

**London Borough of  
Barking and Dagenham**

**Penalty Notice Code of Conduct for  
Irregular School Attendance  
(including guidance for schools)**

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4<sup>th</sup> Edition

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## **1.0 Section 1 - Purpose of this Code of Conduct**

### **1.1 Rationale**

- Ensure compliance with the laws and regulations on the administering of penalty notices.
- Provide advice and guidance to schools on the administering of penalty notices.
- Ensure consistency, fairness and transparency in the way penalty notices are issued.

Good school attendance is an essential contribution towards a child's education, and future employment prospects. Conversely, poor attendance severely impacts on a child's educational growth and their future prospects may be significantly restricted. Therefore, ensuring regular school attendance is crucial for the long-term benefit of children.

Schools support parents and pupils to overcome barriers to regular attendance through a wide continuum of assessment, intervention and monitoring strategies.

If a child has failed to attend school regularly, or has had an unauthorised leave of absence, the school must follow their attendance policy and procedures. Where appropriate a penalty notice can be issued, although there is no legal requirement to do so.

Penalty notices should not be seen as a punishment, only as a means of enforcing attendance where parental co-operation is either absent or deemed insufficient to resolve the presenting problem and there is a reasonable expectation that their use will secure an improvement.

All types of legal proceedings for irregular school attendance are intended to help parents take seriously their responsibilities to ensure their children regularly attend school. Therefore, penalty notices should be considered as part of a school's overall strategy to improve attendance.

Local authorities are required to be reasonable when applying their legal duties to their residents.

## **2.0 Section 2 - Criteria for issuing a penalty notice**

### **2.1 Penalty notices to be issued in accordance with this code of conduct**

Penalty notices issued for irregular school attendance, which includes unauthorised leave of absence, within the London Borough of Barking and Dagenham must only be issued in accordance with this code of conduct.

### **2.2 Responsibility to ensure a child receives education**

Section 7 of the Education Act 1996 states that the parent of every child of compulsory school age shall cause him to receive efficient full-time education suitable to:

- (a) his age, ability and aptitude.
- (b) any special educational needs he may have, either by regular attendance at school or otherwise.

Schools are required to ensure that children on their roll are educated in accordance with the national curriculum, and any special educational needs that a child may have.

### **2.3 Compulsory school age**

This is defined as commencing at the start of the term after the child's fifth birthday until the last Friday in June of the academic year that the child attains the age of sixteen.

### **2.4 The law relating to penalty notices**

Failure to secure regular attendance at school, of registered pupil, is an offence under section 444(1), Education Act 1996.

Section 23 of the Anti-social Behaviour Act 2003 adds two new sections, 444A and 444B, to the Education Act 1996.

These new sections introduce penalty notices as an alternative to the existing sanctions under section 444 of the Education Act 1996 (or section 36 of the Children Act 1989 – Education Supervision Orders) and enables parents to discharge potential liability for conviction for the offence by paying a penalty.

It is the commissioning of the irregular school attendance offence that is the trigger for issuing a penalty notice.

The proof required that the offence has been committed is the same as that which would be required for a prosecution for the strict liability offence under section 444(1).

## **2.5 The child shall not be taken to have failed to attend regularly at the school if one of the statutory defences apply:**

- the absence is with leave (authorised absence), or
- at any time, the parent can prove that the child was prevented from attending by reason of sickness or any unavoidable cause, or
- on any day exclusively set apart for religious observance by the religious body to which his parent belongs, or
- the child has no fixed abode and the parent is engaged in a trade or business of such a nature as to require him to travel from place to place and if the child has attained the age of six, that he has made at least 200 attendances during the last 12 months.

In addition, please see section 5 for Issuing a penalty notice for an unauthorised leave of absence.

