

## **Circumstances where a Penalty Notice will be issued**

The issuing of Penalty Notices is considered appropriate:

1. In cases of absence from school/college when the pupil has been taken on a holiday during term time and the absence has not been authorised by the school.

In such a case, each parent will receive a separate Penalty Notice for each child taken out of school. Should a parent fail or refuse to pay any Penalty Notice issued for this reason, then the evidence provided by the school/college will be the only information laid before the court. There will be no automatic Education Welfare Officer involvement.

2. Following a Truancy Patrol, enquiries will be undertaken with the school/college of any pupil stopped. In cases where the school/college has recorded the absence of the pupil as unauthorised then a Penalty Notice will be issued.
3. In the early stages of casework, an Education Welfare Officer might form an opinion that the issuing of a Penalty Notice is appropriate e.g. in cases where a parent continually fails to provide an explanation for a pupil's absence in accordance with the school's procedures. The Education Welfare Officer will discuss this with his/her line manager and if approved, a Penalty Notice will be issued.
4. Following notification from a school to the LEA that a pupil has had an unauthorised absence from school and the circumstances of which appear to have been avoidable. (*e.g. too tired after a late night, a birthday treat, family friends/relatives visiting etc.,*).
5. When a pupil on the 'Fastrack to Prosecution' scheme fails to achieve the required improvement in attendance.
6. Following a referral from the Devon and Cornwall Constabulary, procedures as at 2. above will be followed.

In all cases listed above, a Penalty Notice will only be issued to a parent(s) if the pupil has at least of ten unauthorised absences recorded against their name within the previous six months\_ The ten unauthorised absences may include the absences to be included within the Penalty Notice.

Within this Code of Conduct, a parent is defined as per Section 576 Education Act 1996