



Fixed Penalty Notice

Guidance for parents
September 2020



Legal Responsibilities and Consequences

What is the Anti-Social Behaviour Act 2003?

Section 23 of the Act gives powers to the Local Education Authority and other designated bodies to issue Penalty Notices where a parent/carer is considered capable of but unwilling to secure an improvement in their child's school attendance.

What is a Penalty Notice?

Under existing legislation, parents/carers commit an offence if a child fails to attend regularly and the absences are classed as unauthorised (those for which the school cannot or has not given permission). Depending on circumstances such cases may result in prosecution under Section 444 of the Education Act 1996. A Penalty Notice is an alternative to prosecution, which does not require an appearance in Court whilst still securing an improvement in a student's attendance. Payment of a Penalty Notice enables parents to discharge potential liability for conviction.

Why is school attendance important?

Reducing absence from school is a key priority nationally and locally because missing school damages a student's attainment levels, disrupts school routines and the learning of others, and can leave a student vulnerable to anti-social behaviour and youth crime. Above all, missing school seriously affects children's longer-term life opportunities.

How are Penalty Notices issued?

By post to your home.

What are the costs?

The payment is £60 if paid within 21 days of issue, rising to £120 after this if paid within 28 days.

How do I pay?

Details of payment arrangements will be included on the Penalty Notice. You need to be aware that payment in part or by instalment is not an option with Penalty Notices.

How to Pay and Getting Help

How do I pay?

You have up to 28 days from receipt to pay the Penalty Notice in full, after which the Authority is required under the Act to commence proceedings in the Magistrates Court for the original offence of poor attendance by your child. If proven, this can attract a range of fines up to £2,500 and/or a range of other measures such as Parenting Orders or Community Sentences depending upon circumstances.

Can I be prosecuted if I pay the Penalty Notice but my child is still missing school?

Not for the period included in the Penalty Notice – payment discharges your liability in this respect. However it may be the case that a prosecution might be considered for further periods of poor attendance not covered by the Notice, depending upon the circumstances. If this is an issue, it is vital that you work closely with your child's school and support agencies such as the Education Welfare Service.

Can I get help if my child is not attending regularly?

Yes, the Local Authority and the Academy will give you advice and support if you need help to secure an improvement in your child's attendance:

**Children & Young People's Services,
Lawn View House,
40 Station Road,
Sutton in Ashfield,
Nottinghamshire,
NG17 5GA.**

Telephone: 01623 434201.

It is very important that you speak with us at Sutton Community Academy at the earliest opportunity if you have any worries at all about securing your child's attendance.

If your child is ill, please ring the office before 10am.

Contact Number 01623 980055
Option 1.



Good Attendance Means 97% or Above

We need your help in improving your child's attendance.

Below is a collection of hints and tips to help. Please note that we legally cannot authorise **any** leave of absence during term time, except under truly exceptional circumstances and with the agreement of the Principal.

Remember to let your child know how being ready for school on time helps the whole family.

Talk to your child about school and any problems they might have.

Ensure your child is awake in plenty of time for school every morning.

Arrange your child's doctor's, dentists and hospital appointments after school whenever possible.

Teach your child how to set their own alarm clock.

Encourage your child to prepare their school uniform the night before.

Limit the amount of mornings that your child watches TV or plays games before school.

Take family holidays during school holiday periods.

