

## **MTCBC protocols and procedures in relation to Fixed Penalty Notices (FPNs) .**

### **Issue of a Penalty Notice**

- A Fixed Penalty Notice can only be issued in cases of unauthorised absence;
- There is no restriction on the number of times that a parent will receive a formal warning, but a Fixed Penalty Notice will be restricted to one notice per parent of a pupil per academic year;
- In cases where there is more than one poorly-attending pupil in a family, Notices may be issued for more than one child;

### **Fixed Penalty Notices may be considered appropriate when:**

- At least 10 sessions (5 school days) are lost due to any unauthorised absence during the current term, this could include holidays taken within term time in excess of 5 school days. These do not need to be consecutive;
- Persistent late arrival at school, i.e. after the register has closed, in the current term. “Persistent” means at least 10 sessions of late arrival;

The Local Authority will issue Fixed Penalty Notices requested by a school in response to an unauthorised absence where the school has provided the necessary paperwork and this can be evidenced. This paperwork should comprise:

- A copy of newsletter or letter sent to all parents during the current academic year which clearly states that parents may receive a Fixed Penalty Notice for an unauthorised absence in term time. (The LA will not need a hard copy of this newsletter/letter each time a school applies for an unauthorised absence Fixed Penalty Notice.
- A copy of the Holiday Request Form submitted by parent, and a copy of the response sent to the parent by school. In the event the holiday request is being denied the school’s response should state the reason why the holiday is unauthorised and should again advise parent that they may receive a Fixed Penalty Notice if they take their child out of school;
- A copy of the letter sent by the school to the parent advising that the school has referred the matter to the Local Authority and that a Fixed Penalty Notice may be issued;
- Relevant pupil Attendance or Registration Certificate;
- Signed certificate from the Head Teacher or their nominated deputy confirming that non-attendance during the period was unauthorised;

**Considerations and Assessment as to whether a Fixed Penalty Notice should be issued.**

Head Teachers, their nominated deputies and Senior Education Welfare Officers will take into account the following when determining whether a Fixed Penalty Notice should be issued:

- Level of absence;
- Regard to Equality and Diversity Legislation;
- History of the attendance issues and action taken;
- Welsh Government (WG) Guidance;
- Likely effectiveness of Fixed Penalty Notice as a tool for obtaining compliance;
- Level of parent engagement/cooperation.
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**For procedures to follow with regards to issuing an FPN please see flowchart**