**March 2021: Penalty Notice and Warning Period Proforma Guidance & Completion**

**Criteria**

Penalty Notice -10 sessions (5 days) consecutive unauthorised absence that is recorded as code G

Warning Period -10 sessions of unauthorised absences in any 12 week period (Combination of Codes- O, G, U)

**Rationale**

From March 2021 additional information is required from schools in order to issue a Warning Period for unauthorised absences and Penalty Notices (fines) to parents for removing their child/ren from school for the purpose of a holiday. This is to further incorporate inclusion for all of Slough’s pupils, ensure support is provided to CYP & families where needed and to meet the required legal obligations in terms of enforcement.

Additional information that is required from schools includes;

* 1. Copy of registration certificate attached
	2. Copy of Leave of absence/holiday request from parent attached
	3. Copy of school response to leave request attached
	4. Provide background of absences and school action/support to date (Warning Period only)
	5. All sections of the form have been completed in full

**Form Completion**

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| Section 1 | School Name | School name where pupil in registered |
| Section 2 | Pupil Details | Pupils Current year group, Date of birth, Ethnicity as recorded on school records, full address details including postcode.FSM – is the pupil eligible for free school meals?EHCP – does the child have an EHCP in place?CP/CIN – is the child subject to a CP/CIN plan?Agency involvement –provide agency/ies name/s who are actively involved with the family? |
| Section 3 | Known Siblings | List the names of any known siblings the pupil has and the name of the school that they attend i.e. child A attends Wexham Court Primary and has a sibling, child B, who attends Wexham Secondary School |
| Section 4 & 5 | Parent/Carer A & B: Name/Address/Contact | All Parents full first name and surname must be included (initials are not acceptable for enforcement action).The school must confirm that the address is correct by checking with the parent or pupil.(reason- we withdrew 45 fines in an academic year due to incorrect parental details which can be avoided)Schools should indicate on the proforma which parent(s) should be fined: Parent A, Parent B or both parents by “deleting as appropriate”Parents should receive a fine if they are actively involved in getting the child to school on a daily basis |
| Section 6a and 6b | Select ONLY one option:1. Warning Period request
2. PN (fine) request

Dates of absence / Number of school days missed | 1. Warning Period -Please tick this option if a warning period of 15 days is to be issued. Ensure criteria is met and provide background information as in 7.1 & 7.4 below
2. Penalty Notice –Please tick this option if a fine is to be issued and complete dates of absence

Enter the first date of absence and the last date of absence. Calculate the total number of schools days the pupil has missed (exclude bank holidays/inset days). Provide information as in 7.1, 7.2 & 7.3 below |
| Section 7 | Checklist for schools prior to submitting referral to SBC; | The following 5 requirements MUST be met. Incomplete referrals will be declined by the LA and returned to the school for correction/amendment |
| * 1. Copy of latest registration certificate attached (for both 6a and 6b)

  | This is a copy of the electronic register for the pupil for the academic year to date. It must show the child’s full name as it serves as a legal document. |
| * 1. Copy of Leave of absence/holiday request from parent attached (for 6b ONLY)
 | A copy of the parents “leave of absence” request OR signed written confirmation from the school confirming how the school is confident that the pupil has been away on holiday i.e. telephone call with parentImportant note: in response to previous court enquiries, it is essential that the school is 100% confident that the child has been away on holiday for a fine to be issued. For example; It is not acceptable to code an absence as unauthorised holiday code G in the following circumstances;1. the school has been unable to contact the parent via telephone so “assumes” the family is away on holiday
2. another pupil in the school informs a member of staff that the pupil in question has gone away on holiday
3. Where social media has indicated a holiday was taken

In these circumstances, the school would need to carry out further investigations to ensure that they are confident that the pupil has been away on holiday. |
| * 1. Copy of school response to leave request attached (for 6b ONLY)
 | To meet legal requirements there must be evidence that the school has notified the parent that the absence will be unauthorised and that this may lead to a fine being issuedNotification of the refusal for leave to the parents can be by letter or a written and signed statement from the school representative that they have notified the parent by telephone |
| * 1. Provide background of absences and school action/support to date (6a only)
 | Parents have limited defences in law for a child’s absence from school and we need to determine if any of the absences are due to a defendable reason. Therefore information is required from the school at the point of referral to enable the LA to understand:1. the legal position for any potential enforcement action and
2. any mitigation factors the parents are likely to put to the courts.

Legal defences;Please provide details on any absences relating to the following legal defences: * The absence was authorised by the Head teacher
* The absence was due to sickness or an unavoidable cause
* The absence was on any day exclusively set apart for religious observance by the religious body to which the parent belongs
* The child attends a school which is at such a distance that the LA has a responsibility to provide transport to the school and has failed to do so. The limits are two miles for children under 8 years of age and three miles for children aged eight and over
* The child has no fixed abode and parents are engaged in a trade or business of such a nature that requires them to travel from place to place

Mitigating Circumstances;Please provide details on any absences or known circumstances relating to the following mitigating factors;* Bullying
* Family circumstances
* housing problems
* any other reasons for absence

We will also require a detailed chronological list of school action/interventions taken to date. This can be provided as a separate document attached to the email or within the body of the email |
| * 1. Sections of the form have been completed in full (for 6a and 6b)
 | Any missing information will result in the referral being declined by the LA and returned to the school |
| Section 8 | Declaration | Generally it is school attendance officers that complete the proforma, however the Headteacher of the school MUST also sign this document to authorise the LA to issue the fine(s). The Headteacher’s signature is a legal requirement |
| Section 9 | LA Office Use | For LA purposes only |

**Submit PN/WP Proforma & Supporting Evidence to the LA**

PN/WP Proformas and the relevant attachments can be emailed via egress to;

attendance@slough.gov.uk.

**NOTE: Only send 1 PN or 1 WP per email with all relevant supporting documentation for the PN and WP.**

For any queries regarding this process please contact the Attendance Service via email to attendance@slough.gov.uk or by phone on 01753 787670.