

**Hillside Primary School**



# **Attendance Policy 2021/22**

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Next review date: Autumn Term 2022

# HILLSIDE PRIMARY SCHOOL

“Developing the Individual”

## ATTENDANCE POLICY – 2021/22

### Vision Statement

Our school is committed to providing a stimulating and enjoyable education experience for all pupils. We, therefore, believe that if pupils are to benefit from the education we offer, good attendance is crucial. We will actively promote, encourage and celebrate full and/or improved attendance. Parents have a vital role to play in this, and we will establish strong home-school links and communications with them.

### Introduction

We expect all children on roll to attend every day, when the school is in session, as long as they are fit and healthy enough to do so. We do all we can to encourage the children to attend, and to put in place appropriate procedures. We believe that the most important factor in promoting good attendance is development of positive attitudes towards school. To this end, we strive to make our school a happy and rewarding experience for all children. We will reward those children whose attendance is very good. We will also make the best provision we can for those children who, for whatever reason, are prevented from coming to school.

Under the Education (Pupil Registration) Regulations England 2006, the governing body are responsible for making sure the school keeps an attendance register that records which pupils are present at the start of both the morning and the afternoon sessions of the school day. This register will also indicate whether an absence was authorised or unauthorised.

### Targets

Our attendance rate for 2020/21 will not be used to set the target for 2021/22 due to the Covid-19 lockdown and school closure. We will therefore set our 2020/21 target at 97% - the figure previously set for 2019/20. This means that our overall attendance in terms of authorised and unauthorised improvement target is to improve by 0.1% from the last recorded full year's attendance in 2018/19.

### Responsibilities and Processes, Parents and Carers Responsibilities

School commences at either 8.45am or 8.50am depending on Year Group. This is when staff will be present on the playgrounds. The School cannot accept any responsibility for a child's safety and welfare before this time.

School closes at 3.15 p.m. or 3.20 p.m. depending on Year Group. Parents/carers must ensure that their child is collected on time.

In our school prospectus and guidelines, we ask parents to contact school on the first day of a child's absence to inform us of the cause. It is the responsibility of parents and carers to ensure that their child attends school regularly, punctually, properly equipped and in a fit condition to learn. If a child is prevented for any reason from attending school, parents/carers should notify school before 9.30am on the first day of absence or as soon as is reasonably practicable, by telephone message or in person and confirm in writing when their child next attends school. A pupil's absence from school will be considered unauthorised until a satisfactory explanation is received. Registration closes at 9.10am. Pupils arriving after this time will be recorded as 'late after registration closed' and will receive an unauthorised absence mark for the morning session.

Attendance issues will be raised with parents through letters, newsletters, parents' evenings, Prospectus or, in more serious cases, via the Education Welfare Service. Penalty Notices (fines) may be issued to parents/carers by the Education Welfare Services regarding poor school attendance (unauthorised absence).

### **School Register Procedures**

1. The Class Teacher must ensure that school attendance registers are promptly marked at the beginning of morning and afternoon sessions. If there is a discrepancy (e.g. if a child fails to return for the afternoon session), inform the Headteacher or Deputy Headteacher immediately. Registration closes at 9.10am. Pupils arriving after this time will be recorded as 'late after registration closed' and will receive an unauthorised absence mark for the morning session.
2. Please make sure that the correct symbols are used when marking registers.
3. Absence Reports will be put into class registers weekly. The class teacher must complete the reports and return them to the school office via the attendance register folder.
4. Children returning to school after a period of absence are required to bring a note explaining the reasons for their non-attendance. A telephone call or a personal visit from a parent or other responsible adult will be acceptable. If no such explanation is forthcoming the office staff must be informed within two days and will then take steps to contact the parents.

Attendance information from the registers is recorded weekly onto the computerised administration system (SIMS.net). Accurate information on attendance is available to designated employees and data gathered will be used to inform the appropriate Governing Body of attendance and punctuality trends. The information will enable Governors and senior staff to effectively target attendance and punctuality as necessary.

The Headteacher in liaison with the office staff and Education Welfare Officer (EWO) will regularly review registers in order to work with families whose patterns of attendance or punctuality are unsatisfactory.

We maintain a close working relationship with the Education Welfare Service via the EWO. Regular meetings take place and various strategies are considered. In cases where no improvements have been affected by internal action, the school will request the EWO make a home visit or hold an attendance clinic.

### **Definitions:**

- **Authorised Absence**

An absence is classified as authorised when a child has been away from school for a legitimate reason and the school has received notification from a parent or guardian. For example, if a child has been unwell, the parent emails or telephones the school to explain the absence.

Only the school can make an absence authorised. Parents and carers do not have this authority. Consequently, not all absences supported by parents and carers will be classified as authorised. For example, if a parent takes a child out of school to go shopping during school hours, this will not mean it is an authorised absence.

- **Unauthorised Absence**

An absence is classified as unauthorised when a child is away from school without the permission of both the school and a parent. Therefore, the absence is unauthorised if a child is away from school without good reason, even with the support of a parent.

In all cases the parents/carer should write a note or telephone school to explain the absence regardless of whether the absence is due to unauthorised circumstances.

