



Ark John Keats Academy

ATTENDANCE AND PUNCTUALITY POLICY 2019 – 2020

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1.0 INTRODUCTION

All children of school age have the right to a high-quality full-time education, regardless of age, aptitude, ability or any special need they may have. Excellent academy attendance is essential if a child is to make the most of the educational opportunity available to them. Ark John Keats Academy takes the responsibility to monitor and promote the excellent attendance of all its pupils very seriously. It acknowledges that irregular attendance can disrupt continuity of learning, undermines educational progress, can lead to underachievement/low attainment and impedes the child's ability to develop friendship groups within the academy. Ark John Keats believes that excellent attendance will support excellent outcomes.

We feel the whole Ark John Keats Academy community should take responsibility for attendance. Therefore, this policy seeks to ensure that all parties involved in the practicalities of academy attendance are aware and informed.

2.0 AIMS

The aims of the Attendance Policy are:

- 2.1.1 To ensure an academy attendance and punctuality level consistently above 97%
- 2.1.2 To raise the importance of excellent attendance in line with Ofsted requirements and our ethos of forming habits of excellence
- 2.1.3 Ensure that attendance is monitored effectively and reasons for absences are recorded promptly and consistently.
- 2.1.4 To develop good punctuality as a habit of excellence.
- 2.1.5 To promote opportunities to celebrate and reward children for excellent attendance and punctuality

Guidelines

2.2 Reasons for absence

- 2.2.1 Parents and carers are asked to contact the academy office by phone or in person if their child needs to be absent from the academy.

2.3 Authorised absences

- 2.3.1 Acceptable reasons include sickness, hospital appointments, dentist appointments, recognised religious holidays (1 day per holiday only) and funerals. Medical appointments should be arranged outside of the academy day.
- 2.3.2 There may be occasions on which sickness is deemed unauthorised absence due to its repeated nature, or the lack of medical evidence.

2.4 Unauthorised absences

2.4.1 Unacceptable reasons include, but are not limited to: shopping, going to an appointment, visiting relatives, parent/carer unwell and taking holidays outside of term time.

2.5 Holidays/Trips

2.5.1 The academy supports the view that every lesson counts. Only the Principal or Head of Secondary can authorise absence, however holidays or visits to relatives will **not be authorised** during term time.

3.0 EXPECTATIONS

Good attendance and punctuality depend on a partnership between students, parents and carers, the academy and outside bodies. For its part, the academy expects the following from students and parents and itself follows this practice:

3.1 Students are expected to:

- Attend the academy regularly.
- Arrive to the academy in good time, for line-up at 8:30am/8:45 each morning. Pupils must be in their line ups at the whistle or they will have a 15 minute after school catch up on the same day. In practice this means that pupils should be on site 5 minutes before they line up.
- Attend all lessons promptly.

3.2 Parents are expected to:

- Make sure that their children attend the academy regularly.
- Make sure that their children arrive at the academy in good time, for line-up each morning.
- Contact the academy by telephone (44 (0)208 443 3113) on the first day of absence and each subsequent day of absence if their child is unable to attend for any reason, followed by a written note on return.
- Ensure that their children are in full academy uniform.
- Ensure that their children are properly equipped for school.
- Arrange medical appointments outside academy time where possible.
- Ensure that no holidays are booked during term time.
- Contact their child's tutor and/or Head of Year to discuss any concerns that they may have and which could affect their child's attendance.
- Ensure that the academy has three up to date contact details, and an email address to contact parents on. The academy must also have an emergency contact number
- Not send their child to school if they have COVID symptoms, arrange a test, and inform the academy of the test result.
- Regularly monitor communication from school.

3.3 Ark John Keats Academy is expected to:

- Register students efficiently and accurately during lesson AM and again during PM in accordance with current regulations.
- Staff are expected to use Bromcom to record at each lesson and at registration, the attendance, lateness and authorised absence data
- Contact parents on the first day of absence, and then any subsequent days if no notice has been received.
- If no contact is made for an extended period by parents, a home visit will be carried out. Home visits will also be carried out in case of prolonged absence.
- Follow up on continued absence by inviting parents in to discuss the situation and refer poor attendance on to the relevant authorities.
- Emphasise at all times the importance of good attendance.
- In cases of concern a tutor or member of staff must be mindful of the safeguarding policy and implications around non-attendance; thereby notifying the DSL.
- Promote attendance by taking account of each student's individual needs.
- Co-operate fully with other agencies to encourage punctual attendance at school.
- Provide regular reports on each student's attendance to parents.
- Set demanding yet realistic targets for whole school attendance.
- Reward students with positive attendance.