## **2.6 When to consider issuing a penalty notice**

The key consideration in deciding whether to issue a penalty notice will be that:

- 1) the offence relating to irregular school attendance has occurred, and no statutory defences (listed above) exist or,
- 2) the child has incurred 5 days or more of unauthorised leave of absence in the last 8 weeks.
- 3) the parent has not fully engaged with voluntary or supportive measures to help improve regular school attendance
- 4) it is believed that issuing a penalty notice will either help improve the child's school attendance, or prevent further absences caused by unauthorised leave.

Schools should ensure that, in their attendance policy, it clearly states when and how the issuing of penalty notices will be considered.

## **2.7 Time period in which to request a penalty notice**

A request to have a penalty notice issued must be made within a reasonable period of time. An excessive delay:

- will affect the proactive element of trying to improve school attendance.
- increase the likelihood of the penalty notice not being paid.
- increase the likelihood of the penalty notice being challenged.
- may affect a subsequent court case if the fine is not paid.

A penalty notice request should be submitted within two weeks after the child's return to school following the unauthorised leave of absence.

## **2.8 A penalty notice cannot be issued if:**

- 1) One has previously been issued for the period of absence referred to, or
- 2) There are ongoing legal proceedings, that include the period of absence referred to.
- 3) It does not comply with this code of conduct

## **2.9 Who can issue a penalty notice:**

- Authorised local authority staff.
- Headteachers.
- Deputy and assistant headteachers, **only** if authorised to do so by the headteacher.
- Police Officers, Police Community Support Officers and accredited persons.

Whilst the regulations allow for those specified above to issue penalty notices, there is no requirement for them to do so.

Issuing a penalty notice must be made in accordance with this code of conduct and the school's own attendance policy.

Barking and Dagenham Local Authority, by agreement with all schools in its area, issue all penalty notices for irregular school attendance.

### **3.0 Section 3 - Who can a penalty notice be issued to?**

#### **3.1 Parental Responsibility**

Parental responsibility means assuming all the rights, duties, powers, Responsibilities and authority that a parent of a child has by law. People other than a child's natural parents can acquire parental responsibility.

#### **3.2 Mothers:**

A mother automatically has Parental Responsibility for her child from birth. She retains it unless it's removed by an Adoption Order, or a Parental Order following surrogacy.

#### **3.3 Fathers:**

A father has Parental Responsibility if he is married to the child's mother at the time of the birth. They both keep parental responsibility if they later divorce.

An unmarried father can get parental responsibility for his child in the following ways:

- Jointly registering (or re-registering) the birth of the child with the mother (from 1 December 2003)
- Completing a Parental Responsibility Agreement form, with the mother. A copy of which must be held by the Central Family Court
- Obtaining a Parental Responsibility Order from a court
- Having obtained a Residence Order prior to 22 April 2014
- The court making a Child Arrangement Order and naming the father as the 'resident parent'
- Subsequently marrying the mother.
- Becoming the child's guardian on the mother's death.

#### **3.4 Same-sex parents:**

##### **Civil partners**

Same-sex partners will both have parental responsibility if they were civil partners at the time of the treatment, e.g. donor insemination or fertility treatment.

##### **Non-civil partners**

For same-sex partners who aren't civil partners, the 2nd parent can get parental responsibility by either:

- Completing a Parental Responsibility Agreement form, a copy of which must be held by the Central Family Court or,
- Becoming a civil partner of the other parent and either completing the Parental Responsibility Agreement or jointly registering the birth.



### **3.5 Others, who are not the child's biological mother, father or second female parent can also obtain parental responsibility by:**

- being appointed, by a court, as a guardian.
- being named in an emergency protection order (although parental responsibility in such a case is limited to taking reasonable steps to safeguard or promote the child's welfare)
- adopting a child.
- obtaining a parental order following surrogacy

The Parental Responsibility of one person does not necessarily stop simply because another person is also given it.

### **3.6 Those without Parental Responsibility (day to day care):**

Section 576 of the Education Act 1996 includes, in its definition of 'parent' any person, who although not a biological parent and who does not have parental responsibility, has care of a child or young person .

