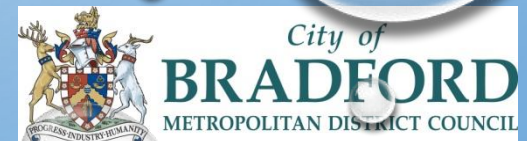


PENALTY NOTICES – NOT JUST FOR ‘HOLIDAYS’

LINDSEY PARKIN

PROSECUTION TEAM MANAGER

Education Safeguarding Prosecution Team



2022/23 PN'S

13,322 PN'S ISSUED

94% FOR LOA

ATTENDANCE

- PENALTY NOTICES ARE FINES IMPOSED AS AN ALTERNATIVE TO THE PROSECUTION OF PARENTS FOR FAILING TO ENSURE THAT THEIR CHILD OF COMPULSORY SCHOOL AGE REGULARLY ATTENDS THE SCHOOL WHERE THEY ARE REGISTERED OR AT A PLACE WHERE ALTERNATIVE PROVISION IS PROVIDED.
- THE PENALTY IS £60 IF PAID WITHIN 21 DAYS OF RECEIPT RISING TO £120 IF PAID AFTER 21 DAYS BUT WITHIN 28 DAYS.
- THE PAYMENT MUST BE PAID DIRECT TO THE LOCAL AUTHORITY. THE PARENTS CAN ONLY BE PROSECUTED IF 28 DAYS HAVE EXPIRED AND FULL PAYMENT HAS NOT BEEN MADE. THERE IS NO RIGHT OF APPEAL BY PARENTS AGAINST A PENALTY NOTICE.
- IF THE PENALTY IS NOT PAID IN FULL BY THE END OF THE 28 DAY PERIOD, THE LOCAL AUTHORITY (CITY OF BRADFORD METROPOLITAN DISTRICT COUNCIL) MUST DECIDE EITHER TO PROSECUTE FOR THE ORIGINAL OFFENCE TO WHICH THE NOTICE APPLIES OR WITHDRAW THE NOTICE.
- PENALTY NOTICES CAN BE ISSUED TO EACH PARENT LIABLE FOR THE ATTENDANCE OFFENCE OR OFFENCES. PENALTY NOTICES CAN BE USED WHERE THE PUPIL'S ABSENCE HAS NOT BEEN AUTHORISED BY THE SCHOOL.

SCHOOL ACTION PRIOR TO REQUESTING THE ISSUING OF A PENALTY NOTICE

- THE SCHOOL'S GOVERNING BODY HAS ENDORSED THE OPERATION OF THE PENALTY NOTICE SCHEME;
- THE SCHOOL'S ATTENDANCE POLICY CLEARLY EXPLAINS THE CRITERIA AND PROCESS FOR ADDRESSING POOR ATTENDANCE, AND THE EXPECTATION IS THAT ALL CHILDREN SHOULD ATTEND EVERY DAY THAT THE SCHOOL IS OPEN EXCEPT FOR SICKNESS, UNAVOIDABLE CAUSES, RELIGIOUS HOLIDAYS, OR ABSENCES AUTHORISED BY THE SCHOOL. **ULTIMATELY, NO SESSIONS OF UNAUTHORISED ABSENCE ARE ACCEPTABLE, AND WHERE AN EXCEPTION MAY APPLY, THE PARENT MAY BE ASKED FOR EVIDENCE TO COLLABORATE THIS.**
- IT IS GOOD PRACTICE TO ENSURE THAT PARENTS ARE REMINDED ON AN ANNUAL BASIS OF THE SCHOOL'S POLICY ON ATTENDANCE, INCLUDING THE EXISTENCE OF PENALTY NOTICES.

