Warning and Penalty Notices

Information for Parents and Carers

Bury Council

What does the law say about poor school attendance?

Under Section 444 of the Education Act 1996, parents or carers may be prosecuted if their child does not attend school regularly and their absences are unauthorised (or in other words, the school cannot or has not given permission for them to be off school).

Bury Council has the power to issue Penalty Notices as an alternative to taking legal action. Penalty Notices are issued to parents or carers who are considered capable of but are unwilling to work towards improving their child's attendance.

When will a Penalty Notice be issued?

Bury Council will always try to work with schools, parents/carers and pupils to improve pupil attendance, but will issue Penalty Notices where a pupil has missed at least 10 sessions (5 school days) due to unauthorised absence in the last 10 weeks.

What is a Notice to Improve?

NB: Notice to Improve letters are not issued for absences due to Leave taken During Term Time - Parents/ Carers will receive a Penalty Notice Only.

Before a Penalty Notice is issued, you will receive a written warning which will explain the extent of your child's non-attendance and the possibility of you receiving a Penalty Notice. You may receive more than one Notice to Improve and Penalty Notice if you have more than one child with poor attendance.

During this period, your child must not have any further unauthorised absences from school, or a Penalty Notice will be issued. There is no limit to the number of times a Notice to Improve can be issued.

What is a Penalty Notice?

A Penalty Notice is a fine issued to parents or carers and can be either £80 per parent or carer, per child (if the payment is made with 21 days of receipt) or £160 per parent or carer (if paid after this, but within 28 days).

Penalty Notices are issued by first class post to your home and will explain how and where to send your payment. You must pay the whole of the amount owing in one payment – you cannot pay in instalments or just pay part.

After one penalty notice has been issued, if a further penalty notice is issued within a three-year rolling period, the fine will be fixed at the higher rate of £160. If a third is issued within a three-year rolling period, there will be no option to pay the fixed fine, this will progress to legal interventions.

What happens if I don't pay?

If you do not pay the penalty in full within 28 days of issue, Bury Council is required to start legal proceedings against you for the original offence of failing to ensure your child attends school regularly. This may lead to a fine of up to £1000.

Payment of a Penalty Notice means that you can no longer be prosecuted for the period of Notice.

However, Bury Council will consider prosecuting you should further unauthorised absence occur.

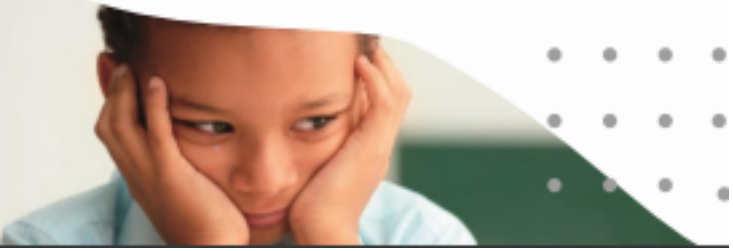
I've received a Warning Notice and I want to avoid a Penalty Notice What do I do?

- Make sure your child goes to school each day and arrives on time;
- If your child is ill contact the school on the first day of absence and explain the circumstances;
- If your child is away for other reasons let the
- school staff know, especially if you know in advance;
- Do not take holidays or leave in term time;
- Talk to your child's school about any problems with your child's attendance.

Why is attendance SO important?

Missing school has a huge impact on how well a pupil gets on at school. The more school a child misses, the harder it is for them to get into a routine of attending regularly and catch up on the work they have missed. Missing school can also leave a child more open to becoming involved in crime, either as an offender or as a victim.

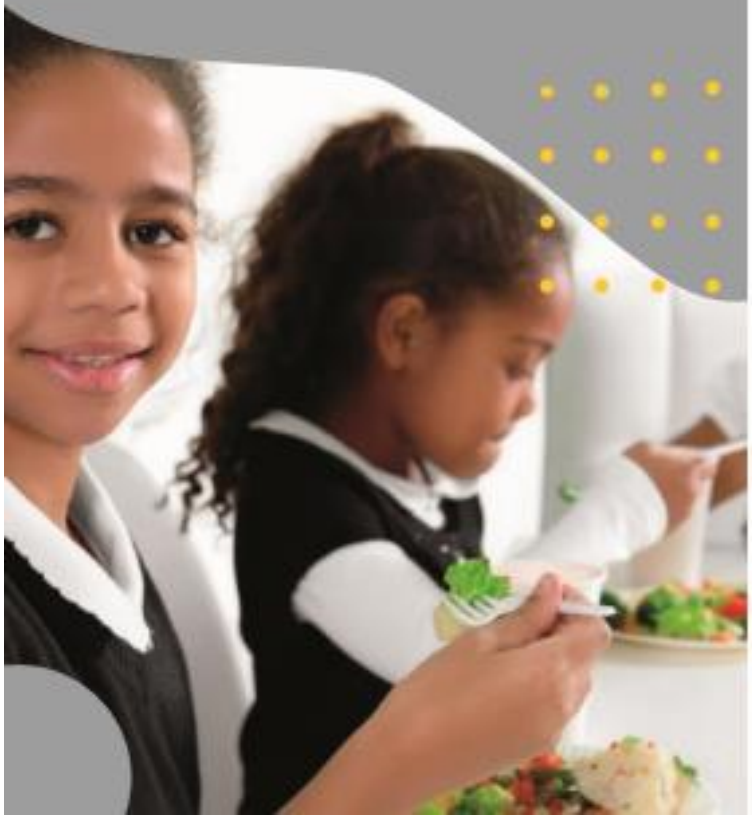
Research also shows that a year 11 pupil who has missed 17 days during the school year may get one grade less than they would have achieved had they attended regularly. A few days of absence now could have a huge impact on a child's future opportunities.



Improving Attendance = Improving Outcomes

Bury Council is committed to providing all children with the best start in life and works hard to ensure that all children in Bury attend school regularly.

Reducing absence from school is a key priority both for Bury and the Government. The majority of parents in Bury ensure that their children attend school regularly.



Bury Council

Attendance at Bury

Improving Attendance, improving Outcomes

schoolabsencefines@bury.gov.uk

www.bury.gov.uk/schools-and-learning

Our School Attendance, Exclusions and Community Education Team act on behalf of the council in enforcing a parent's duty to ensure regular school attendance.

Officers work closely with schools and families to resolve issues of poor attendance. They support children and families when pupils are experiencing difficulties in school or issues are disrupting a child's education.

The service also provides support and advice to schools in developing strategies to improve pupil attendance.