



Bilton CofE Junior School
Bilton Infant School
Bawmore Community Infant School



BILTON COMMUNITY FEDERATION ATTENDANCE POLICY

POLICY APPROVAL	
Statutory, recommended, or additional policy	STATUTORY
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We believe this policy relates to the following legislation:

- Children Act 1989
- Education Act 1996
- Crime and Disorder Act 1998
- Data Protection Act 1998
- Criminal Justice and Courts Services Act 2000
- Education (School Attendance Targets) (England) Regulations 2005
- Education (Pupil Registration) (England) Regulations 2006
- Education (School Attendance Targets) (England) Regulations 2007
- Education (School Attendance Targets) (England) (Amendment) Regulations 2010
- Education (Pupil Registration) (England) (Amendment) Regulations 2010
- Education (Pupil Registration) (England) (Amendment) Regulations 2013
- Education (Penalty Notices) (England) (Amendment) Regulations 2013
- School Attendance (Pupil Registration) (England) Regulations 2024

The following documentation is also related to this policy:

- DfE Guidance [“Working together to improve school attendance: Statutory guidance for maintained schools, academies, independent schools, and local authorities”](#)
- NHS Guidance [“Is my child too ill for school?”](https://www.nhs.uk/live-well/is-my-child-too-ill-forschool/) <https://www.nhs.uk/live-well/is-my-child-too-ill-forschool/>

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Introduction

It is our aim that our policies and procedures reflect our vision and values as a federation.

Vision: 'Empowering children to make a positive impact on the world.'

Values: Care, Honesty, Respect, Co-operation, Forgiveness and Resilience

The staff and governors at our 3 schools are committed to our vision. In order to achieve that a child's regular attendance at school is needed.

For every lesson missed a gap will be created in a child's learning and development. For every day missed from school that will usually mean 5 lessons. So, the maths tells us that any child missing more than 10 days of school in a year will have missed 50 lessons and created considerable gaps in their learning. This has a significant impact on your child's education and development.

The better your child's attendance, the better their outcomes in education and therefore the greater opportunities for them in life. It is that simple.

From the outset let us be clear, we are here to help and support you and your child. We know it sometimes is not that simple. But in order for us to help communication and engagement by all parties is vital. If we don't know and understand the situation fully, it is much harder for us to support you and your child.

As such the following policy is based upon three principles:

- good and effective engagement with children and families;
- supportive systems for all;
- clarity of the processes and procedures should attendance be an issue.

In order for any of these to work and be effective we need parents to be part of that. In return we can support you and your child.

The support we offer is outlined below and the procedures for implementing this are outlined in the appendices.

Attendance Support

Initial Support:

The first point of contact between school and parents is their class teacher. They get to know the child better than any of the other staff over time. They will have a strong relationship with your child on a day to day basis.

If your child is finding attendance at school difficult, please in the first instance talk to their class teacher. They can offer reassurance and take into consideration the school day / classroom environment and any potential barriers to your child feeling comfortable coming into school and work through this with you and your child.

Usually at this point this informal level of support can remove any worries or barriers for your child and yourself and rectify any attendance issue.

However, there are times where further support may be needed. This is ok and not something for you to be worried or alarmed about, but sometimes looking at further support or getting other staff involved can help solve any concern.

As with every stage, communication and engagement by all is vital. If we don't know, it is hard for us to help.

Further Support:

If a child's attendance is a growing concern for both parents and school we will look to get the support of other staff.

At this stage we would look to get parents in to school to meet informally and discuss concerns and barriers to attendance. The school will consider who is best to meet with parents and the child and invite you in to a meeting. Once again this is not something to worry you as parents, it is to support you and your child and help overcome barriers.

At this meeting the school will want to know what you and your child think are the barriers to coming into school regularly and they will look to address these. They will also share their concerns about attendance and offer support for you and your child to help get their regular attendance back on track. This support may include signposting to other agencies and support channels outside of school that you may wish to engage with.

At these meetings an Attendance Support Plan will be agreed between those present to help improve attendance. This is to support all involved and make it clear what everyone's responsibility will be.

This further support stage can sometimes just take a matter of a few weeks to get results but it can also be over a period of months and years depending upon the barriers and concerns.

Where improvements in attendance are happening, the school will support and monitor this with the parent and child and hope that once the barriers have been overcome they can move away from a need for support.