CRITERIA

- A PUPIL HAS 6 OR MORE SESSIONS OF UNAUTHORISED ABSENCE IN THE 6 WEEKS (60 SESSIONS) PRIOR TO A NOTICE BEING REQUESTED AND THEIR ATTENDANCE HAS NOT BEEN BELOW 80% (24 SESSIONS OF ABSENCE) IN THE LAST 12 WEEKS (120 SESSIONS) PRIOR TO A NOTICE BEING REQUESTED.
- REQUESTS WILL NOT BE CONSIDERED WHERE THE REQUEST IS MADE MORE THAN 6 WEEKS AFTER THE LAST SESSION OF UNAUTHORISED ABSENCE.
- PENALTY NOTICES FOR POOR ATTENDANCE ARE TO BE USED AS AN EARLY INTERVENTION TOOL TO ADDRESS LOW LEVEL ABSENCE CONCERNS BEFORE THE SITUATION BECOMES ENTRENCHED. RESEARCH CONDUCTED BY THE DFE FOUND THAT PENALTY NOTICES WERE MOST EFFECTIVE WHEN USED TO ADDRESS OCCASIONAL ABSENCES WHERE A CHILD'S RATE OF ATTENDANCE STARTED TO FALL BELOW 90%. WE WOULD ENCOURAGE SCHOOLS TO MAKE USE OF THIS TOOL, AS QUITE OFTEN IT'S THE PENALTY NOTICE WARNING LETTER THAT CAN HAVE THE BIGGEST IMPACT IN BRINGING A CHILD'S ATTENDANCE RATE BACK OVER 90%.

PROCESS

- PUPIL'S ABSENCE TRIGGERS SCHOOL'S CRITERIA FOR POOR ATTENDANCE INTERVENTION (I.E. ATTENDANCE FALLS BELOW 95%). SCHOOL LETTER 1 IS ISSUED MAKING PARENT AWARE OF CONCERNS REGARDING THE PUPIL'S ATTENDANCE.
- [..\BSO\TEMPLATE LETTER 1 \(2\).DOCX](#)
- THE PUPIL'S POOR ATTENDANCE CONTINUES AND UNAUTHORISED ABSENCE CONTINUES TO BE RECORDED. THE NUMBER OF UNAUTHORISED ABSENCES IS COMING CLOSE TO MEETING BRADFORD'S CRITERIA FOR ISSUING A PENALTY NOTICE. SCHOOL LETTER 2 IS ISSUED MAKING PARENT AWARE OF THIS, AND THAT A PENALTY NOTICE MAY BE REQUESTED IF FURTHER UNAUTHORISED ABSENCE OCCURS.
- [..\BSO\TEMPLATE LETTER 2.DOCX](#)
- FURTHER UNAUTHORISED ABSENCE IS RECORDED. POOR ATTENDANCE PENALTY NOTICE REQUEST FORM IS COMPLETED AND SUBMITTED.
- [..\BSO\POOR ATTENDANCE PN REQUEST FORM 22FEB22 \(4\) R\(1\) \(1\).DOCX](#)

CONSIDER:

- HAS THE PARENT BEEN REGULARLY CONTACTED BY THE SCHOOL TO ESTABLISH THE REASONS FOR ABSENCE OR IS THERE ESTABLISHED PARENTAL NON-ENGAGEMENT IN RESPONSE TO PHONE CALLS, LETTERS OR INVITATIONS TO SCHOOL BASED MEETINGS?
- COULD THERE BE UNDERLYING ISSUES WHICH NEED TO BE EXPLORED WITH THE PARENTS AT A SCHOOL BASED MEETING TO IDENTIFY IF ANY SUPPORT IS REQUIRED?
- WHEN PARENTS ARE SEPARATED AND DO NOT LIVE AT THE SAME ADDRESS, ESTABLISH HOW MUCH INVOLVEMENT EACH PARENT HAS IN CARING FOR THE CHILD/REN. IF ONE PARENT HAS LITTLE INVOLVEMENT, CONSIDER WHETHER IT IS IN THE PUBLIC OR FAMILY'S INTEREST TO ISSUE A FINE TO BOTH PARENTS.
- PARENTS/ADULTS OVER THE AGE OF 18 WHO LIVE AT THE SAME ADDRESS AS THE PUPIL WILL BE EQUALLY RESPONSIBLE FOR THE PUPIL'S ATTENDANCE AND CONSIDERATION SHOULD BE GIVEN FOR REQUESTING PENALTY NOTICES FOR EACH INDIVIDUAL ADULT.

