



Attendance and Punctuality Policy

Policy Type:	School Policy (not statutory)
Policy Implementation/Approval	Governors' Curriculum & Pupils' Issues Committee
Policy review delegated to:	Senior Deputy Headteacher – Mrs A Williams
	Sponsor Governor – Mrs J Entwistle
Review Frequency:	Every 3 years
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Policy Approval:

Signature of Headteacher		Date	08.07.2026
Signature of Chair/Vice-Chair of C&P Committee		Date	08.07.2026

Rationale: Every Day Counts

It is our privilege and our responsibility to provide for the educational, personal, spiritual, social and emotional needs of all the young people in our school. However, as demonstrated by various studies, many of the outcomes as we prepare our young people for post-school life, will be jeopardised if regular attendance is not guaranteed.

As a school we believe firmly that good attendance is both an entitlement and an expectation for every one of our registered students, and it is a legal requirement of parents and carers to ensure that their child is in school. Poor attendance and punctuality will not only result in underachievement at school - it will most likely affect the quality and satisfaction gained from the school experience as well. It is important to remember that there are only four reasons in law for non-attendance – religious observance, student's own illness, school transport not being available and any other unavoidable cause.

Good attendance is also a safeguarding priority. The school recognises that unexplained, persistent or severe absence may indicate safeguarding concerns, unmet special educational needs, mental health difficulties, exploitation risks or wider family vulnerabilities. In line with Keeping Children Safe in Education and Working Together to Improve School Attendance, the school will work proactively with families, external agencies and the Local Authority to identify and remove barriers to attendance.

Persistent and Severe Absence

A pupil is considered persistently absent when they miss 10% or more of possible sessions. A pupil is considered severely absent when they miss 50% or more of possible sessions. The school recognises that pupils who are persistently or severely absent are at significantly greater risk of educational underachievement, safeguarding harm, social exclusion and poor wellbeing outcomes and we prioritise early intervention and support for pupils whose attendance falls below expected levels.

Purpose

The school will maintain a whole-school culture that promotes the benefits of good attendance, sets high expectations for every pupil and provides support where barriers to attendance exist.

The purpose of this policy is:

- To ensure the school has high levels of attendance for the benefit of each individual student and the good of the whole school community
- To ensure that parents and staff are aware of the school's expectations and procedures regarding absence and, in particular, unauthorised absences
- To ensure there are robust systems for monitoring the attendance of all students and intervening where necessary
- To ensure consistency of approach across the school and continuity of learning.

Attendance Leadership Responsibilities

The Senior Deputy Headteacher with responsibility for attendance will:

- Lead the strategic approach to improving attendance
- Monitor attendance data and trends
- Ensure early intervention and support are implemented
- Oversee safeguarding responses linked to attendance concerns
- Work with the Local Authority and external agencies where appropriate
- Report attendance patterns and interventions to governors

Guidelines

1. The school aims for complete attendance by all students but has an expectation of 97% attendance in recognition of the fact that some level of absence is unavoidable. Attendance registers are monitored daily to identify absence promptly and enable timely safeguarding and pastoral responses.
2. School starts at 8:20 am and students in all years are expected to be in registration with their form teachers by that time, otherwise they will be marked late.
3. Any student arriving after 9:30am will receive a U code indicating that they have missed the morning (a.m.) session.
4. The afternoon (p.m.) registration mark will be taken at the beginning of period 5 by class teachers - or following sixth form procedures for those Year 12 and 13 students who do not have class.
5. Both a.m. and p.m. registrations are statutory responsibilities.
6. Where a student is off-site on a school visit or college placement, for example, the register will be marked accordingly. The supervising member of staff must provide the school office with an accurate list of those students involved.
7. If a student is unable to attend school for a legitimate reason, parents/carers are expected to contact school by phone, email or Synergy message as soon as possible to report the absence and the reason for it. The register will be adjusted accordingly.

