



Penalty Notices

Revised & Amended April 2020

Telford & Wrekin Council:
Penalty Notice Code of Conduct – Appendix 23rd March 2020

This appendix has been produced upon the direction of the Secretary of State for Education who has written to Directors of Children's Services setting out the Government's expectation that no parent is penalised for their child's non-attendance due to Covid-19 at the present time. In that letter, LAs have been asked to:

- Suspend any penalty notice action or prosecutions for **Covid-19 related absence with immediate effect.**
- Update their Code of Conduct for issuing penalty notices to make this clear.
- New cases should not be taken forward and any cases from 16th March should be withdrawn. This approach should also be applied to prosecutions for non-attendance.

Based on the above direction:

- PNs issued prior to Friday 13th March 2020 will be actioned as normal, if not paid.
- Court files will be processed and legal services consulted to decide whether or not it is in the public interest to proceed.
- **As from Monday 16th March 2020** No Penalty Notices' or Penalty Warning Notices relating to school attendance will be issued.

For further information please see DFE advice received by local authorities including links below:

- Schools and parents should refer to the latest information and advice from the Department of Health and Social Care and Public Health England to get the most up to date guidance from Government.
<https://www.gov.uk/guidance/wuhan-novel-coronavirus-information-for-the-public>
- The Government has published guidance for schools and other educational settings in providing advice for pupils, students, staff and parents about the novel coronavirus, COVID-19. The following link will take you to that advice:
<https://www.gov.uk/government/publications/guidance-to-educational-settings-about-covid-19>
- Where a pupil cannot attend school due to illness, as normally would happen, the pupil should be recorded as absent in the attendance register and the

school will authorise the absence. Code I (Illness) should be used in this instance.

- Where a pupil is in self-isolation, in accordance with latest information and advice from Department of Health and Social Care and Public Health England, the pupil should be recorded as unable to attend due to exceptional circumstances in the attendance register. Code Y (Unable to attend due to exceptional circumstances) should be used in this instance.
- Schools closed on Friday 20th March 2020 to all pupils except vulnerable children and the children of critical/key workers. This is an offer for parents and carers and there is no requirement for parents and carers to send their children to school if they do not need to or wish to do so.
- The department has published detailed guidance on this [here](#) and separate guidance on vulnerable children and young people [here](#). A list of critical workers published by the department, which you may find useful. It can be found [here](#).
- On 22 March 2020 the department issued advice to schools to set out that: From Monday 23 March, until schools reopen for education to all pupils, educational settings will need to temporarily change their attendance recording practices. To minimise the burden on settings and ensure that only the most important information is submitted, settings must stop taking normal attendance registers. For administrative purposes, code # (planned whole or partial closure) should be used in the normal register.

Additional information – 30th April 2020

- **On 30th April 2020 the government published amendments to the Education Act 1996 – Section 444 1 & 1A and disapplied this section of the Act between 1st and 31st May 2020. This means that no parent will be prosecuted for the offence of not ensuring their child attends school between these dates.**
- **In addition no local authority will issue any Penalty Notices relating to school attendance between 1st and 31st May 2020**

Note: Above may be subject to change, dependent upon further amendments to the Education Act 1996 or advice.