

# **NCC Code of Conduct for issuing Fixed Penalties regarding school Attendance**

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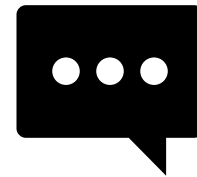
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# National Framework for issuing penalty notices

The National Framework aims to:

- **Make penalty notices more effective** by ensuring they are only used in cases where they are the most appropriate tool to change parental behaviour and improve attendance.
- **Prioritise the support first approach** by expecting support to be used in cases where it is appropriate and using penalty notices in cases where support is not appropriate (e.g. a term time holiday) has not worked or has not been engaged with.
- **Improve consistency in the use of penalty notices across England** by introducing a new national threshold at which they are considered.
- **Improve the deterrent effect of a penalty notice** by increasing the amount and introducing a new national limit of 2 penalty notices within a 3-year period to break cycles of repeat offending.



# National Framework

**A single consistent threshold of 10 sessions within a rolling 10 school week period**

**A requirement that schools make an assessment on a case-by-case basis whether a PN can and should be issued**

**An increase to the PN rate to £160 if paid within 28 days and £80 if paid within 21 days**

**Any second penalty notice issued to the same parent for the same child within a rolling 3-year period being charged at a higher rate of £160**

**A national limit of 2 penalty notices that can be issued to a parent for the same child within a rolling 3-year period**

**3<sup>rd</sup> (or subsequent) offence(s) will be prosecuted in the magistrate's court under S444**

# NCC Code of Conduct for issuing Fixed Penalties regarding School Attendance

## Key points:

- Penalty notices will continue to be issued by the Attendance Team
- Schools wishing to participate in the PN scheme must issue all parents with the NCC FPN Warning Letter
- We will continue to use the online referral form
- In line with the national framework the requirement for 'sufficient support' has been outlined before a PN will be issued for UA absence other than term time holidays and how we intend to use the 'Notice to Improve' as part of support process
- National Threshold must be adopted; however, discretion will be retained for cases where it is believed parents are deliberately avoiding the National Threshold
- To comply with the National Framework, checks will be complete with known previous LA's



# How the changes will work in practice

## Sufficient Support

- First-day response to any absence
- Evidence of communication with the child's parent – telephone calls/text messages/letters./home visits demonstrating an attempt to understand the barriers to school attendance
- Wishes and feelings work with the child
- An offer of a minimum of 3 meetings with parents
- Evidence of effective planning and support to overcome identified barriers – which could lead to an 'Attendance Contract'
- Issuing of a Notice to Improve

## Notice to improve

- Final opportunity for a parent to engage in support and improve attendance before a PN is issued
- Issued when National Threshold has been met and support has not been engaged with by parent or has not worked
- Schools will issue the Notice to Improve as part of their support and intervention work
- Lays out a period of 6 weeks in which parents must ensure there is an improvement in attendance
- If no further UA absence is recorded within the 6 school weeks – continue support but no PN
- Further UA absence – refer to the Attendance Team
- Schools do not need to wait till the end of the 6 weeks

# How the changes will work in practice

**Term time holiday**

**Other UA that meets National Threshold**

**Submit online referral form**

**Referral will be processed by FPN Officer and issued**

**Referral will be reviewed at panel**

**If parent chooses not to pay case will be referred via SJP**

**Decision will be made to either:**

- **Issue FPN**
- **List under S441**
- **List under S441a**

**Case will be listed and prosecuted in the magistrate's court**

**If panel decides to list in the magistrates court an AEO will contact you to support with putting together a prosecution pack**



# What now?

- Consultation period ends Friday 17<sup>th</sup> May 2024, any feedback will be considered and implemented if appropriate
- NCC Code of Conduct will then be published and come into effect from 19<sup>th</sup> August 2024
- Work will be undertaken behind the scenes to update the online referral form, online toolkit and relevant paperwork/templates
- Further training will be offered





# Questions?

If you wish to provide written feedback, please email [Katie.Griffiths@norfolk.gov.uk](mailto:Katie.Griffiths@norfolk.gov.uk) by the end of the day on Friday 17<sup>th</sup> May 2024. Thank you