Contact:

T: 0161 643 4009 (option 1)

E: admin@clrchs.co.uk

8. Where a student has been marked absent and there has been no notification of the absence by the parent/carer, an attendance notification message will be sent. The absence will be recorded as unauthorised until an acceptable reason has been provided.
9. Only the Headteacher may authorise an absence, and in the following circumstances:
 - Religious observance which falls outside the normal school holidays may be authorised up to one day
 - Usually illness will be authorised - but where there is repeated or prolonged absence due to illness for which a student is not receiving specialist medical treatment, the school may request a doctor's note or ask that the student is referred to the school nurse
 - Where school transport has failed and the student is unable to get to school any other reasonable way
 - Where the Headteacher deems the situation to be exceptional, including compassionate reasons

Requests for leave of absence during term time will only be authorised in exceptional circumstances. Students are expected to catch up on any work that they miss.

10. Absence will not be authorised:
 - Where no explanation for the absence is provided, the explanation is not satisfactory or evidence is not provided when requested
 - For holidays taken during term time
11. Parents and carers have a legal duty to ensure their child attends school regularly. At Cardinal Langley RC High School, the expectation for regular attendance is 96% or above.
12. Student attendance will be monitored on a fortnightly basis by Pastoral & Academic Leaders and half-termly by the Deputy Headteacher who will provide a report on attendance for the Senior Leadership Team (SLT).

Any student with attendance below 90% is automatically a cause for concern as a persistent absentee. Students whose attendance is at or below 95% will also be monitored.

Attendance %	Absence per fortnight	Absence per year	Absence over 5 years
95	½ day every 2 weeks	2 weeks	¼ year
90	1 day every 2 weeks	4 weeks	½ year
85	1½ days every 2 weeks	6 weeks	¾ year
80	2 days every 2 weeks	8 weeks	1 year

The school adopts a support-first approach to attendance. Where attendance concerns arise, the school will work collaboratively with pupils, parents/carers and external agencies to understand and address barriers before considering legal intervention. We recognise that some pupils face greater barriers to attendance, including pupils with SEND, mental health needs, young carers, pupils with medical conditions, looked after children and pupils experiencing disadvantage.

13. Where parents/carers are experiencing real difficulty with regards to attendance they are encouraged to contact school to try to resolve the situation.

Where the attendance of a student is causing concern, the following responses can be used:

- Phone call home to express concern
- Letter from PAL indicating concern and/or asking for meeting with parents or carers to address the issue
- Where appropriate, individual attendance support plans may be implemented to support improved attendance.

- Home visit
 - Letter referring the student to school nurse
 - Letter referring the student to the Education Welfare Service
- 14 Children Missing Education - The school has procedures in place for responding to children missing education in accordance with statutory guidance and local safeguarding procedures. Prolonged or repeated absence may trigger safeguarding procedures and referrals where appropriate. The school will notify the Local Authority where pupils are removed from roll in line with statutory requirements.

Attendance concerns may form part of a wider safeguarding assessment. School staff will be alert to patterns of absence that may indicate:

- child sexual exploitation
- criminal exploitation
- mental health concerns
- neglect
- domestic abuse
- child on child abuse
- online harm
- family difficulties
- Concerns will be recorded and escalated in line with the school safeguarding policy.

The Designated Safeguarding Lead (DSL) will be informed where attendance concerns may indicate safeguarding risk.

- 15 Where a student is persistently absent with no reasonable cause, the school will use the support of the Local Authority's Education Welfare Service to pursue attendance orders, penalty notices and court proceedings. In line with the national framework for penalty notices introduced in August 2024, the Local Authority may consider issuing a penalty notice where a pupil has incurred 10 sessions (5 school days) of unauthorised absence within a rolling 10-school-week period. The first penalty notice issued to a parent for a child will normally be charged at £80 if paid within 21 days, or £160 if paid within 28 days. A second penalty notice within a three-year period will normally be charged at £160. A third penalty notice within a three-year period may not be issued and alternative legal intervention may be considered. Please refer to the 'Attendance' page of the school website for more information <https://www.clrchs.co.uk/parents-students/pastoral-information/attendance/> and to the local authority's Penalty Notice Protocol at Appendix C.
- 16 Attendance data will be analysed regularly to identify patterns, trends and groups requiring targeted support. Governors will receive regular absence reports and will monitor attendance trends, vulnerable groups and the effectiveness of attendance strategies.

