



Head Teacher Janette Allen  
 Kegworth Road  
 Gotham  
 Nottinghamshire  
 NG11 0JS  
 Telephone 0115 9149751  
 Email: [office@gotham.notts.sch.uk](mailto:office@gotham.notts.sch.uk)

Date

Dear

## PENALTY NOTICE REFERRAL

Child X – dob xx/xx/xxxx

On (x date) we wrote to you to inform you that Gotham Primary School would not authorise ..... (child name) absence from school for (x days (holiday)). We also informed you that this could lead to a Penalty Notice being issued to you. The wording of our explanation is below

**If an absence is not authorised by the school, the pupil's attendance is deemed to be irregular. Under sec on 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.**

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

I am now writing to advise you that a request has been made to the Local Education Authority to issue a Penalty Notice for failing to ensure that your child(ren) attends school regularly.

Should you wish to discuss any of the above, please do not hesitate to contact me.

Yours sincerely

*Janette Allen*

Janette Allen  
 Head Teacher  
**Enc. Pupil Registration Certificate**