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## **Penalty Notice Fines for School Attendance have changed.**

The Government has introduced a New National Framework for Penalty Notices.

### **5 days of unauthorised absence**

Penalty Notice fines may be issued for any term-time absences that are unauthorised (for example, a 5-day term time holiday) – whether these absences are taken consecutively or cumulatively over a rolling period of 10 school weeks.

### **10 sessions of unauthorised absence in any 10-week period**

Penalty Notice fines will also be considered when there have been 10 sessions of unauthorised absences in any rolling period of 10 school weeks.

**A school day has 2 sessions:**

**1 morning and 1 afternoon session per day.**

A **school week** means any week in which there is at least one school session. The threshold can be met with any combination of unauthorised absence (e.g. 6 sessions of holiday plus 4 sessions of arriving late after the register closes all within a 10-week period). These sessions can be consecutive (e.g. 10 sessions of holiday in one week) or not (e.g. 6 sessions of unauthorised absence taken in 1 week 1 per week for the next 4 weeks). The period of 10 school weeks can also span over different terms in the school years (e.g. 2 sessions of unauthorised absence in the summer term and a further 8 within the Autumn term).

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

A penalty notice is an out of court settlement which is intended to change behaviour without the need for criminal prosecution. If repeated penalty notices are being issued and they are not working to change behaviour they are unlikely to be the most appropriate tool. Therefore, from August 2024, only 2 penalty notices can be issued to the same parent for the same child within a 3-year rolling period and any second notice within that period is charged at a higher rate. Any further offences will result in criminal prosecution.

The law will be clear that where a Penalty Notice threshold is met – in each individual case, the school **MUST** consider if a penalty Notice is appropriate.

### **1<sup>st</sup> time in a 3-year rolling period**

The first time a Penalty Notice is issued for a term-time leave of absence or irregular attendance or persistent lateness, the amount will be:

**£160 per parent, per child** (if paid within 28 days)  
This is reduced to: **£80 per parent, per child** if paid within 21 days.

### **2<sup>nd</sup> time in a 3-year rolling period**

The second time a Penalty Notice is issued for a term-time leave of absence or irregular attendance or persistent lateness, **to the same parent, for the same child** the amount will be:

**£160 per parent, per child** (if paid within 28 days)  
There is no reduction in this amount.

### **3<sup>rd</sup> time within a 3-year rolling period**

The third time a term-time leave of absence or irregular attendance or persistent lateness, is recorded **by the same parent, for the same child** (including other counties) a Penalty Notice will **NOT** be issued but will be referred to Lincolnshire County Council Attendance Team for prosecution and could result in fines of up to **£2,500 per parent, per child**.

Cases found guilty in Magistrates Court can be shown on a parent's future DBS certificate.

**Lincolnshire County Council have the discretion to issue a Penalty Notice fine before the above thresholds are met where parents are deliberately avoiding national thresholds by taking several term time holidays below the thresholds, or for repeated absences for family events or birthdays.**

### **Unchanged**

Penalty notices are issued per parent (including resident step-parents), per child. This means that fines are issued to each parent, for each child who is absent.