APPENDICES:

APPENDIX A – Term Time Leave of Absence Request Form (Planned Absence)

APPENDIX B – Penalty Notice Protocol

APPENDIX C – Local Code of Conduct for Issuing Penalty Notices for School Absence

Appendix A



Cardinal Langley RC High School Term-Time Leave of Absence Request Form (Planned Absence)

Attendance at school is one of the main factors determining academic progress. As a school, we believe firmly that good attendance is an entitlement for every one of our students, not just an expectation, and there is a legal requirement for parents and carers to ensure that their child attends school regularly. At Cardinal Langley RC High School, the expectation for regular attendance is 96% or above.

Changes to regulations came about in September 2013 and the new law does not give any entitlement to parents or carers to take their child on holiday during term time.

Planned absence **may** be authorised in the following circumstances:

- Religious observance which falls outside the normal school holidays (up to one day)
- Medical reasons
- Where the Headteacher deems there are exceptional circumstances, including compassionate reasons

Absence **will not** be authorised:

- Where no explanation for the absence is provided, the explanation is not satisfactory or evidence is not provided when requested
- For holidays (or other similar recreational activities) during term time
- Generally speaking, if the absence creates an extension to a school holiday period or is an extended stay which effectively constitutes a family holiday.

Requests for authorised absence in legitimate or exceptional circumstances will normally only be considered if:

- The student has at least 96% attendance in that academic year and maintains excellent attendance for the remainder of the academic year
- The student is not in a public examination year and any absence will not impact on controlled assessment
- The student catches up on any work that is missed to an acceptable standard

If you do need to request the withdrawal of your child from school, please complete the slip below and return it, with sufficient notice, to Reception/Student Services in the main school office.

Please note: for any activities not organised through the school (sports competitions, drama performances, air/army/navy cadets, for example) you will need to attach a letter from the organising body confirming your child's selection or invitation to take part. In certain cases, you may also need to apply to the local authority for a Child Performance and Activities Licence.

Unauthorised absence is recorded and may result in intervention by the Education Welfare Service. Unauthorised leave of 5 school days or more will automatically trigger the issue of a Penalty Notice by the Local Authority. Please refer to our Attendance & Punctuality Policy and the attendance page of the school website for more information.

Term-Time Leave of Absence Request Form (Planned Absence)

(Please complete and return to Student Services in the main school office)

Name of Child/ren		Form Class	
Dates of Absence (DD/MM/YYYY)			
First day	Last day	Returning to school on	
Reason for absence:			
Signature (Parent/Carer):		Date:	
Headteacher Approval:		Date:	

Appendix B

ROCHDALE EDUCATION WELFARE SERVICE - Penalty Notice Protocol

1. Rationale:

- 1.1. Regular and punctual attendance at school is both a legal requirement and essential for pupils to maximise their educational opportunities. In law an offence occurs if a parent/carer fails to secure a child's attendance at a school at which s/he is a registered pupil and that absence is not authorised by the school.
- 1.2. The use of Penalty Notices supplement the existing sanctions available under Section 444 of the Education Act 1996 and Section 36 of the Children Act 1989 to enforce attendance at school.
- 1.3. The Education Welfare Service delivers this Local Authority responsibility.
- 1.4. Parents and pupils are supported at school and Local Authority level to overcome barriers to regular attendance through a wide continuum of assessment and intervention strategies. Sanctions of any nature are for use only where parental co-operation in this process is either absent or deemed insufficient to resolve the presenting problem.

