

Under The Education (Penalty Notices) (Wales) Regulations 2013 Local Authorities have been given powers to issue Fixed Penalty Notices (FPNs) as an alternative to taking legal action against parents/carers when responding to absenteeism from school.

The process will be introduced with effect from September 2014 and this leaflet offers a brief outline of the circumstances for which FPNs will be used.

What is a Fixed Penalty Notice?

It is a fine given for unauthorised absence from school. It does not require a court appearance and does not result in a criminal record.

Payment of a Fixed Penalty Notice is an alternative to parents being prosecuted in Magistrate's Court.

What is an unauthorised absence?

It is an absence from school that is not justified or considered acceptable by the Headteacher. (Please note, it is ONLY the Headteacher of your child's school who can authorise a pupil's absence).

Who issues Fixed Penalty Notices?

The Local Authority issues them, at the request of Headteachers.

When are they used?

When a pupil has a minimum of ten unauthorised sessions recorded during the current term (these do not need to be consecutive and please note that a school day is divided into two sessions, am and pm).

In response to persistent late arrival at school i.e. after the registration period. Again this will be when there are at least ten recorded late marks in the current term.

For unauthorised holiday absence. Parents are advised that taking a family holiday during term time may result in an FPN payment.

If a parent(s)/guardian(s) does not attempt to engage with the school or local authority regarding their child's absence.

If a pupil regularly comes to the attention of the police during school hours and is absent from school without an acceptable reason, the police authority will request the local authority to issue an FPN.

Before a Penalty Notice is issued, you will receive a written warning outlining the extent of your child's absence and the possibility of you receiving a Penalty Notice. A period of 15 days is offered to improve the attendance and if there are NO unauthorised absences recorded during this fifteen day timescale then the FPN will not be issued. (The 15 day warning period does NOT apply to an FPN issued for an unauthorised holiday absence).

There is no limit to the number of times a warning notice may be issued.

I have received a Warning Notice and I want to avoid a Penalty Notice. What should I do?

- Ensure that your child attends school every day and arrives on time.
- If your child is ill make sure you make contact with the school on the first day and explain the circumstances.
- Avoid arranging holidays during term time.

How much is the fine?

£60 if paid within 28 days of receipt of the notice rising to £120 if paid within 42 days of receipt.

It will be at the discretion of the local authority whether to issue an FPN on one or both parents/carers.

How do I pay?

The Penalty Notice will be sent by first class post to your home address and information on how to pay will be included.