Where improvements in attendance are not seen the school will step up their support for you and your child.

Engaged Support:

For many reasons' poor, or falling attendance can be a complex issue. We know this and have experience of dealing with this and with dealing with other agencies to support addressing this. When we move to a more engaged support process, we are getting more concerned about your child's education and the impact of low attendance.

At this point we would be looking at regular meetings and monitoring of attendance with the parents and child (where appropriate). We would be working to a tight Attendance Support Plan and would expect all parties to be engaged fully with this.

If the level of attendance is looking likely to fall below 90% (or more than 18 days for the school year) then this will be causing a significant concern to the school and the local authority. We would expect the parent / carers to be engaged with us to find support systems that would look to bring about rapid change in this. At every stage this engagement is to support the parent and child to improve attendance and overcome barriers.

Escalation of Support:

If attempts to support poor attendance are not working, or there is a lack of engagement or action from parents / carers the school may need to move to a School Led Attendance Contract. This would lay out very clear expectations in regard to a child's attendance and what is expected from parent / carers and from school.

Where these contracts fail to work the school will then need to refer the case to the local authority for support.

Local Authority Referral:

Once a referral to the Local Authority has been made, they then take the lead on managing support for the parent / carer and the child, with the support of the school.

The outcomes from here are:

- that support brings about an improvement in attendance and/or engagement from parents / carers over time
- attendance fails to improve and the local authority move towards either a penalty notice or even a potential conviction.

Emotional School Based Avoidance

The school appreciates and understands that there can be many reasons for poor attendance and sometimes this can be linked to the emotional needs of a child and/or their parents. As part of every level of support the school will take this into consideration and offer the necessary support, where it can, to support the child and parent / carer to overcome this.

Attendance and Days Missed: What does this mean in terms of days absence and what will happen?

Any absence is a concern for us.

An absence of more than 2 days in a half term would prompt us to have an Initial Support conversation to see if there is anything wrong.

An absence of more than 5 days in a half term, or total absences of 8 days or more within a school year, will cause a serious concern for us and we would be looking at a Further Support meeting to discuss this with parents/carers and see what support could be offered and have an Attendance Support Plan in place.

If the attendance improves after any of these stages we would look to support and monitor this and in time move away from anything other than the usual offer of support at school.

If attendance does not improve from the Further Support meetings, we would move to an Engaged Support level of support and be looking to work through on a regular basis an action plan with all parties engaged.

Any attendance that falls below 90% for a school year is termed as '**persistent absence**' by the government. Once a child's attendance reaches this level we would expect an Attendance Support Plan to be in place and the case to be managed as part of Engaged Support.

Any attendance that falls below 50% in a school year is termed as '**severe absence**' by the government. Once a child's attendance reaches this level we would expect it to have been escalated to a School Led Attendance Contract and most likely to be being managed through a local authority referral.

Leave of Absence

Every child needs to be in school every day.

A leave of absence is where a child is taken out of school for a day or more.

In general, there should be no need for term time leaves of absence unless there are exceptional circumstances.

The Supreme Court has made clear that attending school 'regularly' means that the children must attend school on every day that they are required to do so. As such, the parents/carers of any child who are absent from school without authorisation for any length of time are likely to be considered as committing an offence under s444 of the Education Act 1996.

The law states a leave of absence may only be granted by a school if an application is made in advance and if it considers there are **exceptional circumstances** relating to the application.