TIPS

- PRINT OFF A LIST OF ALL YOUR CHILDREN WITH ATTENDANCE BELOW 95% IN THE LAST 6 WEEKS. FILTER THE LIST TO LEAVE YOU WITH THOSE WITH AT LEAST 1 UNAUTHORISED ABSENCE, AND REMOVE THOSE WITH ATTENDANCE BELOW 80% IN THE LAST 12 WEEKS.
- ISSUE LETTER 1 TO THE PARENT/CARERS OF ALL THOSE ON THE LIST.
- CONTINUE TO REVIEW THE ATTENDANCE OF THOSE CHILDREN IDENTIFIED. SHOULD 3-4 UNAUTHORISED ABSENCES BE RECORDED IN A 6 WEEK PERIOD, ISSUE LETTER 2.
- SHOULD THE CRITERIA OF 6 UNAUTHORISED ABSENCES IN THE LAST 6 WEEK BE MET, SUBMIT POOR ATTENDANCE PENALTY NOTICE REQUEST FORM.

REQUIRED DOCUMENTATION:

- A FULLY COMPLETED POOR ATTENDANCE PENALTY NOTICE REQUEST FORM;
- A COPY OF A GENERAL ABSENCE LETTER, MAKING PARENT AWARE OF ABSENCES AND CONSEQUENCES OF CONTINUED UNAUTHORISED ABSENCE
- A COPY OF A PENALTY NOTICE WARNING LETTER, MAKING PARENT AWARE OF THE CONTINUED UNAUTHORISED ABSENCES, THAT A PENALTY NOTICE MAY BE REQUESTED FROM, AND ISSUED BY, BRADFORD COUNCIL SHOULD ANY FURTHER UNAUTHORISED ABSENCE OCCUR. NB THIS LETTER MUST BE DATED DURING THE ABSENCE PERIOD THIS REFERRAL RELATES TO
- ATTENDANCE CERTIFICATE COVERING THE LAST 12 MONTHS.
- ANY ADDITIONAL EVIDENCE IN RELATION TO THE ABSENCE IE LETTER FROM PARENT ETC.

DATA

FOR THE ACADEMIC YEAR 2022/23

1 597 PENALTY WARNING LETTERS ISSUED

408 PENALTY NOTICES

RESULTING IN 1 189 PUPILS' ATTENDANCE IMPROVED

SUSPENDED PUPIL FOUND IN A PUBLIC PLACE

CRITERIA:

A PUPIL IS FOUND UNSUPERVISED IN A PUBLIC PLACE DURING SCHOOL HOURS DURING THE FIRST 5 DAYS OF SUSPENSION WITHOUT GOOD REASON.

CONSIDER:

THE "GOOD REASON" - THIS MIGHT INCLUDE ATTENDANCE AT A MEDICAL APPOINTMENT, YOT APPOINTMENT OR OTHER APPOINTMENT WITH A STATUTORY OR VOLUNTARY AGENCY.

REQUIRED DOCUMENTATION:

- A FULLY COMPLETED POOR ATTENDANCE REFERRAL FORM
- A COPY OF SUSPENSION LETTER SENT TO THE PARENT IN RELATION TO THE CHILD. THE LETTER MUST INCLUDE A STATEMENT NOTIFYING THE PARENT OF THEIR RESPONSIBILITIES DURING THE FIRST 5 DAYS OF THE SUSPENSION TOGETHER WITH THE CONSEQUENCES OF NON-COMPLIANCE, INCLUDING THE ISSUING OF A PENALTY NOTICE IF THE CHILD IS SEEN IN A PUBLIC PLACE DURING THE FIRST 5 DAYS OF A SUSPENSION.
- ATTENDANCE CERTIFICATE DEMONSTRATING THAT THE CHILD WAS ABSENT DUE TO AN EXCLUSION DURING THE DAY IN QUESTION.
- A WRITTEN STATEMENT(S) FROM THE WITNESS(ES) DOCUMENTING THEIR ACCOUNT IN RELATION TO SEEING THE CHILD IN PUBLIC. THE STATEMENT MUST INCLUDE DETAILS OF THE LOCATION, DATE AND TIME THAT THE CHILD WAS SEEN, AND HOW THE WITNESS KNEW / RECOGNISED THE CHILD. STATEMENT MUST ALSO STATE THAT THE WITNESS IS HAPPY TO APPEAR IN COURT IF NECESSARY TO PROVIDE THEIR ACCOUNT IN FRONT OF THE MAGISTRATES.
- SUPPORTING EVIDENCE, INCLUDING ANY PHOTOGRAPHIC / VIDEO FOOTAGE OF THE CHILD PRESENT IN A PUBLIC PLACE IE CCTV.

ALL COMPLETED REFERRALS MUST BE EMAILED TO

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QUESTIONS

