

Advanced notice of important changes to Fixed Penalty Notice fines with effect from 19 August 2024

With effect from the 19 August 2024, the law changes and Penalty Notices will increase. Penalty charges will be £160 if paid within 28 days reducing to £80 if paid within 21 days per parent/carer per child.

The National Framework for Penalty Notices introduces a new national limit of two penalty notices that can now be issued to a parent for the same child within a rolling three year period. If a second Fixed Penalty Notice is issued to the same parent for the same child, within three years of the first Fixed Penalty Notice, the second Fixed Penalty Notice is charged at a flat rate of £160 if paid within 28 days.

Once two Fixed Penalty Notices have been issued, if a third unauthorised leave of absence occurs within a three year period, the Local Authority is able to move to prosecution immediately.

The Education (pupil registration) (England) (amendment) Regulations 2013 provide that FPN's can be issued to each parent/carer of each child taken out of school without the authorisation of the school. Parent/carers should also be aware that if more than one child is taken out of school a FPN can be issued to each parent/carer of each child.

The Education (Penalty Notices) (England) (Amendment) Regulations 2024 introduced a new National threshold of 2 penalty notices that can be issued to a parent for the same child within a rolling 3-year period. If a second penalty notice is issued to the same parent for the same child, within 3 years of the first penalty notice, the second penalty notice is charged at a flat rate of £160.

If an unauthorised leave of absence is taken for a third time (or subsequent times) within 3 years of a first FPN being issued, another tool will need to be considered such as prosecution or other attendance legal interventions.

How many absences result in an FPN?

The National Framework for penalty notices introduces a single consistent national threshold for when a penalty notice must be considered, of 10 sessions (usually equivalent to 5 school days) of unauthorised absence within a rolling 10 school week period.

The amount of the fine is £160 if paid within 28 days reducing to £80 if paid within 21 days per parent/carer per child