

Is there an appeal process?

There is no right of appeal against the penalty notice but if you believe it to be incorrectly issued to you, you should contact the County Attendance Team immediately in writing using the address overleaf.

What happens if I do not pay?

If you have not paid the penalty notice in full before the 28 days allowed, the Local Authority is required to commence legal proceedings in the Magistrates Court for the original offence of failure to ensure regular attendance at school. If proven, this could result in a fine of up to £2500 under Section 444 (1A) a Parenting Order or other sanctions at the Magistrates' disposal.

You are strongly urged to seek legal advice if you are considering not paying the penalty notice.

Remember: Only the Head Teacher can authorise an absence; absences may no longer be authorised without supporting evidence that your child was unable to attend.

How to get in touch

ADDRESS

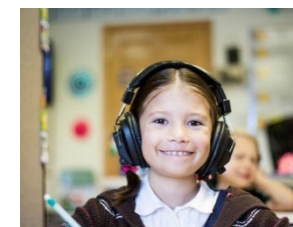
County Attendance Team
Directorate for Children's Services
Buckinghamshire Council
Walton Street Offices,
Walton Street
Aylesbury,
Buckinghamshire
HP20 1UA

EMAIL

countyattendanceteam@buckinghamshire.gov.uk

COUNTY ATTENDANCE TEAM

Parenting Contracts and Penalty Notices



Buckinghamshire
Council

Why have I received this leaflet?

Because your child's school has raised concerns that their attendance has become irregular.

What is a parenting contract meeting and what is it for?

A parenting contract is an agreement between you, the parent or carer, and the school or Local Authority (LA). It is not intended to be a punishment; rather, it should be viewed as a way for the school and LA to work together with yourself and your child to improve their attendance at school. The contract consists of an assessment of the issues that may be impacting on your child's attendance, and an action plan for all to adhere to in order to improve your child's attendance.

Who will be at the meeting?

You, your child if invited, and a representative of the school. Occasionally a social worker or other professional who knows you may attend.

What will happen?

You will be encouraged to explain why the school attendance is so poor. Be honest – the meeting aims to find solutions and to avoid any court action by working together. Following the parenting contract meeting you may receive a formal warning of a penalty notice..

Do I have to enter into a parenting contract?

No – parenting contracts are a voluntary arrangement between the school, or LA, and the parent or carer. However, they do provide you with a chance to address your child's failing attendance and get appropriate support.

If you decide not to enter into a contract, you will need to try and find other ways of improving your child's attendance and you will be asked how you intend to do this.

In all instances any refusal to sign a parenting contract or breach of a parenting contract will be disclosed to the court.

How will I know what is agreed?

You will be asked to sign a written parenting contract, stating what action is to be taken, when the action must be taken and by who. The contract is then signed by yourself and the authorised officer/school representative, and you will receive a copy of the agreement.

If there is no marked improvement in your child's attendance the authorised officer/school representative will have to consider what further action should be taken. This may include court action for failing to secure your child's attendance, which may result in a custodial sentence and/or a fine and a further requirement for you to attend parenting classes. In all instances any refusal to sign a parenting contract or breach of a parenting contract will be disclosed in open court.

What is a penalty notice?

Penalty notices were introduced under Section 23 (1) of the Anti-Social Behaviour Act 2003 to address unauthorised absence from school. It is a fine issued by the County Attendance Team, on behalf of the Local Authority, to parents/carers of a child who has failed to attend school regularly and whose absence is unauthorised. It does not require the parent/carers to attend court but is an alternative to prosecution. Parents/carers who pay the fine in full within the time limits cannot later be prosecuted for the offence to which the penalty notice relates (Section 444 of the Education Act 1996).

How much is the fine?

The fine is £60 (per parent/carers, per child) if paid within 21 days of receipt of the notice; rising to £120 (per parent/carers, per child) if paid after 21 days but before 28 days.

What you can do to avoid receiving a penalty notice

- Ensure your child attends school every day and on time.
- If your child is unwell, inform the school on the first day they are absent and return the child as soon as possible. Seek medical advice if they are frequently too ill to attend school.
- Refrain from taking family holidays in term time.