

Changes to Penalty Notices for Non School Attendance

The Department for Education (DfE) will introduce a new National Framework for Penalty Notices on 19 August 2024, this is explained in more detail in [Working Together to Improve School Attendance 2024](#).

Who is Liable for a Penalty Notice/Prosecution

Penalty notices/prosecution are now issued/sought for each parent for each child (**per parent, per child**). Parent refers to anyone with parental responsibility and may include carers, step parents, grandparents or any other adult with parental responsibility.

For Example: If a family with three children take term time leave of absence, each parent would receive three penalty notices of £160 for each child. This would amount to £960 if paid within 28 days, reduced to £480 if paid within 21 days.

First Offence

The first time a penalty notice is issued for term time leave of absence or unauthorised absences the amount has increased to:

£160 per parent, per child if paid within 28 days of being issued, this amount is reduced to £80 if paid within the first 21 days of being issued

Second Offence

If a second penalty notice is issued for term time leave of absence or unauthorised absence within a three year period, there **will not** be a discount for early payment.

The penalty notice is payable at the full amount of £160 within 28 days of the date of being issued

Third Offence/Any Further Offences Within a Three Year Period

If there is a third instance of term time leave of absence or unauthorised absence, a penalty notice **will not** be issued.

Any further cases will be referred directly to Magistrates' Court for prosecution. Magistrates can impose a fine of up to £2500 per parent, per child.

If a parent is found guilty of an offence, this is recorded as a criminal offence and will show on any DBS (Disclosure and Barring Service) checks as "Failure to Safeguard a Child's Education"

Reasons for Penalty Notices/Prosecution

Term Time Leave of Absence

A school can apply to their local authority for a penalty notice if there are 5 or more days of consecutive absence due to term time leave.

Unauthorised Absence

A school may apply to their local authority for a penalty notice if there are 10 or more sessions of unauthorised absence in a 10 week period. These absences can be a combination of the following codes:

G - Term Time Leave of Absence

O - Unauthorised Absence - Failure to contact the school (unexplained absence) may result in an absence being recorded as unauthorised

U - Late After the Close of Registers

Transition, In year Admissions and Cross Border Checks

All schools will have the ability to check for previous penalty notices/prosecutions issued within a three year period in their own local authority or any other local authority that the family has lived in at year 6 to 7 and 11 to 12 transition or for in year admissions.