**Fixed Penalty Notices for Unauthorised Holidays**

Can we remind you of the new regulations that came in to effect on 19th August 2024, that to ensure we apply the law consistently and fairly in line with all Cheshire West and Chester schools that the FPN system is now in place.

Should an unauthorised leave of absence be of a duration of 10 consecutive school sessions (ie five school days) or more, on the request of the Head Teacher or School’s Governing Body, the local authority will issue a Fixed Penalty Notice (FPN) to each of the child’s the parents/carers.

 Should you still choose to take this leave of absence with your child during this period the Local Authority will be informed as this will constitute an unauthorised absence. A Fixed Penalty Notice will then be issued in accordance with section 444 of the Education Act 1996.

**Penalties for unauthorised absence**

The law stipulates that the current penalties payable by parents are £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 2 penalty notices that can now be issued to a parent for the same child within a rolling 3-year period. If a second Fixed Penalty Notice is issued to the same parent for the same child, within three years of a 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 3rd unauthorised leave of absence occurs within a 3-year period, the Local Authority is able to move to prosecution immediately. If the fixed penalty is not paid this could lead to you being prosecuted in the Magistrates’ Court.