



PENALTY NOTICE CERTIFICATE OF ABSENCE

Section 444 Education Act 1996

This form is to be completed by the Headteacher/Principal. It will be used in legal action under the above Act relating to non-school attendance of a registered pupil at the school.

I certify that date of birth is a registered pupil of compulsory school age, on roll atschool/college and that they had unauthorised absence from school/college on or between to for a reason that comes within number (see overleaf) in Torbay's Code of Conduct for Penalty Notices. In addition, this pupil has also had unauthorised absences from school on the following occasions within the last six months.

Please list dates of at least five unauthorised absences during the last six months.

- | | |
|--------------------------------|--------------------------------|
| 1. date..... a.m./p.m./all day | 2. date..... a.m./p.m./all day |
| 3. date..... a.m./p.m./all day | 4. date..... a.m./p.m./all day |
| 5. date..... a.m./p.m./all day | 6. date..... a.m./p.m./all day |

To the best of my knowledge, the person(s) with parental responsibility for this pupil are:

1. First name..... Family name
Address
2. First name..... Family name
Address

Declaration

I am the Headteacher/Acting Headteacher of the school named. I hereby certify that the information given in this form is true to the best of my knowledge. The information has been extracted from the school's register of attendance which can be made available to confirm it is an accurate record.

Dated this day of200

Signature..... Name (printed).....

Please send this form fully completed to:
Penalty Notice Officer, EWS, Oldway, Torquay Road, Paignton. TQ3 2TE

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