### **3.7 Parents who have limited, or no control, over their child, or their child's absence from school**

Schools can request that a penalty notice is issued to one, or both parents/carers. When deciding who should be issued with a penalty notice, the school must be certain that each parent/carer was aware of the absence and could have prevented it. It is not appropriate to request a penalty notice when :

- 1) The absences are beyond the control of the parent because s/he does not reside with the child.
- 2) The child is considered, by professionals working with the family, to be beyond the parents' control.

### **3.8 Children in Care**

Penalty notices are not issued to foster carers.

However, children in care can be 'placed' with members of their own family. In such circumstances, the allocated social worker will need to provide advice on the appropriate way to address concerns about school attendance.

## **4.0 Section 4 – Issuing a penalty notice for irregular attendance**

### **4.1 Penalty notice or court case?**

There is no requirement to have a penalty notice issued prior to considering legal (court) proceedings. Schools can follow the process of having a parent summoned to court for irregular attendance by issuing a court warning letter.

### **4.2 Additional information on issuing a penalty notice for irregular attendance**

For irregular attendance, a period of time (minimum 6 weeks) must be identified to which the penalty notice must relate.

The school must follow its School Attendance Policy (which must comply with DfE guidance).

The role of the person responsible for improving attendance (usually the attendance officer, or similar) requires them to make meaningful engagement, or meaningful attempts to engage, with the parent/s to try and determine the reason/s for the absences and to find ways to bring about an improvement.

Records of all actions relevant to this work must be stored securely as it will be crucial information/evidence should the penalty notice not be paid and the matter be referred to court.

### **4.3 Issuing a warning letter**

Before issuing a penalty notice for irregular school attendance, a warning letter must be issued.

Warning letters are issued to parents/carers when there is sufficient evidence to prove that they are committing the offence of failing to ensure the regular school attendance of their child.

The letter warns the parent that if they do not bring about a sustained improvement in their child's school attendance, legal proceedings will be instituted against them.

It is not enough just to show that the child has irregular school attendance and that absences are unauthorised. There also has to be evidence of work being done with the parents to address the issues causing irregular attendance, and to bring about an improvement. The reason/s for the absences needs to be identified and addressed.

The minimum criteria for issuing a warning letter is the same criteria for issuing a penalty notice:

- 1) That attendance has been at 80%, or below, for the previous six weeks (equates to one day off a week) and,
- 2) the majority of absences (at least 75%) are unauthorised and,
- 3) attendance has not improved despite interventions from the school and/or the attendance officer and, before being sent to the parent/s,
- 4) all warning letters must be checked and countersigned by the Local Authority Quality Assurance Officer, Education Statutory Services Team.

An up-to-date record of the child's attendance must be sent with the warning letter, along with a chronology of interventions (going back no further than 6 months).

The warning letter must have been sent during the period of time referred to on the Penalty Notice Request form (**Appendix 1**).

Please send warning letters to be countersigned to:  
[educationprosecutions@lbbd.gov.uk](mailto:educationprosecutions@lbbd.gov.uk)

NB Warning letters are not issued if the penalty notice is for an unauthorised leave of absence.

#### **4.4 After the warning letter has been issued**

If a warning letter has been issued and attendance has not reached an acceptable level for at least the next two weeks, the school can request that a penalty notice is issued (unless circumstances determine that this is no longer the best course of action).

#### **4.5 Punctuality**

Attending school on time is part of the definition of regular school attendance.

Schools are required to keep an Admissions Register and Attendance Registers. The Admissions Register is the school roll. The names of all the children on the Admissions Register must appear on the attendance registers.

Each school day, once at the start of the morning session and once during the afternoon session, there must be a registration period. The registration period must be a defined period of time in which the attendance register is 'opened', 'taken' and then 'closed'. An appropriate mark must be entered onto the attendance register, during the registration period, for each child.

Schools should include in their attendance policy how long registers will be kept open; this should be for a reasonable length of time but not for the whole AM or PM sessions.

