

What is a Penalty Notice?

A Penalty Notice is a fine that the County Attendance Team may decide to issue instead of taking legal action through the Magistrates' Court system.

Why could a Penalty Notice be issued?

Under the terms of the education related provisions of the Anti-Social Behaviour Act, a Penalty Notice can now be issued for each parent/carer and for each child of compulsory school age if:

- You fail to ensure that your child attends school, or other education provision regularly
- You allow your child to take leave of absence without the school authorisation.
- You fail to return your child to school on an agreed date after a period of leave of absence
- Your child is found out of school, without permission, on two Truancy Sweeps, within the same year.
- Your child persistently arrives late for school after the register is closed.



Where can I find help?

Contact the County Attendance Team at:

The County Attendance Team
Floor 2
Abbey House
Abbey Close
Abingdon
OX14 3JD

Tel: 01865 323513

Email: attendance@oxfordshire.gov.uk



**OXFORDSHIRE
COUNTY COUNCIL**

Information is also available on the
Oxfordshire County Council's website
www.oxfordshire.gov.uk

The County Attendance Team

Penalty Notice

**You and the Law on School
Attendance
Children Act 1989 Section 36**



**Your questions
answered**

What is a Penalty Notice?

A Penalty Notice is a fine that the County Attendance Team may decide to issue instead of taking legal action through the Magistrates' Court system.

Why could a Penalty Notice be issued?

Under the terms of the education related provisions of the Anti-Social Behaviour Act, a Penalty Notice can now be issued for each parent/carer and for each child of compulsory school age if:

- You fail to ensure that your child attends school, or other education provision regularly
- You allow your child to take leave of absence without the school authorisation.
- You fail to return your child to school on an agreed date after a period of leave of absence
- Your child is found out of school, without permission, on two Truancy Sweeps, within the same year.
- Your child persistently arrives late for school after the register is closed.

How is a Penalty Notice for attendance issued?

In the case of non-school attendance, or lateness after the register has been closed, a warning letter would be sent to you explaining that the Penalty Notice may be issued.

You will then have 15 school days to improve your child's attendance and/or punctuality at school.

What happens if there is no improvement in attendance or punctuality?

A Penalty Fine will be issued.

On issue, the initial Penalty Fine is £60, but if it is not paid with 21 days, the fine is doubled to £120.

If this is not then paid by the 28th day after the issue of the original notice, legal proceedings under Section 444 of the Education Act 1996 can be taken, not for non-payment of the fine, but for an offence of failing to ensure a child accesses appropriate full-time education.



What happens if there is an improvement in attendance or punctuality?

If there is a significant and sustained improvement in attendance or punctuality over 15 days after the Penalty Notice Warning has been given, the Penalty Notice will not be issued.

In this event you will be sent a letter explaining that no further action will be taken at this stage, but if attendance falls again, another Penalty Notice Warning may be issued.



How is a Penalty Notice for leave of absence issued?

A Penalty Notice Warning will be issued following a first unauthorised leave of absence. If a second unauthorised leave of absence is taken within 12 months of the first leave of absence, a Penalty Notice will be issued in respect of the unauthorised leave of absence.

The reasons for the issuing of the Penalty Notice will be given, together with the issuing of the actual fine.