Statutory Attendance Support Team
Penalty Notice Fines – Sept 2024

Hertfordshire

Helping Parents understand Penalty Notice Fines for School Attendance

From 19 August 2024, there is a National Framework for Penalty Notice Fines being issued for unauthorised absences recorded by schools.

National Threshold

A single consistent national threshold for when a Penalty Notice **must** be considered by **ALL** schools in England, this is:

- 10 sessions (usually equivalent to 5 school days) of unauthorised absence within a rolling 10 school week period.
- These sessions do not have to be consecutive and can be made up of a combination of any type of unauthorised absence.
- For example, a 5-day unauthorised leave of absence would meet the national threshold.
- The 10-school week period can span different terms or school years.

Who may be fined?

- Penalty Notice Fines are issued to each parent who allows their child to be absent without authorisation from school.
- For example, 3 siblings absent for unauthorised leave during term-time would result in each parent/carer receiving 3 separate fines.

Definition of Parent

- Section 576 of the Education Act 1996 states that, in relation to a child or young person, a 'parent' includes any person who is not a parent (from which can be inferred 'biological parent') but who has parental responsibility for or care of the child.
- Parent refers to a person who typically has care of a child or young person if the child lives with them either full or part time and they look after them, irrespective of what their biological or legal relationship is with the child.

First Offence

The first time a Penalty Notice is issued for unauthorised absence, the fine amount will be:

- £80 per parent, per child if paid **within 21 days.**
- If **not paid within 21 days**, the fine will increase to **£160 per parent, per child**, payable between the 22nd and 28th day.

Second Offence (within 3 years)

The second time a Penalty Notice is issued for unauthorised absence, a reduced rate is not available. The amount therefore will be:

- £160 per parent, per child – payable within 28 days.

Third Offence and Any Further Offences (within 3 years)

The third time an offence is committed, a Penalty Notice WILL NOT be issued, and the case will be presented **straight to the Magistrate's Court:**

- **Prosecution** can result in **criminal records** and **fines of up to £2,500.**
- Cases found **guilty** in a **Magistrates Court** can show on the parent's future DBS (Disclosure and Barring Service) certificate (Disclosure and Barring Service) due to a **'failure to safeguard a child's education'**