Expectations

- A leave of absence is granted entirely at the school's discretion. Permission for a Leave of Absence from a school may only be given by a person who the school's proprietor has authorised to do so (an authorised person).
- **Schools must judge each application individually** considering the specific facts and circumstances and relevant background context behind each request.
- **Generally, a need or desire for a holiday or other absence for the purpose of leisure and recreation would not constitute an exceptional circumstance.**
- Where a leave of absence is granted, the school will determine the number of days a pupil can be absent from school.
- When making an application for Leave of Absence parents are advised to give sufficient information and time to allow the Head of School the opportunity to consider all the exceptional circumstances and to notify the parents of their decision. The school may also request further information on the application and supporting documentation where appropriate.
- It is advised that if the resident parent has not received notification or a response regarding the leave of absence application, it is their responsibility to ascertain if the leave is authorised prior to the start of the leave.
- The school can only consider applications for Leave of Absence which are made by the resident parent. i.e the parent with whom the child normally resides.
- Where applications for Leave of Absences are made in advance and refused, the child is expected to be in school on the dates set out in the application. If the child is absent during that period, it will be recorded as an "unauthorised" absence. Where a leave of absence is requested but additional days taken either prior to or after the request, they may be considered as part of the leave of absence.
- Leave of Absences which are not made in advance cannot be authorised in line with legislation. This will result in the absence being recorded as 'unauthorised'.
- All matters of unauthorised absence relating to a Leave of Absence will be referred to the Warwickshire Attendance Service of Warwickshire County Council. Penalty notices are issued in accordance with Warwickshire County Council's Code of Conduct for Penalty Notices and in the first instance, as an alternative to prosecution proceedings.
- Where a Penalty Notice is not paid within the timeframe set out in that Notice, the matter will be referred to Warwickshire County Council's Legal Services to consider instigating criminal prosecution proceedings under S444 of Education Act 1996.

Leave of Absence taken in the academic year 2024-25

The law relating to Penalty Notices is due to change with effect from 19 August 2024. Therefore, Penalty Notices issued for Leave of Absence after this date will be issued in accordance with the updated legislation.

Penalty Notices are issued to each parent of each absent child, (for example 2 children and 2 parents, means each parent will receive 2 invoices – 4 in total).

- First Leave of Absence Offence: The amount of £160 to be paid within 28 days, this is reduced to £80 each child if paid within 21 days.
- Second Leave of Absence Offence within a 3 year period (from the date of issue of the first penalty notice): The amount of £160 paid within 28 days. No reduced amount.
- Third Leave of Absence offence within a 3 year period (from the date of issue of the first penalty notice). A Penalty Notice will not be issued and the matter will be referred to Warwickshire County Council's Legal Services to consider instigating criminal prosecution proceedings under S444 of Education Act 1996.

What are 'exceptional circumstances'?

The Government has not defined 'exceptional circumstances' as referred to in the 2013 regulations. It is for the Head

of School to decide what he/she views as 'exceptional' and it is at their discretion if the circumstances warrant the leave to be granted. This interpretation will have different parameters from one case to another and whilst it will be important to look at the whole situation in making decisions about individual requests, **the normality will be that requests will be refused in line with the law.**

We believe our request is under exceptional circumstances. How do I apply for a term-time absence for my child/ren?

Applications for leave of absence during term time should always be made well in advance of the anticipated absence on the attached form. Forms can be obtained from the school office. Once completed, the form should be returned to the school office.

What happens if I take an unauthorised term time absence?

Where applications for leave of absence are made in advance and refused, the child will be required to be in school on the dates set out in the application. If the child is absent during that period, it will be recorded as an unauthorised absence, which may result in legal action being taken against the parent(s), by way of a Penalty Notice.

Failure to make an application for leave in advance can also result in a Penalty Notice being issued to the parent(s)/carer(s).

Furthermore, your child's school attendance record will be permanently marked with an unauthorised absence which will be passed on to their future schools. If a child is absent for an extended period of time without an explanation, WCC Admissions will be contacted to secure investigation which ultimately may lead to the school being authorised to remove a pupil from the school roll meaning that they will not have a place at the school to return to.

Excessive delayed return from holiday

Where leave has been granted by the Head of School, parents/carers should be informed by letter of an agreed return date and what will occur if the pupil fails to return to school on the date stated. The Education (Pupil Registration) (England) Regulations 2006 also enables schools to delete from their roll pupils who have failed to attend on the agreed return date. Following this date, reasonable enquiry should occur by the school and local authority to ascertain the pupil's whereabouts in an attempt to locate the pupil prior to deletion.

Each application for a Leave of Absence will be considered on a case by case basis and on its own merits.

SEE APPENDIX 1 FOR FURTHER INFORMATION ON LEAVE OF ABSENCE

Punctuality

Punctuality is vitally important and is a life skill that reaches into employment in later life. When pupils arrive late, they miss out on essential instructions given at the beginning of the lesson. This can significantly reduce achievement, regardless of academic ability. Your child may also feel awkward arriving to the classroom where everyone else is settled.

Furthermore, when one pupil arrives late, it disrupts the entire class and the teacher, therefore everyone's education is compromised. 10 minutes of lateness a day is equal to 31 hours of education being lost per academic year.