Attendance code 'L' is used for late arrivals before the register has closed. Penalty notices cannot be issued solely in relation to 'L' marks (no matter how many a child may have) because that mark counts as present.

A pupil arriving after the register has closed should be marked with the code 'U', or with another absence code if that is more appropriate. The 'U' code counts as an unauthorised absence and can be included when considering a penalty notice for irregular attendance.

## **5.0 Section 5 – The process for issuing a penalty notice for an unauthorised leave of absence**

### **5.1 Criteria for issuing a penalty notice for an unauthorised leave of absence**

A penalty notice can be issued if an unauthorised leave of absence has occurred within the last eight weeks that total five or more continuous school days (excluding official school breaks).

The Education (Pupil Registration) (England) Regulations 2006 were amended so that from 1 September 2013 references to family holiday (including reference to headteachers allowing up to 10 school days for a term time holiday) and extended leave have been removed.

*Also see the Education (Penalty Notices) (England) (Amendment) Regulations 2013 link on page 14*

### **5.2 Attendance Register Codes**

The following attendance register codes are relevant to requests for leave of absence and are set out in the \*DfE: School attendance Guidance for maintained schools, academies, independent schools and local authorities (September 2018):

*\*See the link on page 15*

### **5.3 Code H: Holiday authorised by the school**

Head teachers should not grant leave of absence unless there are exceptional circumstances. The application must be made in advance and the head teacher must be satisfied that there are exceptional circumstances based on the individual facts and circumstances of the case which warrant the leave. Where a leave of absence is granted, the head teacher will determine the number of days a pupil can be away from school. A leave of absence is granted entirely at the head teacher's discretion.

### **5.4 Code G: Holiday not authorised by the school or in excess of the period determined by the head teacher.**

If a school does not authorise a leave of absence for the purpose of a holiday but the parents still take the child out of school, or the child is kept away for longer than was agreed, the absence is unauthorised. The regulations do not allow schools to give retrospective approval. If the parents did not apply for leave of absence in advance, the absence must be recorded as unauthorised.

## **6.0 Section 6 – Issuing a penalty notice**

### **6.1 Process for issuing a penalty notice**

The process of issuing a penalty notice is set out in (**Appendix 2**).

The Penalty Notice Request form (**Appendix 1**) should be sent to:

[educationprosecutions@lbbd.gov.uk](mailto:educationprosecutions@lbbd.gov.uk)

The Local Authority will send penalty notices, by first class post, to each parent who is liable for the offence and who is named on the penalty notice request form for each child also named on that form. Service by post shall be deemed to have been effective (unless the contrary is proven) on the second working day after posting the notice first class

No absence can be used in a request for a penalty notice if that absence has been part of a previous penalty notice, or court case.

Penalty notices will be issued, by the Local Authority, with 10 working days of receipt (providing no problems with the request arise).

### **6.2 Maximum number of penalty notices that can be issued**

A penalty notice will not be issued to a parent if s/he has already received two penalty notices within the last 12 months. In such cases, alternative legal processes are necessary i.e. prosecution.

### **6.3 Alternative Education Provisions**

Section 116, Education Act 2005 inserts section 444ZA into the Education Act 1996. 444ZA provides the power to issue a penalty notice if a parent fails to secure regular school attendance at an alternative provision. This applies to children receiving education off site from the school they are on roll at.

The child's school will mark their attendance register with the 'D' code. The off-site provision that the child attends will record the present or absent marks in their attendance register.

If the child is not in regular attendance at the off-site provision, the appropriate penalty notice warning letter will be issued.

*Also see The Education (Penalty Notices) (England) (Amendment Regulations 2005) link on page 14*

### **6.4 Children who live in another borough**

Unless there is a cross-borough agreement in place that states otherwise, the Local Authority for the school where the child is a registered pupil is solely responsible for issuing penalty notices.

