw the notice\*.**

If the Penalty Notice is not paid in full then the Local Authority (LA) will consider prosecution for the original offence, which is **'failing to secure the child's regular attendance at school'** under section 444 of the Education Act 1996.

*\* only in exceptional circumstances see Code of Conduct.*

## Support with School Attendance

Please remember that if there are reasons why your child is missing school then keep the school informed.

If your child is off school then speak to the school as early as possible on the first day of their absence.

**Your child is expected to be in school for 190 days an academic year with 175 days off due to weekends and school holidays.**

Further information on the issuing of Penalty Notices can be obtained from your child's school or from the Early Intervention Officer, Inclusion Service.

For more information please visit [www.pembrokeshire.gov.uk/schoolattendance](http://www.pembrokeshire.gov.uk/schoolattendance)

or email:

[educationpn@pembrokeshire.gov.uk](mailto:educationpn@pembrokeshire.gov.uk)

or call:

01437 764551



Pembrokeshire County Council  
Cyngor Sir Penfro



Inclusion Service

School Attendance

# PENALTY NOTICES



Information for  
parents / carers  
& pupils



[www.pembrokeshire.gov.uk](http://www.pembrokeshire.gov.uk)

## Penalty Notices

Welsh Government has instructed all local authorities to implement Penalty Notices under the Welsh Government Education (Penalty Notices) (Wales) Regulations 2013 from September 2014.

**The ERW consortium believe that any absence from school, for whatever reason, is detrimental to a child's long term life opportunities, so should be avoided if at all possible.**

A Penalty Notice is a method of intervention with the aim of seeking to secure an improvement in the child's attendance at school.

## Appealing against a Penalty Notice

There is no statutory right of appeal under the Regulations, but where a parent contests the issuing of a Penalty Notice they can contact the Inclusion Service in Pembrokeshire.

## Who can receive a Penalty Notice

A notice will be issued to each parent in respect of each child under section 576 of the Education Act 1996

## Definition of a parent

- all natural parents, whether they are married or not
- any person who, although not a natural parent, has parental responsibility for a child or young person
- any person who, although not a natural parent, has care of a child or young person (having care of a child or young person means that a person with whom the child lives and who looks after the child, irrespective of what their relationship is with the child, is considered to be a parent in education law).

## Why should my child attend school every day

|                           |   |
|---------------------------|---|
| <b>100%</b><br>attendance | <b>Best chance of success!</b>                                    |
| <b>95%</b><br>attendance  | <b>Poor attendance will impact on learning.</b>                   |
| <b>90%</b><br>attendance  |   |
| <b>85%</b><br>attendance  | <b>Very poor attendance has a significant impact on learning.</b> |
| <b>80%</b><br>attendance  |   |

## A penalty notice may be issued:

- when a pupil has a minimum of 10 sessions (five school days) that have been lost due to unauthorised absences during the current term and this brings the overall pupil's attendance to below 90% in the school year to date (these absences do not have to be consecutive);
- unauthorised absences of at least 10 sessions (5 school days) due to holidays in term-time if the absences take the overall pupil's attendance to below 90% in the school year to date (these absences do not have to be consecutive);
- persistent late arrival at school i.e. after the register has closed ( 'U' code as in the Codes Guidance Document 2010). Persistent for the purpose of this document means at least 10 sessions of late arrival within a term; these do not need to be consecutive but should bring the overall pupil attendance to under 90% in the school year to date\*

*\*These absences do not have to be consecutive.*