Persistent lateness will be managed and supported in the same manner that attendance is dealt with above.

Where necessary, persistent lateness may be referred to the Warwickshire Attendance Service (which could result in a Penalty Notice being issued or criminal prosecution proceedings being issued against you.)

The timings of each school day are outlined clearly in **APPENDIX 3**

Safeguarding

Staff and Governors at Bilton Community Federation take a robust approach to Safeguarding matters. Safeguarding the interests of each child is everyone's responsibility and within this school, promoting the children's welfare and life opportunities is key. Failing to attend school on a regular basis may be considered a safeguarding issue.

Targets

Bilton Community Federation has set a target to improve attendance and reduce lateness because we know that regular and prompt attendance is crucial to sound educational progress being achieved.

You and your child have an essential role to play in helping us achieve this target and we would ask for your continued support, this is for the benefit of your child and their education and not for the benefit of the school.

Deletions from the Register

In accordance with the Education (Pupil Registration) (England) Regulations 2006, pupils will only be deleted from the register when one of the following circumstances applies:

- The school is replaced by another school on a School Attendance Order
- The School Attendance Order is revoked by the local authority
- The pupil has ceased to be of compulsory school age
- Permanent exclusion has occurred and procedures have been completed
- Death of a pupil
- Transfer between schools
- Pupil withdrawn to be educated outside the school system
- Failure to return from an extended holiday after both the school and the local authority have tried to locate the pupil
- A medical condition prevents their attendance and return to the school before ending compulsory school-age
- In custody for more than four months (in discussion with The Youth Offending Team)
- 20 days continuous unauthorised absence and both the local authority and school have tried to locate the pupil
- Left the school but not known where he/she has gone after both the school and the local authority have tried to locate the pupil

CMIE

Bilton Community Federation will follow Warwickshire County Councils Children Missing Education Protocol when a pupil's whereabouts is unknown.

APPENDIX 1: FURTHER INFORMATION ON LEAVE OF ABSENCE

LEAVE OF ABSENCE DURING TERM TIME: UPDATED INFORMATION FOR PARENTS

The Supreme Court recently reached a decision in the case of *Platt v Isle of Wight Council* which has clarified the law on unauthorised leave, including holidays, during term time. The parents/carers of children of compulsory school age are required to ensure that they attend school on a regular basis. The Supreme Court has made clear that attending school 'regularly' means that the children must attend school on every day that they are required to do so. As such, the parents/carers of any child who are absent from school without authorisation for any length of time are likely to be considered as committing an offence under s444 of the Education Act 1996.

Headteachers retain the ability to authorise leave in accordance with the Education (Pupil Registration) (England) Regulations 2006. When considering such requests for a leave of absence, the school are obliged to act within the law. Headteachers may not grant any leave of absence during term time unless there are exceptional circumstances relating to the application. If the leave is granted, headteachers are able to determine the number of school days a child can be absent for.

It is for the Headteacher to decide what is 'exceptional' and it is at their discretion if the circumstances warrant the leave to be granted.

The school can only consider Leave of Absence requests which are made by the 'resident' parent/carer.

Each application for a leave of absence will be considered on a case by case basis and on its own merits.

Where applications for leave of absence are made in advance and refused, the child will be required to be in school on the dates set out in the application. If the child is absent during that period, it will be recorded as an unauthorised absence, which may result in legal action being taken against the parent(s)/carers(s), by way of a Penalty Notice.

Failure to make an application for leave in advance may also result in a Penalty Notice being issued to the parent(s)/carer(s).

Penalty Notices are issued to each parent of each absent child, (for example 2 children and 2 parents, means each parent will receive 2 invoices – 4 in total).

- First Leave of Absence Offence: The amount of £160 to be paid within 28 days, this is reduced to £80 each child if paid within 21 days.
- Second Leave of Absence Offence within a 3 year period (from the date of issue of the first penalty notice): The amount of £160 paid within 28 days. No reduced amount.
- Third Leave of Absence offence within a 3 year period (from the date of issue of the first penalty notice). A Penalty Notice will not be issued and the matter will be referred to Warwickshire County Council's Legal Services to consider instigating criminal prosecution proceedings under S444 of Education Act 1996.

Where a Penalty Notice is not paid within the required timeframe as set out on the notice, the matter will be referred to Warwickshire County Council's Legal Services to consider instigating criminal proceedings under S444 Education Act 1996.