For Barking and Dagenham, no cross-borough agreements exist. Therefore, only this Local Authority can issue penalty notices in relation to children on roll at schools in Barking and Dagenham. A penalty notice issued by any other Local Authority will not be valid.

## 7.0 Section 7 – After a penalty notice has been issued

### 7.1 Amount of each penalty and the payment timeframe

A parent, who has been issued with a penalty notice, will have 21 days to pay the fine at £60.

Between days 22 to 28, the amount increases to £120.

After 28 days, the process of summoning the parent to court will begin.

*NB the penalty notice will initially be raised at £120 but parents will be informed that it will be £60 if paid within 21 days.*

### 7.2 Paying a penalty notice

- Payment can only be made to this Local Authority.
- Arrangements for payment will be detailed on the Penalty Notice.
- Parents should pay the full amount immediately.
- Further legal proceedings will begin if the fine is not paid within 28 days.

### 7.3 If the penalty notice is paid

**This Local Authority retains overall responsibility for penalty notices being issued and is responsible for instituting legal (court) proceedings if a penalty notice is not paid and not withdrawn.**

Payment of a penalty notice discharges liability for prosecution for the offence to which the notice relates.

This means that neither the fact that a penalty notice was issued and paid nor the pattern of unauthorised absence to which a paid notice relates can be submitted as evidence in a prosecution for any subsequent offence (in other words, a **paid** penalty notice, and what it related to, cannot be referred to in any further legal (court) proceedings).

### 7.4 Payment received by the Local Authority

All money received from paid penalty notices will go to the Local Authority. (*section 4.1 of The Education (Penalty Notices) (England) Regulations 2004*)

Any money received by Local Authority must be applied in meeting the costs of issuing and enforcing notices, or the cost of prosecuting recipients who do not pay. (*section 21 of The Education (Penalty Notices) (England) Regulations 2004*)

If the money received by the Local Authority is not used for the purposes of the functions specified above, they must be paid to the Secretary of State for Education.

The Local Authority will inform individual schools, each month, of the penalty notices that have been issued for them and whether they have been paid, or not.

## **8.0 Section 8 – Withdrawing a penalty notice and appeals**

### **8.1 Withdrawing a penalty notice**

Penalty notices can only be withdrawn in the following circumstances:

- Where it ought not to have been issued, i.e. where it has been issued outside the terms of the local code of conduct or where no offence has been committed.
- Where it should not have been issued to the named recipient.
- If the penalty notice contains material errors.
- If the Local Authority has not, and does not, intend to institute further proceedings for an unpaid penalty notice

Therefore, it is essential that penalty notices are only issued in accordance with this code of conduct.

### **8.2 Appeals against penalty notices**

There is no statutory right of appeal against a penalty notice issued in relation to irregular school attendance.

However, a penalty notice can be suspended by the Local Authority for a period of time to allow for investigations to take place if a parent, within 10 days of receipt of the fine, raises issues of significant gravity that could lead to a legal challenge or affect a subsequent court case.

Parents are able to request that the headteacher reconsiders their decision not to authorise absence(s) relating to the penalty notice.

Schools may seek the advice of the Local Authority but are ultimately responsible for deciding whether an absence should be authorised, and the penalty notice withdrawn.

Should the headteacher decide to authorise the absence(s), the Quality Assurance Manager, Education Statutory Services Team, must be informed so that the penalty notice can be withdrawn.

If the matter is not resolved by the time the suspension comes to an end, due to inaction by the school, the penalty notice will be withdrawn.

## 9.0 Section 9 - Unpaid penalty notices and legal (court) proceedings

### 9.1 If the penalty notice is not paid

If the penalty notice is not paid after 28 days, and not withdrawn, then the Local Authority, under Section 444(1) or (1A) Education Act 1996, will institute legal proceedings.

The prosecution is for irregular school attendance (not non-payment of the fine) and will proceed even if school attendance has subsequently improved.