4.0 ACTION TAKEN WHEN PUPILS ARE ABSENT

4.1 There are occasions when absence is unavoidable. These include:

- Genuine illness.
- Medical or education appointments.

4.2 If a parent knows in advance of absence due to an appointment, the academy office must be informed and the appointment card shown.

4.3 If a child is ill, the parent or carer must ring the academy to inform us and on return present a written note explaining the absence. If your child is absent and has been prescribed medicine by the doctor please can you bring the medicine or prescription into the academy so we can photocopy it.

4.4 The academy will first text parents/carers when their child is marked absent. The text will ask parents to call in and give the reason for their child's absence. **The**

text message will be sent if pupils miss the am register, this means that the text may be sent if the pupil is late. The parent or carer will then be phoned and if there is no answer or no information has been received, and reasons noted. A text message will be sent on the **first day of absence**.

- 4.5 Text messages will be sent to the parent or carers requesting an explanation of the absence. If no reply is received; the absence is counted as unauthorised. One academy week is allowed for responses after the letter is sent.

5.0 UNDERSTANDING TYPES OF ABSENCE

- 5.1 Every half day absence from school must be recorded and classified with a code by the academy, as either authorised or unauthorised. Only the academy can make this decision and record it. Therefore, information about the cause of any absence is always required, preferably in writing.
- 5.2 Authorised absences are mornings or afternoons away from school for a good reason like illness, hospital appointments which unavoidably fall in school time, emergencies or other unavoidable cause.
- 5.3 Unauthorised absences are those which the school does not consider reasonable and for which “leave” of absence has not been given. This type of absence can lead to the Local Authority using sanctions and/or legal proceedings. Some examples of this include:
- Parents/carers keeping their child away from school unnecessarily.
 - Truancy before or during the school day.
 - Absences that have not been properly explained.
 - Late arrival after the close of registration (morning or afternoon).
 - Shopping trips, looking after other children or adults, or birthdays.
 - Day trips and holidays in term time.
 - Illness – where no information has been provided by parents/carers (or in the case where medical documentary evidence is required none is provided).
 - Where no reason for absence is provided by parents/carers.
- 5.4 Whilst it is understood that any child can have an illness and be away from school for a given period, sometimes they can be reluctant to attend school. Any problems with regular attendance are always best resolved by the parents/carers contacting the academy immediately to discuss the issues.

If your child is reluctant to attend

- Please be open and frank about the challenges you are facing here.
- Maintain an open and honest dialogue with the school. It is essential that school, and home, work in partnership where there are challenges with pupil attendance.
- The academy needs to give careful consideration to the authorisation of absence for some pupils.

- 5.5 Where a pupil has frequent absences the school may decide to ask for documentary evidence such as a medical certificate, appointment card, or a label from prescription medication.

Wherever possible, parents/cares should make every effort to avoid making medical or dental appointments during the school day. It is preferable to try and arrange these during holiday periods or at the beginning or end of the school day. An appointment at the beginning of the school day should not result in a whole day's absence from school.

6.0 RELIGIOUS OBSERVATION

The academy will only authorise one day of absence for religious events (e.g. Eid, Diwali).

7.0 WHAT HAPPENS IF ATTENDANCE IS UNACCEPTABLE?

- 7.1 The Principal, Head of Secondary School, Vice – Principal and Office Manager review the attendance of all pupils monthly. If the attendance of a pupil falls below **95%** the reasons for the absence are investigated.
- 7.2 The reasons for absence are discussed. If there are no extenuating circumstances the following procedure is instigated:
- 7.2.1 The Principal/Vice – Principal/Vice – Principal/Assistant Principal/Head of Year/Attendance Officer will write to the parent or carer. The situation is reviewed at the next month's check. This letter will be triggered when pupils have missed a total of 2 or more days of education.
 - 7.2.2 If no improvement is seen the Principal/ / Vice – Principal/Assistant Principal/Head of Year/Attendance Officer will request an appointment with the parent or carer. The situation is reviewed at the next month's check.
 - 7.2.3 If no improvement is seen the member of staff will write again requesting an appointment and ask for medical certificates to be provided for each subsequent absence to be authorised. This may not be appropriate for all reasons of absence.
 - 7.2.4 If the attendance does not significantly improve, a referral to the Educational Welfare Service will be made. In non-improving situations a penalty notice will be served. See Appendix

If your child's attendance is unsatisfactory (below 95%) you are at risk of a referral to the Education Welfare Officer and may be liable for fast track court prosecution, prosecution and/or a fixed penalty notice under section 444 of the Education Act 1996.