2. Legal Basis:

- 2.1. Section 23 of the Anti-Social Behaviour Act 2003 empowers designated Local Authority Officers, Head Teachers (& Deputy and Assistant Head Teachers authorised by them) and the Police to issue Penalty Notices in cases of unauthorised absence from school.
- 2.2. The Education (Penalty Notices) (England) Regulations 2004 came into force on 27th February 2004.
- 2.3. The issuing of Penalty Notices must conform to all requirements of the Human Rights Act and all Equal Opportunities legislation.
- 2.4. The Local Authority has prime responsibility for developing the protocol within which all partners named in the Act will operate.

3. Circumstances where a Penalty Notice may be issued:

- 3.1 A Penalty Notice can only be issued in cases of **unauthorised** absence. Requests to the Local Authority to issue Penalty Notices can only be accepted where guidance on the marking and maintaining of registers is followed. This guidance, The School Attendance (Pupil Registration) (England) Regulations 2024, can be found at:
<https://www.legislation.gov.uk/uksi/2024/208/contents>
- 3.2. Use of a Penalty Notice will be restricted to one per pupil per parent per term. In cases where families contain more than one poor-attending pupil, multiple issues may occur but this will be the subject of careful consideration and co-ordination. Alternative methods of addressing the school non-attendance might be more suitable such as an Early Help Assessment.
- 3.3 There will be no restrictions on the number of times a parent/carer may receive formal warnings in advance of the possible issue of Penalty Notices.
- 3.4 The issuing of a Penalty Notice is considered appropriate in the following circumstances:
 - Overt truancy (including pupils caught on truancy sweeps)
 - Parentally-condoned absences
 - Unauthorised holidays in term-time
 - Excessive/Delayed return from an agreed/ authorised holidays without prior agreement from school.
 - Persistent late arrival at school (after the register has officially closed)

This is not an exhaustive list. Each case will be considered individually.

4. Types of Penalty Notices.

- 4.1 Unauthorised Absences Penalty Notices are issued if a minimum of 20 sessions (10 school days) lost to unauthorised absence by the pupil during the current term or within any 12-week period.

It is good practice to issue a formal warning and/or to allow the parents a specified period, usually 15 school days, to effect an improvement.

- 4.2 Penalty Notice for Unauthorised Leave during Term Time are issued if a pupil is absent for a minimum of 10 sessions (5 school days) for an absence relating to leave during the term time within any 6-week period.

Penalty Notice for Unauthorised Leave during Term Time will be issued without the issue of a warning if a pupil is absent for a period not agreed or authorised by the Head teacher.

- 4.3 Exclusions Penalty Notices are issued if a child of compulsory school age who is a registered pupil at a school and is excluded from that school, either for a fixed period or permanently, his/her parent/carer is guilty of an offence under Section 103 of the Education And Inspections Act 2006 - If that child is present in a public place during school hours without reasonable justification during the first five days of each and every fixed period or permanent exclusion.

The parent must have been notified by the school at the time of the exclusion of their duty and the days it relates to.

5. Procedure for issuing Penalty Notices

- 5.1 The Education Welfare Service may issue Penalty Notices on behalf of Rochdale Local Authority. This will ensure consistent and equitable delivery, retain school-home relationships and allow cohesion with other enforcement sanctions.

- 5.2 Penalty Notices will only be issued by post and never as an on-the-spot action; this is to satisfy that all evidential requirements are in place and to meet Health and Safety requirements.

- 5.3 The Education Welfare Service will receive requests to issue Penalty Notices from schools and from the Police. These requests will be considered individually and against the following:

- All relevant information is supplied in the specified manner,
- The circumstances of the pupil's absence meet all the requirements of this Protocol.
- Family circumstances/ability to pay is set against the likelihood of securing an improved attendance by issuing a Penalty Notice (this to include any cases of possible multiple issue to any one family).
- The issue of a Penalty Notice does not conflict with other intervention strategies in place or other enforcement sanctions already being processed.
- Referral for penalty notices for leave during term time will be considered for absences relating to the holiday taken in the current term or within the last 6 weeks.

