# A BRIEF GUIDE TO

# Fixed Penalty Notices

**Sections 444 Education Act 1996**

**Anti-Social Behaviour Act 2003**

**Crime and Disorder Act 1998**

This leaflet offers you a brief summary about the Fixed Penalty Notice (FPN) scheme and what it could mean for you.

## What is a FPN?

It is a fine given for unauthorised absence from school, rather than the matter being brought before the courts. It is issued per parent, per child. Please note **only** a Head Teacher can authorise absence from school.

## Who issues them?

In West Sussex the Local Authority issues them through the Pupil Entitlement: Investigation

## When are they used?

When a pupil has a minimum of 10 school sessions recorded as unauthorised in a 10 school week period; a school day is two sessions AM and PM.

This includes; any absence marked in the register as unauthorised.

Persistent late arrival at school after the register has been taken and is recorded as an unauthorised absence.

A holiday in term time which has not been authorised by the Head Teacher. The Government has directed Head Teachers may only grant leave for a holiday in exceptional circumstances.

FPNs can also be used during the first 5 days of exclusion. Parents are made aware of the consequences by letter when a child is excluded from school.

## Please note

**If the school refers a period of absence that is longer than 15 consecutive school days; Pupil Entitlement: Investigation may consider a FPN is not appropriate.**

**In these instances the matter may instead be brought directly before the Courts.**

## How much is the FPN?

The FPN is issued with an invoice for £120 and 28 days are given for you to settle the Penalty.

If the FPN is paid within the first 21 days the amount payable is reduced to £60.

## How do I pay?

The information on how to pay is included on the FPN. Payment cannot be made in part or by instalments.

## What happens if I don't pay?

If you don't pay within the 28 days the Authority will consider instigating a prosecution in the Magistrates Court for the offence of poor school attendance. If proven this could result in a fine of up to £1000 per parent per child and/or a parenting order or a community service order and also costs.

## Can I appeal?

There is no statutory right of appeal once a Notice has been issued.

## Can I be prosecuted if I pay the Fixed Penalty Notice?

You cannot be prosecuted for the period of absence identified in the Fixed Penalty Notice. You may subsequently be prosecuted for further periods of unauthorised absence from school. Each case is considered on an individual basis.

## ** REMEMBER **

School staff would much rather work with parents/carers to resolve poor attendance than resort to enforcement actions like Fixed Penalty Notices or Court

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