The Local Authority will undertake legal proceedings for unpaid penalty notices via the Single Justice Procedure (SJP). When the court has given approval, the Local Authority will send to the parent the paperwork relating to the court case. The parent can then choose to either:

- 1) Plead guilty and, if they want to, provide mitigating information. The parent will not be required to attend court, and neither will the prosecution. The court will inform the parent, and the Local Authority, of their disposal, or
- 2) Plead not guilty. A trial date will then be set. **Please note that, the headteacher and authors of witness statements (whether school staff or those employed to undertake attendance work) will be required to attend court to give evidence.**

### 9.2 Preparing a case for court

The Local Authority Quality Assurance Officer, Education Statutory Services Team (or nominated staff in his/her absence), will be the author of the Section 9 witness statement in relation to unpaid penalty notices.

The witness statement will be submitted to the Local Authority Legal Team, along with the certificate of attendance and any other supporting evidence and documents, within one month of the decision to start proceedings.

As required by section 447, Education Act 1996, the Local Authority shall consider whether it would be appropriate (instead of or as well as instituting the proceedings) to apply for an education supervision order with respect to the child

If the child has a Child Protection Plan, or is considered to be a Child in Need, agreement to these legal proceedings will be sought from the allocated Social Worker.



### **9.3 Prosecution period**

The prosecution period is the period of time referred to that shows the child has not attended regularly.

All information to be relied on in court must be within the prosecution period.

It is represented in court by a certificate of attendance. This is a legal document which must be signed by the headteacher only (or an acting head teacher). In court, the certificate is accepted as a true and accurate copy of the school attendance register (also a legal document).

The headteacher may be required to attend court if there are any discrepancies regarding the certificate of attendance.

Because this type of legal proceeding is considered, in law, to be strict liability there is a time restriction. Any information/evidence older than 6 months, being laid before court (i.e. when a legal adviser for the court signs or date stamps the summons), is likely to be inadmissible.

The Local Authority will determine the prosecution period, which is recommended at being between 6 weeks and 4 months in length.

A prosecution period must include:

- The absence/s that need to be referred to in court
- When the warning letter was issued (irregular attendance only).
- When the penalty notice was issued.
- When the final date of payment expired.

## **10.0 Section 10 - Additional Information**

### **10.1 Child protection**

Section 175 of the Education Act 2002 places a duty on local authorities in relation to their education functions, the governing bodies of maintained schools and the governing bodies of further education institutions (which include sixth-form colleges) to exercise their functions with a view to safeguarding and promoting the welfare of children who are either pupils at a school or who are students under 18 years of age attending further education institutions. The same duty applies to independent schools (which include Academies/free schools) by virtue of regulations made under section 157 of this Act.

### **10.2 Children with an allocated social worker**

It is necessary to ensure that the allocated social worker is in agreement that a P.N should be issued to the parent/s, so as to avoid the possibility of the Local Authority coming into conflict with itself.

### **10.3 General Data Protection Regulations (GDPR)**

The data is collected and shared in accordance with Barking and Dagenham's GDPR Policy.

### **10.4 DfE Parental Responsibility Measures (Attendance) Survey**

Each year the local authority is required to make a return to the DfE, providing information on how many penalty notices were:

- Issued.
- Paid (within 21 and 28 days).
- Not paid.
- Withdrawn (and the reason).
- How many prosecutions took place as a result of penalty notices not being paid.