Penalty Notices are issued in accordance with Warwickshire County Council's Code of Conduct for Penalty Notices.

NOTE: In this policy, where Headteacher is referred to in legislation, the ability and power to act as a Headteacher is designated by the Executive Headteacher to the Head of School.

APPENDIX 2: FURTHER LEGAL RESPONSIBILITY

As parents/carers, it is your legal responsibility to make sure your child attends school. Whilst we understand that sometimes absences are unavoidable, it is important that you make sure your child attends regularly, and this policy sets out what the school expects of parents/carers and what you can expect from us in return.

Parents/guardians have a legal responsibility to ensure their children receive efficient, full-time education by regular attendance at school or otherwise under section 7 of the Education Act 1996:-

'Duty of parents to secure education of children of compulsory school age.'

The parent of every child of compulsory school age shall cause him to receive efficient full-time education suitable—
(a) to their age, ability and aptitude, and
(b) to any special educational needs they may have, either by regular attendance at school or otherwise.'

Estranged parents with whom the child has had regular contact may be prosecuted as well as the day-to-day carer. Each situation must be dealt with on an individual basis, always remembering the welfare and safety of the child is the paramount concern. The term 'parent' also includes those who are not a natural parent but have parental responsibility for the child as defined by the Children Act 1989 or who have care of the child as defined by the Education Act 1996.

The Education Act 1996 requires parents or guardians to ensure their children receive efficient, full-time education, either by regular attendance at school or otherwise. Under section 7 of the Education Act 1996, parents are responsible for making sure that their children of compulsory school age receive full-time education. Parents have a legal responsibility to ensure their child's regular attendance at the school where they are registered. If a child of compulsory school age who is registered at school fails to attend regularly at the school, then the parent is guilty of an offence under section 444(1) of the Education Act 1996.

Since March 2001 there has been a further offence where a parent, knowing that their child is failing to attend regularly at school, fails without reasonable justification to cause him/her to attend (Education Act 1996, section 444(1A) as amended by the Criminal Justice and Court Service Act 2000).

APPENDIX 3: SCHOOL TIMINGS AND PROCEDURES FOR PARENTS

BILTON JUNIOR SCHOOL

SCHOOL DAY TIMINGS:

Doors Open: 8.30am

Registration: 8.50am

Register Closes (after this point a child is late): 9.00am

Arrivals after registration should report to the school office and sign in giving the reason for their late arrival before heading to class.

Contact Details:

Telephone: 01788 810675

Email: office@biltonjuniorschool.co.uk OR absent@biltonjuniorschool.co.uk (absence should be reported by 9:30am)

BILTON INFANT SCHOOL

SCHOOL DAY TIMINGS:

Doors Open: 8.50am

Registration: 9.00am

Register Closes (after this point a child is late): 9.00am

Arrivals after registration should report to the school office and give the reason for the late arrival.

Contact Details:

Telephone: 01788 811549

Email: admin2420@welearn365.com

BAWNMORE INFANT SCHOOL

SCHOOL DAY TIMINGS:

Doors Open: 8.45am

Registration: 8.55am

Register Closes (after this point a child is late): 9.00am

Arrivals after registration should report to the school office and give the reason for the late arrival.

Contact Details: Admin Team

Telephone: 01788 810065

Email: admin2423@welearn365.com

APPENDIX 4: PARENT AND SCHOOL STAFF EXPECTATIONS

We expect ALL parents/carers will:

- Encourage and support regular school attendance and be aware of their legal responsibilities with regard to ensuring this happens.
- Ensure that the child/children in their care arrive at school punctually and are prepared for the day.
- Ensure if the child/children is/are late (or you know they are going to be) that you either attend the school office with them to update staff, or contact us by phone/email to advise as to the reason.
- Contact school by 9.15am on the first day of the child's absence to advise staff of the reason and an expected return date if known.
- Update the office each day with regards to on-going absence.
- Notify the school of any home circumstances that might affect the child's ability to attend school, their emotional wellbeing, behaviour or learning. This can be done via their class teacher or the school office.
- Seek support from the school if encouraging or getting your child/children to come to school is a problem.
- Always try to arrange medical and other appointments out of school time. If this is not possible, please send a copy of the appointment card/letter to school so a copy can be added to your child's file to support the absence.
- Arrange for holidays to take place during school holidays, not in term time.

