

Penalty Notices

Sections 444A and 4441B of the Education Act 1996 Empowers designated Local Authority (LA) Officers, to issue Penalty Notices in cases of unauthorised absence from school.

The Education Welfare Service has a statutory duty to remind parents of their legal responsibilities regarding ensuring their children are receiving the full-time education to which they are entitled. Where a parent has failed to ensure the regular attendance the Education Welfare Service will consider issuing Penalty Notices, in line with the Local Code of Conduct for irregular attendance including unauthorised Term Time leave.

A Penalty Notice is currently £60 per parent per child, if not paid within 21 days this increases to £120 per parent per child. The purpose of the Penalty Notice is to prevent the escalation of unauthorised absences and to avoid prosecution. There is no power of appeal.

The Penalty Notice can be an alternative to prosecution. Payment of a Penalty Notice enables parents to discharge what is potentially the liability of a criminal conviction.

Prosecution

Under existing legislation parent/carers commit an offence if a child has failed to attend school regularly. Where parent/carers have knowingly failed to ensure the regular attendance of their child/children, legal action will be considered/proceed under Section 444(1a) of the Education Act 1996. All cases are heard at a Magistrates Court.

Where parent/carers are found guilty they will receive a criminal record, which must be declared to their employer as well as being at risk of receiving much higher fines, community orders, rehabilitation orders or probation.

If you require advice, please contact;

Education Welfare Service

**EWS Duty 0208 583 2622
(08:30am – 16:30pm)**

Non-secure email
EWSDuty@hounslow.gov.uk

**Hounslow House
7 Bath Road
Hounslow
TW3 3EB**



**London Borough
of Hounslow**

Education Welfare Service



**London Borough
of Hounslow**

The Impacts

Irregular school attendance may leave children vulnerable to;

Safeguarding concerns including:

Child Sexual Exploitation (CME)

Child Criminal Exploitation (CCE)

Grooming

Youth Crime (drugs/gangs/knife)

Anti-Social Behaviour

Female Genital Mutilation (FGM)

Literacy and numeracy difficulties

Underachievement at school

Disaffection and reduced opportunities

Unemployment

Social exclusion

Mental Health issues



Hounslow Education Welfare Service

The Education Welfare Service has a statutory duty to ensure that referred children receive their full educational entitlement in terms of attendance in line with the Department for Education and Skills guidance, to ensure they are safe and to enable them to achieve to their full potential.

The Education Welfare Service aims to improve school attendance by working with parents, schools, Social Care, Police and other agencies. The Local Authority and Schools work in partnership to give parents and children the same message regarding the importance of regular attendance at school. Where this message is not made clear at an early age it can lead to problems for parent/carers when their children become teenagers.

The Education Welfare Service monitor the attendance of referred children where attendance levels are 90% and below; where a child has been absent from school for 3 consecutive days and no contact has been received from the parent/carer and where unauthorised Term Time leave has been taken.

When attendance is below the expected level the Education Welfare Service will follow their procedures and send out Penalty Warning letters/Local Authority Attendance Meeting appointment letters, telephone parents and conduct home visits to discuss the attendance and any difficulties they are experiencing.

All Hounslow schools have an attached Education Welfare Officer who can advise parent/carers regarding strategies that can support them with their children when difficulties with school attendance arise. The Education Welfare Service work in partnership and can signpost to other agencies to support parent/carers to achieve regular school attendance.

School Attendance

Every child is entitled to a fulltime education. Regular and punctual attendance at school is a legal requirement and is essential if pupils are to maximise their educational opportunities. The expectation of schools and the Local Authority is that children attend school every day the school is open. A pupil missing 10 percent or more of their own possible sessions due to authorised or unauthorised absence is classified as a persistent absentee. As defined by the Department for Education and Skills (DFES).

Acceptable reasons for absence (Authorised)

It is the parent/carers responsibility to supply medical evidence to enable the school to authorise absence

Sickness (Where medical evidence has been supplied)

Sent home from school

Unavoidable medical appointments (Where medical evidence has been supplied)

Religious observance (Maximum 3 days per academic year)

Exceptional Circumstance

An exceptional circumstance is a one-time unavoidable/emergency, which may be authorised at the Head Teacher's discretion.

Unacceptable reasons for absence (Unauthorised)

Truancy/school refusal

Holidays in Term Time

Shopping

Birthdays

Looking after siblings

Non-urgent medical appointments

Continued illness (Where no medical evidence has been supplied)

Late arrival after the registers have closed