8.0 LATENESS

- 8.1 Pupils must arrive 3 minutes before their whistle prepared and in their lines by the time the whistle is blown.
- 8.2 Pupils who arrive after this time must enter the academy through the reception entrance, as directed. Poor punctuality will always result in a 15 minute catch up on the same day.
- 8.3 Children who arrive after this time will be marked as late. Following our absence reporting procedure, parents may be sent a text message as their child has missed the morning register.
- 8.4 The procedure for consistent lateness is the same as for absence – i.e. at **3%** lateness the Principal/Vice – Principal/Assistant Principal/Head of Year/Pastoral Support Officer is informed by the attendance officer, where this happens one of the below actions may be triggered.
 - 8.4.1 Phone call from Head of Year to discuss the reasons for poor punctuality.
 - 8.4.2 Appointment made to see Education Welfare Officer – one month is given for improvement.
 - 8.4.3 If no improvement is seen the Education Welfare Officer will request another appointment.
 - 8.4.4 If there are unacceptable improvements after a month, a referral to the Education Welfare Officer is made.
- 8.5 ‘Cause for Concern’ registers for absence and punctuality are kept. These are monitored daily, as Heads of Year receive a daily update on late catch ups.

9.0 ABSENCE INTERVENTIONS

- 9.1 The academy will intervene in order to support pupil attendance. These interventions are designed to support pupil attendance, however they are done so based on the underlying principle that pupil attendance is the responsibility of the parent/carer, and parents/carers must take ultimate responsibility for their child’s attendance.
- 9.2 The academy will follow a graduated response to intervening with absence. The interventions will be co-ordinated by the Attendance Officer, The Heads of Year, and The Senior Leadership Team.

9.3 The graduated response will follow the below structure:

a) All Pupils:

- All parents will receive text messages reminding them of the need for excellent attendance. These will be sent at intervals throughout the year.
- Attendance for year groups will be shared in assemblies, and in the weekly prep bulletin. Heads of Year will also share the total numbers of days missed per year group, providing context for absence percentages
- All pupils will record their attendance daily and weekly in their planners, they will use this to identify patterns in their attendance and discuss this with their tutors.
- All pupils will receive their attendance percentage on their tri-annual reports and will discuss this with parents and tutors.
- All pupils will be rewarded for excellent attendance, as per the rewards set out below.

b) Pupils who miss 2 days in a year:

- As soon as a pupil's cumulative absence in an academic year means that they have missed 2 days a letter will be sent from a member of the senior leadership team.
- According to research, once a pupil has missed 2 days in a year, it becomes difficult to improve their attendance. As such it is essential that parents/carers intervene as early as possible.

c) Pupils with attendance below 97% and above 95%

- Where a pupil's attendance drops below 97% but above 95% a letter will be sent to parents/carers reminding them of the need for improved attendance.
- The pupils attendance will then be carefully monitored by the Attendance Officer; improvements will be recognised through a phone call or a follow up letter, a failure to improve will result in further intervention.

d) Pupils with Attendance below 95% but above 93%.

- Parents/Carers will be asked to come in to meet either, or a combination of; the child's Head of Year, an Assistant Principal, The Vice – Principal, and the Attendance Officer.
- During this meeting the child's attendance certificate will be shared, and reasons for absence will be discussed. A numeric target to improve attendance will be shared, along with a timeframe to improve.
- These meetings may be challenging and Ark John Keats staff will maintain a high level of professionalism and care throughout, we ask that all parents and carers do the same.
- Where attendance improves, it will be recognised by the Attendance Officer and praised.

e) Pupils with attendance below 93% and above 90%.

- The attendance of these pupils is seriously concerning for the academy, based on the potential impact of continued poor attendance on their academic performance and personal development.
- The attendance officer will schedule regular meetings with the family, in order to prevent these children becoming persistent absentees. During these meetings attendance certificates will be shared, and all absences will be discussed.

- They will be flagged to the Educational Welfare Service, due to their risk of becoming persistent absentees, and their risk of receiving a fixed penalty notice.
- f) Pupils with attendance below 90%
- These pupils are considered persistent absentees.
 - The academy will be guided by the Educational Welfare Officer with regards to next steps, however this level of absence may result in a fixed penalty notice and/or court proceedings.