- 5.4 The Education Welfare Service will respond to all requests within 10 school days and will:

- Issue a formal written warning to the parent(s) on behalf of the referrer outlining the details of the offence and advising that a Penalty Notice may be issued if the referral for a fine relates to unauthorised absences. In the same letter, set a period of time, usually 15 school days, within which the pupil must have no further unauthorised absence if the issue of the Penalty Notice is to be averted
- Issue a Penalty Notice through the post at the end of the prescribed period if the required level of improvement has not been achieved.
- If the referral is for unauthorised leave during term time, the Local Authority will issue the fine without the issue of a warning, subject to the matter meeting the referral criteria.

- 5.5 Where the request to issue a Penalty Notice does not meet the defined criteria of the Protocol or is, in any respect considered to be inappropriate, the Education Welfare Service will:

- Advise the person making the request and provide an explanation for the decision not to issue a Penalty Notice
- Consider, recommend and/or implement alternative strategies that may be more appropriate

6. Procedure for the withdrawal of Penalty Notices:

- 6.1 Once issued, a Penalty Notice will only be withdrawn in the following circumstances:
- Proof has been established that the Penalty Notice was issued to the wrong person
 - The use of the Penalty Notice did not conform to the terms of this Protocol
 - The Penalty Notice is not paid in full within 28 days and subsequent checks indicate that no offence has been committed

7. Payment of Penalty Notices:

- 7.1 Arrangements for payment will be detailed on the Penalty Notice.
- 7.2 Payment of a Penalty Notice discharges the parent/carer liability for the period in question and they cannot subsequently be prosecuted under other enforcement powers for the period covered by the Penalty Notice.
- 7.3 Payment of a Penalty Notice within 21 days is £60 and payment after this time but within 28 days is £120.
- 7.4 The Local Authority retains any revenue from Penalty Notices to cover enforcement costs (collection or prosecuting in the event of non-payment).

8. Non-payment of Penalty Notices:

- 8.1 Non-payment of a Penalty Notice will result either in the withdrawal of the Notice or will trigger the prosecution process under the provisions of Section 444, 1996 Education Act as detailed above.

9. Policy & Publicity

- 9.1 Deployment of Penalty Notices as a sanction is included in the Authority's revised Attendance Policy.
- 9.2 All schools intending to utilise this Protocol will include information on the deployment of Penalty Notices in their Attendance Policies and this will be brought to the attention of all parents.
- 9.3 The Local Authority will include information on the use of Penalty Notices and other attendance enforcement sanctions in promotional/public information material.

10. Reporting and Review

- 10.1 The Education Welfare Service will monitor and review this Protocol and the guidance and procedures relating to Penalty Notices at regular intervals. Outcomes will be evaluated, reported upon and amended as appropriate.

Appendix C

ROCHDALE BOROUGH COUNCIL - Local code of conduct for issuing penalty notices for school absence (2024)

- 1 The purpose of this local code of conduct is to ensure that penalty notices for school absence are issued in a manner that is fair and consistent across Rochdale Local Authority. The code sets out the arrangements for administering penalty notices in Rochdale Local Authority and must be adhered to by anyone issuing a penalty notice for school absence in this area. The code complies with relevant regulations and the Department for Education's national framework for penalty notices as set out in the [Working together to improve school attendance](#) guidance.

Consultation

- 2 This code has been drawn up in consultation with the headteachers and governing bodies of state-funded schools and the local police force.

