

### **What is a Penalty Notice?**

It is a fine given for unauthorised absence from school. It is an alternative to criminal proceedings and does not require an appearance in court.

### **Who issues Penalty Notices?**

The Local Authority Issues them through the Attendance Monitoring Service (AMS), by first class post to parent' home.

### **When are they used?**

- When a pupil has at least 10 sessions (5 school days) recorded as an unauthorised absence in a term. Please note ONLY a Head Teacher can authorise an absence from school.
- For an unauthorised leave of absence in term time e.g. a family holiday
- Persistent late arrival at school (after the register closes)

### **Is a warning given?**

Not in cases where a leave of absence in term time has been taken without school permission.

In all other cases a written warning of the possibility of a Penalty Notice is sent to parents. The warning will give 30 school days in which to improve their child's attendance. The Penalty Notice will not be issued if the child has no unauthorised absences from school over the warning period.

### **What is the fine?**

If paid within 28 days of receipt it is £50 per parent per child, after which it goes up to £100 if paid within 42 days. i.e. for two parents with two children the fine would total £200 if paid within 28 days or £400 if paid within 42 days.

### **How is it paid?**

The information on how to pay is included with the Penalty Notice. Payment cannot be made in part or by instalments.

### **Can parents appeal?**

No. There is no statutory right of appeal once a Penalty Notice has been issued. However if they believe it was issued incorrectly then they can make representations to the Local Authority.

### **What happens if it is not paid?**

If it is not paid within the 42 days the Local Authority will commence proceedings in the Magistrates' Court for the original offence of irregular school attendance. If proven a fine of up to £2500 and/or a 3 month custodial sentence could be imposed.

### **Can parents receive more than one Penalty Notice?**

Yes. Parents can receive up to two Penalty Notices in an academic year in respect of each pupil. There is no limit to the number of warnings that can be issued.

Portsmouth Local Authority considers that regular attendance at school is of such importance that Penalty Notices may be used in a range of situations where unauthorised absence occurs.

The Local Authority never takes such action lightly and would far rather work with parents to improve attendance without having to resort to enforcement action. However, attendance is of such importance to all of us, that the Local Authority will take necessary action to secure a child's education.

Please address any queries to:

**Attendance Monitoring Service**  
**Floor 2, Core 1**  
**Civic Offices**  
**Portsmouth**  
**PO1 2EA**

**Telephone: 023 9284 1419**  
**Fax: 023 9284 1725**



**Portsmouth**  
CITY COUNCIL

## **Penalty Notices**

## **Information Leaflet**