10.0 PERSISTENT ABSENTEEISM

A pupil becomes a “persistent absentee” when they are absent from school for 10% or more across the school year for whatever reason. The reasons can be both authorised and/or unauthorised.

Absence at this level will do considerable damage to any child’s educational achievement and future prospects. We will need the full support and co-operation of all parents to tackle this:

- We will monitor all absence thoroughly.
- If your child’s attendance has reached or is in danger of reaching the PA level we will inform you immediately and make the case a priority.
- PA pupils and their parents may be subject to an Action Plan and the plan may include: the allocation of additional support through an allocated member of staff, individual programmes and participation in group activities around raising attendance. • All PA pupils will be made known to the Education Welfare Officer.

11.0 LEAVE DURING TERM TIME (EXCEPTIONAL LEAVE OF ABSENCE)

The Department for Education has amended the regulations and guidance in relation to absences in term-time. There is no automatic right for a parent to take their child out of school during term time.

Since 1 September 2013, the Department for Education only allow a head teacher to grant a leave of absence if there are exceptional circumstances. In determining whether or not an absence in such circumstances can be authorised, it is for the head teacher to determine the number of days a child can be away from school if the leave is granted.

If you consider that your request falls into this category you will need to complete the form available for download from the academy website. They should be emailed to info@arkjohnkeatsacademy.org. A response will be sent to you as soon as possible. If the absence requested is not considered to be an exceptional circumstance, and if you nevertheless take your child out of school, the absence will be recorded as unauthorised in line with local authority guidance.

Therefore, in the case of an unauthorised absence the Education Support, Behaviour & Attendance Service will be notified and a Penalty Notice **may** be issued. Please note that Penalty Notices are issued to each parent for each child taken out of school. A Penalty Notice is a fine of

£60 which increases to £120 if not paid within the first 21 days. If the Penalty Notice remains unpaid this will result further legal intervention.

All absence requests must be completed via email to the aforementioned email address.

A meeting will be held regarding the request and the member of staff will explain that parents have a legal responsibility for their child to be in school. If the pupil is female and from a Female Genital Mutilation (FGM) practicing or affected community then the member of staff will use direct questioning to ascertain whether this will be undertaken during the intended period of absence. The member of staff will then take the information from this meeting and make a decision on whether to refer to local CYPS or Police.

Any absence from school will disrupt your child's learning. You may consider some absences to be educational but your child will still miss out on the teaching that other pupils will receive. Children returning from an absence are unprepared for the lessons which build on the teaching they have missed. Teachers then have to give more time to help individual children catch up on missed work. This poses a potential risk of the under achievement of other students in the class. This is something we all have a responsibility to avoid.

12.0 CHILDREN MISSING IN EDUCATION

A child going missing from school is a potential indicator of abuse and neglect. Staff will monitor children that go missing from school and report them to the designated safeguarding lead – following normal safeguarding procedures.

From the first day that a child does not attend and there is no explanation or authorisation of the absence, the following steps should be taken:

- A trained staff member will make contact with the parents/carers (person with parental responsibility for the child) to seek reassurance that the child is safe at home.
- The outcome of the contact should be assessed and if there are any concerns a consultation with the school/establishment/colleges designated safeguarding adviser should take place to consider the child's vulnerability.

In the following circumstances a referral to children's social care and /or the police should always be made promptly:

- The child may be the victim of a crime.
- The child is subject of a Child Protection Plan.
- The child is subject of Section 47 enquiries.
- The child is looked after.
- There is a known person posing a risk to children in the household or in contact with the household.
- There is a history of the family moving frequently.
- There are serious issues of attendance.

The answers to further questions could assist a judgement whether or not to inform Enfield MASH

- In which age range is the child?

- Is this very sudden and unexpected behaviour?
- Have there been any past concerns about the child associating with significantly older young people or adults?
- Was there any significant incident prior to the child's unexplained absence?
- Has the child been a victim of bullying?
- Are there health reasons to believe that the child is at risk? E.g. does the child need essential medication or health care?
- Was the child noted to be depressed prior to the absence?
- Are there religious or cultural reasons to believe that the child is at risk? E.g. rites of passage or forced marriage planned for the child?
- Has the child got a disability and/or special educational needs?
- Have there been past concerns about this child and family which together with the sudden disappearance are worrying? E.g. is there any known history of drug or alcohol dependency within the family? Is there any known history of domestic violence? Is there concern about the parent/carer's ability to protect the child from harm?

