



Penalty Notices for unauthorised absence – Information from schools/academies for parents – Sept 23

This is a warning letter

You have received this letter from us warning that you are at risk of receiving a penalty notice. **This is not a penalty notice** but is an opportunity to improve your child's attendance.

This letter explains that if the amount of unauthorised absence is reached a notice will be issued. In cases of unauthorised holidays, we will have made it clear that taking an unauthorised holiday will result in a penalty notice being issued.

What is a penalty notice?

Penalty notices for unauthorised absence were introduced by the government as part of the Anti-Social Behaviour Act 2003 to support schools to improve attendance. They are an alternative to prosecution and allow parents to discharge their potential liability for an offence of failing to ensure their child's regular¹ attendance at school by payment of a penalty.

When are penalty notices used?

We use penalty notices as part of our whole school approach to improving attendance. Penalty notices may be issued once a pupil has 15 or more sessions (a session is a half day) of unauthorised absence in the current and/or previous school term. The absences may have occurred in a block or a series of odd days and/or unauthorised holiday.

It is a Headteacher's or Principal's decision on whether an absence is authorised or unauthorised based on the information provided by you as the parent.

If we decide to apply for a penalty notice, we make this application to the Local Authority, and it must comply with Hertfordshire Code of Conduct.

Once issued there is no statutory right of appeal however the Local Authority may withdraw a notice if it has been issued incorrectly. **This does not mean that a notice will be withdrawn because you disagree with it.**

What happens if you do not pay?

If the penalty notice remains unpaid after 28 days, the Local Authority will prosecute you for the original offence of failing to ensure your child's regular attendance at school. You need to be aware that this is a criminal offence and upon conviction you may receive a fine of up to £1,000 (each parent) and will have a **criminal record**.

If you wish to discuss this letter or the reasons for your child's unauthorised absence, please contact us.