### **10.5 Internet links to penalty notice regulations**

The Education (Penalty Notices) (England) Regulations 2004:

<http://www.legislation.gov.uk/uksi/2004/181/contents/made>

The Education (Penalty Notices) (England) (Amendment) Regulations 2005:

<http://www.legislation.gov.uk/uksi/2005/2029/contents/made>

The Education (Penalty Notices) (England) Regulations 2007:

<http://www.legislation.gov.uk/uksi/2007/1867/contents/made>

The Education (Penalty Notices) (England) (Amendment) Regulations 2012:

<http://www.legislation.gov.uk/uksi/2012/1046/contents/made>

The Education (Penalty Notices) (England) (Amendment) Regulations 2013:

<http://www.legislation.gov.uk/uksi/2013/757/contents/made>

## 10.6 Associated Regulations and Acts of Law

The Education (Pupil Registration) (England) Regulations 2006:

<http://www.legislation.gov.uk/uksi/2006/1751/contents/made>

The Education (Pupil Registration) (England) (Amendment) Regulations 2013:

<http://www.legislation.gov.uk/uksi/2013/756/regulation/2/made>

Education Act 1996:

<http://www.legislation.gov.uk/ukpga/1996/56/contents>

Anti-Social Behaviour Act 2003:

<http://www.legislation.gov.uk/ukpga/2003/38/contents>

The Education & Inspections Act 2006:

<http://www.legislation.gov.uk/ukpga/2006/40/contents>

Children Act 1989:

<http://www.legislation.gov.uk/ukpga/1989/41/contents>

## 10.7 Reference documents

DfE: School attendance parental responsibility measures. Statutory guidance for local authorities, school leaders, school staff, governing bodies and the police (January 2015):

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/581539/School\\_attendance\\_parental\\_responsibility\\_measures\\_statutory\\_guidance.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/581539/School_attendance_parental_responsibility_measures_statutory_guidance.pdf)

DfE: School attendance Guidance for maintained schools, academies, independent schools and local authorities (July 2019):

<https://www.gov.uk/government/publications/school-attendance>

## Appendix 1

### Penalty Notice Request Form

<b>Pupil's Name:</b>	
<b>Pupil's DOB:</b>	
<b>Gender:</b>	<b>Male / Female (delete as appropriate)</b>
<b>School:</b>	
<b>Year Group:</b>	
<b>Parent 1: Essential - First and last name and title, e.g. Mr/Mrs/Miss/Ms.</b>	<b>Parent 2 Essential - First and last name and title, e.g. Mr/Mrs/Miss/Ms.</b>
<b>Landline No:</b> <b>Mobile No:</b> <b>Email address:</b>	<b>Landline No:</b> <b>Mobile No:</b> <b>Email address:</b>
<b>Parent 1: Address where penalty notice is to be sent:</b>          <i>Tick box to show that you have confirmed that the parent lives at this address.</i> <input type="checkbox"/>	<b>Parent 2: Address where penalty notice is to be sent:</b>          <i>Tick box to show that you have confirmed that the parent lives at this address.</i> <input type="checkbox"/>
<b>Please ensure you use the correct section below</b>	
<b>Irregular or Non-Attendance</b>	
<b>Use this section for children that do not attend regularly</b>	<b>From:</b>  <b>To:</b> <i>(Between what dates are you referring to)</i>
<b>Date Penalty Notice Warning Letter issued</b> (Necessary Before a penalty notice can be issued for irregular or non-attendance.)	<b>Date:</b>  The date the warning letter was issued must be within the period of time stated above.
<b>Unauthorised leave of absence</b>	
The G code must be used if the parent requested the leave, the school did not authorise, but parent went anyway. NB <i>the school must determine that there were no exceptional circumstances, so did not authorise the absence, as there cannot be a 'blanket' no authorising of requests for leave of absence.</i>	<b>Dates that the penalty notice relate to:</b>  <b>From:</b>  <b>To:</b>  <b>Number of unauthorised leave of absences days:</b>
Other important information i.e. name of allocated social worker or YOS worker; EHCP	
<b>Name, Role and Phone Number of the person requesting this Penalty Notice</b>	
<b>Date request submitted:</b>	

Please provide an up to date attendance print out with your request and email both documents to: [EducationProsecutions@lbbd.gov.uk](mailto:EducationProsecutions@lbbd.gov.uk)

## Appendix 2

### Process of issuing a penalty notice

The requirements of this code of conduct must be met, and the processes set out within it must be adhered to.