The length of time that a child remains out of school could, itself, be an alerting factor of risk of harm to the child. Accordingly if a situation is not resolved within three days the Education Welfare Service should be contacted, then referrals should be made to the police and local authority children's social care, as appropriate over the next two weeks, following guidance from the Education Welfare Service.

Extended leave of absence can be authorised by the head teacher, at which point a return date is set. In these cases the time line for enquiries starts from when the child does not attend school on the expected return date, not from the day the extended leave started.

Notifications and Actions Day one

If the answers to any of the points set out in the previous section indicate that there are concerns about the child's safety then a referral should be made to children's social care on day one. The education welfare service should be informed and requested to assist in locating the child.

The Academy will take the following action:

- Contact Enfield MASH
- Any suspicion/evidence of crime must be clearly stated.
- The circumstances and all available information regarding the child and family will be required.

Reasonable enquiry:

If the judgement reached on day one is that there is no reason to believe that the child is suffering, or likely to suffer, significant harm, then the school may delay making a referral.

The process of 'reasonable enquiry' has not been identified in regulations, however this includes

school staff checking with all members of staff whom the child may have had contact with, and with the pupil's friends and their parents, siblings and known relatives at this school and others.

Academy staff should also make telephone calls to any numbers held on record or identified, sending a letter to the last known address, home visits by some school based staff and consultation with local authority staff.

Days Two to Twenty (Consecutive School Days)

If the above response was unsuccessful, the academy will contact the local authority Children Missing in Education (CME) Team. The Academy may do this via the Education Welfare Service. The local authority should make enquiries by visiting the child's home and asking for information from the family's neighbours and their local community as appropriate.

The CME Team should also check databases within the local authority, use agreed protocols to check local databases, e.g. LA housing, health and the police; check with agencies known to be involved with the family, with the local authority the child moved from originally, and with any local authority to which the child may have moved.

The child's circumstances and vulnerability should be reviewed and reassessed regularly jointly by the school's nominated DSL and the CME Officer in consultation with children's social care and the police as appropriate.

Child missing from school for more than four weeks

In the event of a student missing 20 school days the academy can undertake to remove them from the roll in accordance with Regulation 8 of the Education (Pupil Registration) (England) Regulations 2006. At the end of this period the child's common transfer file should be uploaded to the Department for Education secure site for the transfer of pupil information when a pupil moves between schools. The Local Authority Children Missing in Education Team must also be informed.

In order to ensure accurate data is collected to allow effective safeguarding, the school will inform the local authority of any pupil who is going to be deleted from the admission register where they:

- Have been taken out of school by their parents and are being educated outside the school system, e.g. home education.
- Have ceased to attend school and no longer live within a reasonable distance of the school.
- Have been certified by the school medical officer as unlikely to be in a fit state of health to attend school before ceasing to be of compulsory school age, and neither he/she nor his/her parent has indicated the intention to continue to attend the school after ceasing to be of compulsory school age.
- Are in custody for a period of more than four months due to a final court order and we do not reasonably believe they will be returning to the school at the end of that period.
- Have been permanently excluded

The Academy will only remove pupils from roll following extensive discussion with the local

authority. The academy will use the DfE guidance in following up on any children missing from education.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/550416/Children_Missing_Education_-_statutory_guidance.pdf

13.0 REGISTERS

These are important legal documents which must be completed carefully and promptly at the beginning of each lesson.

Children entering the classroom via the academy office are late and should be marked as such, even if the register has not been taken yet.

14.0 FIRST DAY OF ABSENCE PROCEDURE

Where a child is absent the academy will follow the below procedure:

- The Attendance Officer will check the answering messages at 8am every morning, and mark absent pupils who are absent on that day.
- Registers will be taken by 8:55am every day. The attendance officer will send a text message to parents of absent pupils asking them to call in and give the reason for their absence. This text will be sent at 9am, following the receipt of the late list.
- Parents of any absent pupils will be called by 10am. Each number will be tried, and if unable to contact an email will be sent, and this will be recorded.
- E-mail to relevant leaders in the school sent by 10am, sharing absence, reasons and percentage per pupil.

15.0 REWARDS

The academy recognises the need to reward excellent attendance. As such we have built a system of rewards for children with excellent attendance.

The class with the best attendance for the week is recognised and rewarded through weekly prep bulletin messages. The tutor group with the best attendance each term will win a prize in the termly celebration assembly.