Legal basis

- 3 Penalty notices may be issued to a parent as an alternative to prosecution for irregular school attendance under s444 of the Education Act 1996. They can only be issued in relation to pupils of compulsory school age in maintained schools, pupil referral units, academy schools, AP academies, and certain off-site places as set out in section 444A(1)(b).
- 4 The Education (Penalty Notices) (England) Regulations 2007 (and subsequent amendments) set out how penalty notices for school absence must be used.
- 5 A penalty notice can only be issued by an authorised officer: that is, a headteacher or a deputy or assistant head authorised by them, an authorised local authority officer or a police constable.
- 6 The national framework for penalty notices is published in statutory guidance 'Working together to improve school attendance'. It provides further national guidance on the operation of penalty notice schemes for school absence in England.
- 7 A parent includes any person who is not a parent but who has parental responsibility for the child or who has care of the child, as set out in section 576 of the Education Act 1996. Penalty notices will usually be issued to the parent or parents with day-to-day responsibility for the pupil's attendance or the parent or parents who have allowed the absence (regardless of which parent has applied for a leave of absence).

Rationale

- 8 Research published by the Department for Education in May 2022 found pupils with higher attainment at KS2 and KS4 had lower levels of absence over the key stage compared to those with lower attainment.
 - Pupils who did not achieve the expected standard in reading, writing and maths in 2019 had an overall absence rate of 4.7% over the key stage, compared with 3.5% among pupils who achieved the expected standard and 2.7% among those who achieved the higher standard.
 - Pupils who did not achieve grade 9 to 4 in English and maths GCSEs in 2019 had an overall absence rate of 8.8% over the key stage, compared with 5.2% among pupils who achieved a grade 4 and 3.7% among pupils who achieved grade 9 to 5 in both English and maths.
- 9 For the most vulnerable pupils, regular attendance is also an important protective factor and often the best opportunity for needs to be identified and support provided.
- 10 Where difficulties arise with school attendance, professionals should take a 'support first' approach in line with the DfE's 'Working together to improve school attendance' guidance, only resorting to legal enforcement when necessary. The aim is that the need for legal enforcement is

reduced by taking a supportive approach to tackle the barriers to attendance and intervening early before absence becomes entrenched.

11. The national framework for penalty notices is based on the principles that penalty notices should only be used in cases where:
 - support is not appropriate (e.g. a term time holiday) or where support has been provided and not engaged with or not worked, and
 - they are the most appropriate tool to change parental behaviour and improve attendance for that particular family.

When may a penalty notice for absence be appropriate?

12. When the national threshold has been met: when a school becomes aware that the national threshold has been met, they must consider whether a penalty notice can and should be issued or not. The national threshold has been met when a pupil has been recorded as absent for 10 sessions (usually equivalent to 5 school days) within 10 school weeks¹, with one of, or a combination of the following codes:
 - a) code G (the pupil is absent without leave for the purpose of a holiday),
 - b) code N (the circumstances of the pupil's absence have not yet been established),
 - c) code O (none of the other rows of Table 3 in regulation 10(3) of the School Attendance (Pupil Registration) (England) Regulations 2024 applies), and
 - d) code U (the pupil attended after the taking of the register ended but before the end of the session, where no other code applies)

¹ A school week means any week (Monday to Sunday) in which there is at least one school session. The 10 school-week period when the national threshold applies may span different terms or school years (e.g. 2 sessions of unauthorised absence in the Summer Term and a further 8 within the Autumn Term).
13. If in an individual case the Local Authority believes a penalty notice would be appropriate, they retain the discretion to issue one before the threshold is met.
14. If repeated penalty notices are being issued and they are not working to change behaviour they are unlikely to be most appropriate tool. The national framework for penalty notices sets out that a maximum of 2 penalty notices per child, per parent can be issued within a rolling 3-year period. If the national threshold is met for a third time (or subsequent times) within 3 years, another tool should be used which will include legal action.
15. For the purpose of the escalation process, previous penalty notices include those not paid (including where prosecution was taken forward if the parent pleaded or was found guilty) but not those which were withdrawn.

