



Head Teacher Miss Janette Allen
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Date

Dear

UNAUTHORISED LATENESS - PENALTY NOTICE WARNING

Child X – dob xx/xx/xxxx

I note that ____ has had 10 U codes marked in the register within a 6 week period. This meets the threshold for a Fixed Penalty Notice. On _____, I wrote to you advising that your child already had ____ U marks in the register and explained that 10 U codes in a 6 week period would incur a Fixed Penalty Notice. We will now be requesting that a penalty notice be issued by the Local Authority. In our Attendance Policy, it states that

- The school day start time is 8.55am, pupils are expected to arrive at this time.
- The school day end time is 3.30pm.
- Registers are recorded on SIMs twice a day.
- Morning registers should all be completed by 9.00am, pupils arriving between 9.00am and 9.25am will be marked as late (L) in the register.
- After 9.25am, pupils arrival will be unauthorised (U) unless an acceptable reason/evidence is provided.
- **If children receive more than 10 U code sessions in 6 rolling consecutive weeks, they will be referred for a penalty notice.**

If an absence is not authorised by the school, the pupil's attendance is deemed to be irregular. Under section 444 of the Education Act 1996, if a child of compulsory school age, who is a registered pupil at a school, fails to attend regularly, his/her parent/carer (s) are guilty of an offence. Please also note that if you have more than one child, each child's irregular attendance is dealt with as a separate matter. The Local Authority may take formal action against you for failure to comply with the law. Penalty notices are issued as an alternative to prosecution, but may not be issued if prosecution is a more appropriate response to the attendance issues.

Therefore, your child's irregular attendance could result in one of the following actions:

- a. A Penalty Notice being issued. Each penalty notice is £60 if paid within the first 21 days, rising to £120 if paid between 22-28 days. Failure to pay will result in prosecution
- b. Prosecution. This could lead to fines of up to £2500 and/or 3 months imprisonment

The Supreme Court in April 2017 clarified the definition of regular attendance to be 'attendance in accordance with the rules prescribed by the school'.

Therefore, if an absence is not authorised by the school, the pupil's attendance is deemed to be irregular.

All letters regarding attendance irregularities will be sent to the legal parents of the child, irrespective of whether they are married or not, living together or not, or if they have contact with the child and/or parental responsibility.

If children receive more than 10 U code sessions in 6 rolling consecutive weeks, the above procedure for irregular attendance will be followed.

Nottinghamshire County Council will not issue more than two penalty notices per child in any 12-month period. Where further absences occur, or where Nottinghamshire County Council deems it appropriate enforcement action may proceed directly to prosecution

Yours sincerely

Janette Allen
Head Teacher