

Fixed Penalty Notices

Information for Parents

Regular and punctual attendance at school is a legal requirement under Section 7 of the Education Act 1996.

Norfolk County Council is committed to ensuring Norfolk pupils achieve full school attendance.

You have been issued with a Fixed Penalty Notice in relation to your child's unauthorised absence from school.

This guide is produced to answer any questions you may have.

5. I cannot afford to pay the fine - can I pay in instalments?

The Local Authority has issued the Fixed Penalty Notice in accordance within the timeframe as laid out in law. The Local Authority is unable to assist with instalment payments. If you cannot afford to pay the only place where this can be resolved is in the magistrate's court following non-payment. The magistrate's court can make collection orders (paying by instalments) and will take your financial circumstances into account.

6. What are the implications of the Isle of Wight High Court judgement?

The judgement allowed Magistrates to look at a pupil's wider attendance record and said that an unauthorised term time holiday in itself is not 'irregular attendance', it is a matter of degree and scale. Norfolk County Council approves each referral on an individual basis and has amended its criteria for issuing Fixed Penalty Notices based on legal advice following the High Court judgement. Headteachers cannot authorise absence due to term time holiday (see question 3).

7. Can the Local Authority withdraw the Penalty Notice?

- The only grounds in which a Penalty Notice can be withdrawn are:
- It ought not to have been issued i.e. where it has been issued outside of the terms of the Local Protocol or where no offence has been committed.
 - It has been issued to the wrong person
 - It contains material errors
 - The Fixed Penalty Notice remains unpaid and the Local Authority opt not to proceed with a prosecution under Education Act 1996 Section 444 (1).

If your question has not been answered here, please contact:

**Norfolk County Council Customer Services on:
0344 800 8020 or via Norfolk County Council website**

Details on how to pay your Fixed Penalty Notice are listed on your invoice.

