

Penalty Notice Information

FREQUENTLY ASKED QUESTIONS



Q1 - Why have I been given a Penalty Notice?

Your child has had at least **10 sessions absent** from school during a 10 week period which were not authorised by the Head Teacher. Please note: 1 school day = 2 sessions.

A Penalty Notice can also be issued if your child has been found in a public place during the first 5 days of an exclusion.

If you think your child does not fit either of these categories, **contact the school and discuss this matter with them.**

Q2 - I have a query regarding my Penalty Notice, who should I contact?

If you want to discuss the details of why you have been issued a Penalty Notice or the details regarding absence, **contact the school your child attends.**

If you want to discuss payment or anything regarding the administration of your Penalty Notice, contact the Education Welfare Service by email educationpenaltynotices@bristol.gov.uk or call between **09:00 am and 12:00 noon on 0117 3521439.**

Q3 - Can I appeal against my Penalty Notice?

There is no formal right to appeal against a Penalty Notice.

If you do not agree that you committed the offence then the matter will be dealt with through formal prosecution via the Magistrates courts. It will then be up to the court, on receiving evidence, to determine whether or not an offence was committed and therefore whether or not any sentence should be imposed. Alleged offenders must be aware that education offences are Criminal in nature and should a prosecution be proven at the Magistrates' Court, the verdict will be recorded as criminal conviction against the defendant.

Q4 - I think the absence marks are wrong and I shouldn't have been issued this Penalty Notice. What can I do?

If you believe that the fine has been issued incorrectly **you must not ignore it** as you will still be liable. **You need to contact the school and discuss this matter with them.** It is at the discretion of the head teacher as to whether or not an absence is recorded as authorised or not. Any questions about the school's refusal to authorise leave or the school's decision to request a penalty notice should be raised with the head teacher.

Bristol City Council cannot answer questions regarding the school's decision making process – any such enquiries will be directed back to the school. If the school accept that an error has occurred they will inform us. The EWS Manager will review what has come to light and decide whether the Penalty Notice can be withdrawn.

Q5 - Both my partner and I have been issued a Penalty Notice for our child. Is this right?

YES. Both parents/guardians have responsibility for making sure your child attends regularly. If either Penalty Notice is not paid you may be prosecuted under Section 444 of the Education Act for failing to ensure your child's regular attendance at school.

Q6 - I want to pay by instalment, can I do this?

NO. We are unable to take part payments as the Penalty Notice Regulations do not permit this. All fines should be paid in full within the specified deadlines on the Penalty Notice. How and where you can pay is explained on the Penalty Notice payment slip.

Q7 - I'm not going to pay the fine, what happens next?

If it is not paid within 28 days you may be prosecuted under Section 444 of the Education Act for failing to ensure your child's regular attendance at school.

Q8 - If I pay the fine, where does the money go?

If the fine is paid, the sums received are used by the local authority to issue and enforce the Penalty Notices and prosecute recipients who do not pay. Any surplus must be paid to the Secretary of State.