You can expect staff to:

- Encourage and support good attendance.
- Mark registers accurately and punctually: Schools are responsible for recording pupil attendance twice a day: once at the start of the morning session and once during the afternoon session.
- Monitor every pupil's attendance and inform the Head of School of any concerns.
- Contact parents/carers as soon as possible when a pupil fails to attend and where no message has been received to explain the absence.
- Where contact with parents/carers cannot be made, attempts will be made to call remaining contacts on child's personal form. If this proves negative, home visits will be carried out.
- Automatically refer to Social Services if a child on the 'Child Protection Register' is absent from school without explanation.
- Instigate 'Child Missing from Education' procedures where any child registered at our school has 10 consecutive days of unexplained absence and all reasonable steps have been taken by school to establish their whereabouts without success.
- Notify Warwickshire Attendance Service (WAS) if any pupil registered at our school misses at least 10 sessions (5 school days) due to unauthorised absence in any 5-week period. A referral to the WAS could result in a Penalty Notice being issued to you or criminal prosecution proceedings being issued against you.
- Follow up all unexplained absences to obtain understanding of the reason for the absence.
- Make appropriate initial enquiries regarding pupils who are not attending regularly.
- Follow the outlined above processes and procedures when concerned about a child's attendance.
- Maintain regular contact with Warwickshire Attendance Service regarding school attendance and punctuality.
- Where a child has a high level of absence due to illness, school may request supporting information/documentation which could include a medical appointment card, sight of a prescription or note from a medical professional to confirm the reason for absence was genuine. Once requested, without such information being supplied absence may be unauthorised at the Head teacher's discretion.
- Deal with Long term illness absence from school on a case by case basis ensuring that the pupil remains connected to school life and able to return once fit and well.



Attendance: What do Parents need to know?

["Attendance is the essential foundation to positive outcomes for all pupils."](#)

This is a summary of the full policy to support parents and families, however the whole policy should be read to fully understand the policy and procedures of the schools.

Our schools are here to support you and your children and will always be open to meeting with you at any stage of this process to help improve your child's attendance. Every child's circumstances are considered on a case by case basis and all decisions are at the Head of School's discretion.

Attendance

1. If your child is going to be absent for any reason **the school need to be informed before 9.15am on the first day of absence.**
2. If your child's attendance is a concern their class teacher will check everything is ok and offer support if needed.
3. If attendance continues to be a concern the teacher may refer this for Further Support and an Attendance Support Plan may be put in place, which may lead to more Engaged Support.
4. Where Engaged Support does not affect improved attendance, the school may Escalate the support and implement a School Led Attendance Contract, this may also involve a referral to the Warwickshire Attendance Service (WAS).
5. Once WAS are involved they will lead the support process with the school's assistance.
6. Lack of improvement in attendance will then lead the local authority into making the decision around a potential Notice to Improve / Penalty Notice or potential prosecution.

Leave of Absence

- Heads of School **shall not** grant **any** Leave of Absence during term time **unless they consider** there are **exceptional** circumstances relating to the application.
- Any application for leave must establish that there are **exceptional circumstances** and the Head of School must be satisfied that the circumstances warrant the granting of leave.
- Where a Leave of Absence is not granted and it is therefore 'unauthorised' and the child does not attend school during that time this may result in a Penalty Notice.
- All matters of unauthorised absence relating to a Leave of Absence will be referred to the Warwickshire Attendance Service of Warwickshire County Council.
- The Warwickshire Attendance Service have the authority to consider issuing Penalty Notices for unauthorised Leave of Absence.
- Penalty Notices are issued to each parent of each absent child, (for example 2 children and 2 parents, means each parent will receive 2 invoices – 4 in total).
 - First Leave of Absence Offence: The amount of £160 to be paid within 28 days, this is reduced to £80 each child if paid within 21 days.
 - Second Leave of Absence Offence within a 3 year period (from the date of issue of the first penalty notice): The amount of £160 paid within 28 days. No reduced amount.
 - Third Leave of Absence offence within a 3 year period (from the date of issue of the first penalty notice). A Penalty Notice will not be issued and the matter will be referred to Warwickshire County Council's Legal Services to consider instigating criminal prosecution proceedings under S444 of Education Act 1996.