

Bolton Council

Important Update

Changes to Education-related Penalty Notices

Information for Parents

You may be aware that the Department for Education has recently announced national changes to penalty notices issued for unauthorised absence in term time. These changes will come into effect on 19th August 2024.

The changes to be aware of are:

- Penalty notices issued for offences that take place after 19 August 2024 will be charged at a new rate of £160 per parent per child. This can be paid at £80 if paid within 21 days.
- Any second penalty notice issued to the same parent for the same child within a rolling 3-year period will be issued at the rate of £160 to be paid within 28 days with no option for a discounted rate.
- The threshold at which a penalty notice **must** be considered is set at 10 sessions (equivalent to 5 days) of unauthorised absence within a rolling 10-school week period (1). This may include absences because of arriving late after the register closes. The 10 school weeks may span different terms or school years.
- A maximum of 2 penalty notices may be issued to a parent for the same child within a rolling 3-year period, so at the 3rd (or subsequent) offence(s) another course of action will need to be considered (such as prosecution or one of the other attendance legal interventions).
- Only penalty notices issued for absences taking place after 19 August 2024 will count towards the above thresholds.

Please see examples below for further clarification:

1. A penalty notice issued for any offence that begins prior to the 19 August will be issued under the existing rules. Therefore, it will (a) be charged at £60/£120, (b) not count towards the escalation whereby a second penalty notice within 3 years is charged at a flat rate of £160 and there is a limit of 2 penalty notices within 3 years and (c) will be issued in line with the LA thresholds for the 2023-24 academic year. This is regardless of whether the penalty notice is issued before or after the 19 August.

For example, if a parent takes a pupil out of school without authorised leave of absence in term time for 10 sessions or more in July 2024 but the penalty notice is not issued until September the old rules will be followed, including being charged at the old rates of £60/£120. The penalty notice will not count towards the escalation.

2. A penalty notice issued for any offence that begins after 19 August will be issued under the new rules. Therefore, it will be (a) charged at £80/£160, (b) count towards the escalation, and (c) be issued in line with the new national threshold of 10 sessions in 10 weeks.

For example, a parent takes a pupil out of school for 5 days in the first week of the new term at the beginning of September 2024, the new rules will be followed.

Any term time holidays that are taken after the start of the 2024/25 academic year will be treated under the new legislation as the new rules apply to any offences committed from 19 August 2024, regardless of when the holiday is booked.

⁽¹⁾ A school week is any week in which a school meets at least once