

## Penalty Notice S.444 Education Act 1996

(insert by S23 of the Anti Social Behaviour Act 2003)

Please read the notes overleaf carefully

### PART 1

If a child of compulsory school age who is a registered pupil at a school fails to attend regularly at the school, his parent is guilty of an offence under s.444 Education Act 1996.

To: [title] [forenames] [surname]

Of: [address] [postcode]

You are a parent of [name and address of child] (called in this notice "the pupil") who is a registered pupil at [name of school].

Between [date] and [date] the pupil failed to attend regularly at the school.

This notice gives you the opportunity to pay a penalty fine instead of being prosecuted for the offence given above. The amount of the penalty is £60/£120 in accordance with the table overleaf. If you pay this penalty within the time limits set out below, no further action will be taken against you in connection with the offence as set out in this notice.

Payment should be made within 21 days from date of issue. If paid after 21 days but within 28 days the penalty is doubled to £120. Payment should be made to [Local Authority Name] and can be made in person at [Local Authority Address] between 9am and 5pm Monday to Thursday 4.30pm on Fridays, or by posting this notice with a cheque or postal order to this address. **NO CASH PAYMENTS**

Late, cash or part payments will not be accepted and no reminders will be sent. **If payment is not received by [insert date 28 days from date of issue], you may be prosecuted for the offence and could be subject to a fine of up to £1,000.**

This notice is issued by [Local Authority Strategic Lead], Strategic Lead Targeted Services, on behalf of [Local Authority Name].

Date of issue: [Date]

**PART 2**

Please complete the following and return this notice with your payment to **[Local Authority Name]**:

Name: **[insert name]**

Address: **[insert address]**

Child's name **[insert name]**

I attach payment in the sum of £

**NO CASH PAYMENTS ACCEPTED**

Signed:

Date:

**NOTES****1. Contact Details**

If you have any queries about this notice, please contact Staffordshire County Council at **[insert district contact name, telephone number, fax number and address]**

**2. Amount of penalty.**

The amount of the penalty is as follows:

**When paid**

Within 21 days      £60

Within 28 days      £120

**To be paid by:**

**[insert date 21 calendar days from date of issue]**

**[insert date 28 calendar days from date of issue]**

**Address payment to be sent to:**

**[Local Authority Contact Name and address]**

### 3. Code of conduct.

This notice is issued in accordance with a local code of conduct drawn up by [Local Authority Name]. Any questions or correspondence about the code should be addressed to the Strategic Lead– Targeted Services at [Local Authority Address].

### 4. Withdrawal.

This notice may be withdrawn by [Local Authority Name] if it is shown that it should not have been issued to you, it has not been issued to you in accordance with the local code of conduct or you did not receive the notice e.g. sent to wrong address. If you believe that the notice was wrongly issued you must contact the County Council to ask for it to be withdrawn as soon as possible, stating why you believe the notice to have been incorrectly issued. The County Council will consider your request and will contact you to let you know whether the notice is withdrawn. If the notice is not withdrawn and you do not pay, you will be liable to prosecution for the offence that your child has failed to attend school regularly.

### 5. Payment.

You should complete the notice above and send or deliver it to Targeted Services, [Local Authority Name] at the address given. Office opening hours, Monday to Thursday 9am - 5pm, Friday 9am - 4.30pm.

### 6. Prosecution.

If you do not pay the penalty, and the notice is not withdrawn, you will be prosecuted for the offence of failing to ensure your child's regular attendance at school. You will receive a separate summons for this which will give you notice of the time and date of the court hearing. You will be able to defend yourself and you would be advised to seek legal representation; in some circumstances you may be entitled to legal aid.