

## What is a Penalty Notice?

The Anti Social Behaviour Act 2003 introduced legislation that made provision for the Local Authority to issue Penalty Notices. These Notices require a fine to be paid by parents/carers of pupils who have unauthorised absence from school.

If a Penalty Notice is issued you have 28 days from the date of issue to pay £60. After 28 days it will increase to £120. Failure to pay within 42 days will result in prosecution in the Magistrates' Court under Section 444 (1/1A) of the Education Act 1996 for failing to secure your child's regular school attendance.

Penalty notices act as an alternative to prosecution and are in place to act as a deterrent measure in respect of holidays in term time. Please note where penalty notices have been issued on two occasions for unauthorised holidays, no further penalty notices will be issued and legal proceedings will be initiated in its place.

Please note, if a penalty notice has been issued on a previous occasion and remains unpaid, no further penalty notices will be issued for subsequent unauthorised holidays in term time and legal proceedings will be initiated in its place.

There is no statutory right of appeal against the issuing of a penalty notice.

**Every school day helps your child enjoy and achieve.**

**When you are planning your holidays try to take them when school is closed.**

## Where can I get further advice on this matter?

Always contact your child's school first, as they are the only authority with the discretionary power to grant the special/exceptional leave of absence for a family holiday. You can also seek advice from:

**Education Welfare Service**  
Church Square House, High Street,  
Scunthorpe, North Lincolnshire, DN15 6NL  
Tel: 01724 297502 | Fax:01724 296866

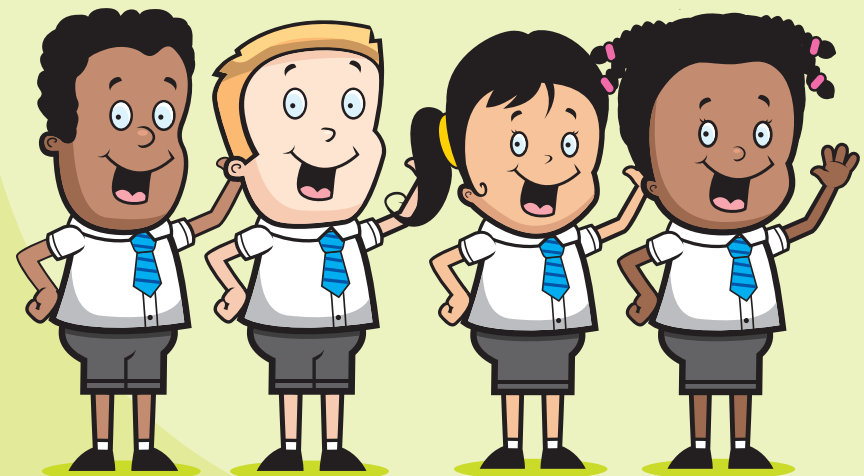


Every  
**minute**  
counts



Education Welfare Service

Holidays  
in  
**term time**



52 weeks in a calendar year

39 weeks in a school year

– Approximately 13 weeks in which you may take your holidays without affecting your child's attendance

Please consider the following facts if you are thinking of taking a holiday during term time:

- While you are away for one week, your child will miss approximately 20 hours of their education.
- If your child has two weeks holiday/absence during term time and one week of illness during the school year they will miss 7.7% of their education in that year. If this pattern is repeated throughout their school life they would miss **33 weeks** of their education.
- Research shows that children taken out of school may never catch up on work they have missed. It may affect their exam results and the progress they make at school.
- Every school day counts if your child is to maximise their potential.

### Your Request:

If you decide to make a request, it must be under special/exceptional circumstances, and for the purpose of a family holiday, you should:

- Collect a holiday form from your child's school, which must be completed, identifying what the special/exceptional circumstances are, and returned to the school at least 10 school days prior to the period of absence for which permission is being requested.
- Provide accompanying written evidence to support your request.
- Be a parent/carer with whom the child normally resides.
- Agree not to make multiple or conflicting requests from separated parents or other relatives such as grandparents. **This will not be an acceptable reason to ask for additional holidays in term time.**

Please note: any holiday in term time remains unauthorised until you have received confirmation in writing from your child's school. Parents/carers are advised not to confirm holiday bookings until they have received such correspondence.

### The Decision:

The Head Teacher at your child's school has the discretionary power to grant **up to 10 days'** authorised absence in any one academic year for the purpose of a holiday during term time in special/exceptional circumstances - **this is not an entitlement.**

The Head Teacher will consider:

- The special/exceptional circumstances identified and evidenced by you

In addition, further consideration will always be given to the following:

- Your child's age
- Time and length of leave requested and previous holiday requests
- Your child's attendance record
- Key dates such as exams/tests/other educational activities
- Whether your child is achieving their full potential

The Head Teacher will inform you of their decision, which should be in writing.

**Penalty Notices** and/or other legal sanctions will be issued to **all parents/carers individually for each child** taken out of school for an unauthorised holiday, this includes partners and any person deemed to have a responsibility to ensure the child regularly attends school, which can include grandparents and older siblings.

#### Example:

$$\begin{array}{r} 2 \text{ parents/carers/responsible adults} \\ + \\ 2 \text{ children with unauthorised holidays} \\ = \\ 4 \text{ Penalty Notices} \end{array}$$

If your child stays away from school for longer than has been authorised this will be recorded as unauthorised absence. In these circumstances the school is required to inform the Local Authority and a **Penalty Notice**/other legal sanctions will be issued.