The academy will reward attendance by entering pupils with 100% attendance across a long term with entry into a prize draw. This prize will be drawn in the celebration assembly. Children with 100% attendance are presented with a certificate at the end of each long term (3 times a year – Autumn, Spring, Summer) Further prizes and awards may be presented for attendance. There will be a prize for all pupils with 100% attendance throughout the year. Children with 100% attendance will be rewarded with 100% badges.

16.0 EQUALITY IMPACT STATEMENT

We will do all we can to ensure that this policy does not discriminate, directly or indirectly. We shall do this through regular monitoring and evaluation of our policies. On review we shall assess and consult relevant stakeholders on the likely impact of our policies on the promotion of all

aspects of equality, as laid down in the Equality Act (2010). This will include, but not necessarily be limited to: race; gender; sexual orientation; disability; ethnicity; religion; cultural beliefs and pregnancy/maternity. We will use an appropriate Equality Impact Assessment to monitor the impact of all our policies and the policy may be amended as a result of this assessment.

17.0 APPENDIX 1

APPLICATION FOR LEAVE OF ABSENCE DURING TERM TIME

If you consider you have exceptional circumstances to request a leave of absence during term time, please complete this form and return to the school at least 14 days before the date you wish to remove your child from school.

(Please ensure you are giving at least 14 days' notice of the proposed absence)

Pupil Name	Tutor Group/Class
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First day of absence (DD/MM/YY)	
Date of return to school (DD/MM/YY)	
Total number of days missed (e.g. 6 days)	Days

Exceptional circumstances are as follows:

Name of Parent/Carer making application

Signed

Dated:

Office use only

AUTHORISED: from: _____ to: _____
 UNAUTHORISED: It is not considered that the circumstances you describe are exceptional. If you proceed to take the absence a Penalty Notice(s) will be issued.

Signed:

Date:

Procedure for the issue of Penalty Notices:

- 18.1 Academies will notify the EWS of all cases where attendance has fallen below 90% in the preceding 6 week period and no valid reason for the absence has been provided by the parent/carer, along with evidence of what measures they have taken to bring this matter to the parent's/carer's attention.
- 18.2 The LA will produce an information letter for distribution to all parents/carers whose children have been identified as falling below 95% attendance at their respective academies. This will set out clearly the circumstances whereby a Penalty Notice can be issued and the consequences for failure to pay within the required time scale.
- 18.3 Each pupil's attendance will be monitored for 15 academy days following the issue of the letter to see if the desired improvement has taken place. An acceptable improvement is an increase in attendance above 90% for the 15-day period.
- 18.4 Should the required improvement not take place and no valid reason for the absence is provided, the Court Officer will decide whether to issue the Penalty Notice or to proceed with a prosecution under Section 444 of the Education Act 1996.
- 18.5 Where a Penalty Notice is issued, it will be sent by the Court Officer through the post using **First Class** post to the parent's last known address.
- 18.6 Following a change to advice issued by the DfES in recent months, Penalty Notices may now be issued to the parents/carers of **all** pupils registered at Enfield schools, irrespective of their actual home address. This also means that follow-up prosecutions where parents/carers fail to pay the Notice or to improve their children's attendance will extend to families resident outside the area.

Withdrawal of Penalty Notices:

- 18.7 The LA will withdraw any Notices issued if:
 - 18.7.1 It can be established that the Penalty Notice was issued to the wrong person.

or

18.7.2 The use of the Penalty Notice does not conform to the terms of the Protocol.

18.8 Where either of the above occurs, written notice of the withdrawal shall be given to the recipient and any monies paid over shall be fully refunded.

18.9 Also, no proceedings under Section 444(1A) of the Education Act 1996 shall be instituted against the recipient in respect of the period covered by the withdrawn Notice.

Payment:

18.10 Arrangements for payment will be detailed on the Penalty Notice.

18.11 A Penalty Notice shall be for the sum of **£60** if paid within 28 days rising to **£120** thereafter until the final deadline of 42 days.

18.12 Payment in full of the Penalty Notice discharges the parent's legal responsibility for the period of unauthorised absence outlined in the Notice and the parent cannot be subsequently prosecuted under any other enforcement powers for the period.

18.13 Any revenue arising from the issue of Penalty Notices will be retained by the LA to defray the costs involved in their issue or any subsequent prosecutions arising from non-payment.

Non Payment:

18.14 Non payment of Penalty Notices within the prescribed time limits will result in a prosecution under Section (1) or (1A) of the Education Act 1996 for the original offence of failing to ensure the regular attendance of the child/ren at school.