Key considerations prior to the issue of a Penalty Notice for school absence

16. The following considerations will be made before issuing a penalty notice to ensure consistency of approach:
 - in cases where support is not appropriate (for example, for holidays in term time), consider on a case-by-case basis:
 - Is a penalty notice the best available tool to improve attendance and change parental behaviour for this particular family or would one of the other legal interventions be more appropriate?
 - Is issuing a penalty notice in this case appropriate after considering any obligations under the Equality Act 2010

- (For local authorities only) Is it in the public interest to issue a penalty notice in this case given the local authority would be accepting responsibility for any resulting prosecution for the original offence in cases of non-payment?
- In cases where support is appropriate, consider on a case-by-case basis:
 - Has sufficient support already been provided?
 - is a penalty notice the best available tool to improve attendance and change parental behaviour for this particular family or would one of the other legal interventions be more appropriate?
 - Is issuing a penalty notice in this case appropriate after considering any obligations under the Equality Act 2010
 - (For Local Authorities only) Is it in the public interest to issue a penalty notice in this case given the local authority would be responsible for any resulting prosecution for the original offence in cases of non-payment?

If the answer to the above questions is 'yes', then a Penalty Notice (or a Notice to Improve in cases where support is appropriate) will usually be issued.

17. A Notice to Improve is a final opportunity for a parent to engage in support and improve attendance before a penalty notice is issued. If the national threshold has been met and support is appropriate but offers of support have not been engaged with by the parent or have not worked, a Notice to Improve should usually be sent to give parents a final chance to engage in support. An authorised officer can choose not to use one in any case, including cases where support is appropriate, but they do not expect a Notice to Improve would have any impact on a parent's behaviour (e.g. because the parent has already received one for a similar offence).

A Notice to Improve will not be issued to parents where the absence is a result of an unauthorised leave in term time.

The Local Authority will issue the Notice to Improve and set out 15 school days as the improvement period. If there are further absences within this improvement period, a Penalty Notice will be issued.

18. Authorised officers should work together to ensure that penalty notices are used when likely to be effective and change behaviour.
19. The Education Welfare Service will issue Penalty Notices on behalf of Rochdale Local Authority. This will ensure consistent and equitable delivery, retain school-home relationships and allow cohesion with other enforcement sanctions.

Penalty Notices will only be issued by post and never as an on-the-spot action; this is to satisfy that all evidential requirements are in place and to meet Health and Safety requirements.

The Education Welfare Service will receive requests to issue Penalty Notices from schools and from the Police. These requests will be considered individually and against the following criteria:

- All relevant information is supplied in the specified manner
- The circumstances of the pupil's absence meet all the requirements of this Protocol
- Family circumstances/ability to pay is set against the likelihood of securing an improved attendance by issuing a Penalty Notice (this to include any cases of possible multiple issue to any one family)
- The issue of a Penalty Notice does not conflict with other intervention strategies in place or other enforcement sanctions already being processed
- Referral(s) for Penalty Notices to be issued for leave during term time will be considered for absences relating to a holiday taken when they are received from school within a reasonable timeframe and where they meet legal expectation.

20. Where the school or police request that the LA issues the penalty notice, they need to complete the referral form for consideration of penalty notice providing the information requested including evidence of support offered to the parents.
21. The Education Welfare Service will endeavour respond to all requests within 10 school days and will:
- Issue a formal Notice to Improve to the parent(s) on behalf of the referrer outlining the details of the offence and advising that a Penalty Notice may be issued if the referral for a fine relates to unauthorised absences. In the same letter, set a period of time, usually 15 school days, within which the pupil must have no further unauthorised absence if the issue of the Penalty Notice is to be averted.
 - Issue a Penalty Notice through the post at the end of the prescribed period if the required level of improvement has not been achieved.
 - If the referral is for unauthorised leave during term time, the Local Authority will issue the fine without the issue of a warning, subject to the matter meeting the referral criteria.

