

Can I make an appeal against the penalty notice?

No. A penalty notice can only be withdrawn if it ought not to have been issued in the first place, or where it has been issued to the wrong person. (If you feel that this is the case, you must contact the school immediately).

There is no statutory right of appeal against the issuing of a penalty fine. Penalty notices are issued within the terms of a local code of conduct.

Where can I find help?

Contact your school if you wish to discuss fixed penalty notices.

Information is also available on the Kingston and Richmond Council websites

Or you can contact the Achieving for Children Education Welfare Service

Email: ews.fpn@achievingforchildren.org.uk

Penalty notices

Information for parents
and carers

What is a penalty notice?

A penalty notice is a fine that the school or local authority 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 and carer and for each child of compulsory school age, if:

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

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 punctuality at school.

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

A penalty fine will be issued to you by post. On issue, the initial penalty fine is £60, but if it is not paid within 21 days, the fine is doubled to £120. This is for each parent or carer who has parental responsibility for each child and who they have day-to-day care of and live with on school days.

If the fine 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. This is 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.

If this happens, 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 will be issued following unauthorised leave of absence such as a term time holiday. The reasons for the issuing of the penalty notice will be given, together with the issuing of the actual fine.

How many warnings can you be issued with?

There is no limit to the number of warnings you can be given.