Where the request to issue a Penalty Notice does not meet the defined criteria of the Protocol or is, in any respect considered to be inappropriate, the Education Welfare Service will:

- Advise the person making the request and provide an explanation for the decision not to issue a Penalty Notice
 - Consider, recommend and/or implement alternative strategies that may be more appropriate
22. The Local Authority should make a decision as to whether proportionate support has been provided, and whether that support has worked or not. Where there is dispute, authorised officers are expected to defer to the local authority's judgement about whether sufficient support has been provided before issuing a penalty notice.
23. The Local Authority will inform the school about whether penalty notices are paid, withdrawn or prosecuted for non-payment.

Two penalty notice limit and escalation in cases of repeat offences

24. A penalty notice is an out of court settlement which is intended to change behaviour without the need for criminal prosecution. If repeated penalty notices are being issued and they are not working to change behaviour they are unlikely to be most appropriate tool. Therefore, from autumn term 2024, only 2 penalty notices can be issued to the same parent in respect of the same child within a 3-year rolling period and any second notice within that period is charged at a higher rate:
- The first penalty notice issued to a parent in respect of a particular pupil will be charged at £160 if paid within 28 days. This will be reduced to £80 if paid within 21 days.
 - A second penalty notice issued to the same parent in respect of the same pupil is charged at a flat rate of £160 if paid within 28 days.
 - A third penalty notice cannot be issued to the same parent in respect of the same child within 3 years of the date of issue of the first. In a case where the national threshold is met for a third time (or subsequent times) within those 3 years, alternative action should be taken instead. This will often include considering prosecution, but may include other tools such as one of the other attendance legal interventions.

Once 3 years has elapsed since the first penalty notice was issued a further penalty notice can be issued, but in most cases it would not be the most effective tool for changing what may have now become an entrenched pattern of behaviour.

For the purpose of the escalation process, previous penalty notices include those not paid (including where prosecution was taken forward and the parent pleaded or was found guilty) but not those which were withdrawn.

25. Where pupils move between local authority areas, Rochdale Local Authority can be contacted on education.welfare@rochdale.gov.uk to find out if penalty notices have been issued previously.
26. Where pupils attend school in Rochdale Local Authority but live in a different LA, Rochdale Local Authority will liaise with the home Local Authority in cases where a penalty notice is being considered and support is appropriate, and that support is being provided by the home Local Authority.

Procedure for the withdrawal of Penalty Notices:

27. Once issued, a Penalty Notice will only be withdrawn in the following circumstances:
 - Proof has been established that the Penalty Notice was issued to the wrong person
 - The use of the Penalty Notice did not conform to the terms of this Protocol
 - The Penalty Notice is not paid in full within 28 days and subsequent checks indicate that no offence has been committed

Payment of Penalty Notices:

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

Payment of a Penalty Notice discharges the parent/carer liability for the period in question and they cannot subsequently be prosecuted under other enforcement powers for the period covered by the Penalty Notice.

The Local Authority retains any revenue from Penalty Notices to cover enforcement costs (collection or prosecuting in the event of non-payment).

Non-payment of Penalty Notices:

29. Non-payment of a Penalty Notice will result either in the withdrawal of the Notice or will trigger the prosecution process under the provisions of Section 444, 1996 Education Act as detailed above.

Policy & Publicity

30. Deployment of Penalty Notices as a sanction is included in the Authority's revised Attendance Policy. All schools intending to utilise this Protocol will include information on the deployment of Penalty Notices in their Attendance Policies and this will be brought to the attention of all parents. The Local Authority will include information on the use of Penalty Notices and other attendance enforcement sanctions in promotional/public information material.

Reporting and Review

31. The Education Welfare Service will monitor procedures relating to Penalty Notices at regular intervals. Outcomes will be evaluated, reported upon and amended as appropriate.

Katie Charlton
Head of Schools