### **Holidays in Term Time**

Regulations set by the Department for Education, mean that the school will no longer authorise any holiday absence. Regulations state that:

*A parent must obtain prior written permission from the head teacher of the school where the child is registered as a pupil if they want to take their child out of school during term time.*

*They can only do this if:*

- *a parent the child normally lives with makes a written application to the head teacher at least four weeks in advance of the proposed absence during term time.*
- *there are exceptional circumstances, in which case the period of notice may be reduced but should nevertheless be at least two working days' written application prior to the proposed absence.*

*The head teacher (or an authorised deputy or assistant head teacher) has absolute discretion regarding whether or not a child's absence from school is to be permitted during term time and if so, the period of absence to be permitted.*

***A parent can be fined for taking a child on holiday during term time without the prior written permission of the Headteacher (or an authorised deputy or assistant head teacher) at the school where the child is registered as a pupil.***

This change in regulations means that Headteachers/Governing Bodies no longer have the discretion to authorise absence from school as they used to have and can only authorise absence in exceptional circumstances.

See attached:

- Appendix 1: Changes to Penalty Notices for Absences letter with application form
- Appendix 2: Stoke-on-Trent City Council – Code of Conduct for the issuing of Penalty Notices 2018

### **Medical and Dental Appointments**

We expect parents to make medical and dental appointments for their children before or after school or during the school holidays. If this is not possible then authorisation will be given where confirmation of the appointment is received from the parent/carer by telephone, note or by showing the medical appointment card. Children are expected to attend school prior to the appointment and parents are expected to return their children to school following the appointment whenever possible.

### **Bereavement**

The school is sensitive to family requests for a child's attendance at funerals or associated events. The Headteacher will offer the family advice over absence in this instance.

### **Days of Religious Observance**

Attendance at a religious observance held by a religious body will be granted authorised absence. The Headteacher should be consulted in advance of the event.

### **Procedure for taking a child out of school during the school day**

Exit from the school during school hours is only through the main entrance. The absence is recorded on our electronic system with the reason, time and whether the child is returning to school. Children will not be allowed to leave during school hours unless accompanied by an authorised adult. It is the parent/carer's responsibility to notify the school, in advance, of the name of the person who will be collecting the child.

### **Parents**

Parents will be promptly informed over any concerns regarding attendance and given the opportunity to discuss these matters with an appropriate member of staff.

### **Pupils**

Pupils should be aware of the importance of sustaining their attendance and punctuality at the highest possible level. This will be encouraged through positive strategies including our own incentive schemes.

### **School Staff**

School staff will endeavour to encourage good attendance and punctuality through personal example. Attendance is the responsibility of all school staff and should be treated as a priority by all. As a school we employ a range of strategies to encourage regular attendance and punctuality, liaising with parents.

### **Strategies**

As a school we are committed to providing incentives to encourage good attendance and punctuality.

**Weekly Class Attendance Winners** are announced weekly during Celebration Assembly:

- **'Attendance Archie' Teddy Bear – Foundation Stage and Key Stage 1**

This is awarded to the class with the best attendance in FS/KS1 for the previous week

- **Class Attendance Cup- Key Stage 2**

This is awarded to the class with the best attendance in KS2

- All children who attend for a full **term** will have their name put into a box and a winning name will be drawn from the box each term. This will usually be tickets for the cinema or free admission to other local attractions.

- All children with 100% attendance for the **whole year** will receive a certificate during the end of year Celebration Assembly. In addition, those pupils will have the opportunity of winning a bicycle to the value of £150 via a draw from the names of the eligible pupils. If no-one achieves 100% attendance then no-one wins the bicycle.

### **Monitoring and Review**

It is the responsibility of the Governors to monitor overall attendance, and they will request an annual report from the Headteacher. The governing body also has the responsibility for this policy, and for seeing that it is carried out. The governors will therefore examine closely the information provided to them, and seek to ensure that our attendance figures are as high as they should be. The school will keep accurate attendance records on file for a minimum period of three years.

**Appendix 1 – part 1**

**Insert LA ‘Changes to Penalty Notices for Absence from School’ letter**

# Appendix 1

## Hillside Primary School

### Leave of Absence Request



#### APPLICATION FOR LEAVE OF ABSENCE IN EXCEPTIONAL CIRCUMSTANCES IN TERM TIME

#### The Education (Pupil Registration) Regulations 2006

This form should be completed at least four weeks in advance of the proposed period of absence, by the parent with who the child normally resides. In line with Government and Local Authority guidance, authorised absence will only be given for exceptional circumstances – at the discretion of the Headteacher, considering the child’s absence.

The Local Authority strongly discourage parents/carers from applying for leave of absence during term-time and encourages school NOT to authorise such applications unless exceptional circumstances.

Please be aware that the Education Welfare Service will be informed of any unauthorised absence and it may result in a Local Authority Penalty Notice Warning letter being sent to you in relation to your child’s attendance.

I wish to apply for leave of absence from school for my child:

Name of child/children:			
Class:			
First day of leave requested:		Last day of leave requested:	
Number of school days involved in leave:			
How many applications for leave of absence have you made this year?			
Exceptional circumstances leading to request <b>(THIS SECTION MUST BE COMPLETED)</b>			
Signed:	(Parent/Carer)	Date:	

#### For school use only

Attendance: \_\_\_\_\_ %

The above leave is authorised in accordance with the school’s procedures

The above leave is not authorised in accordance with the school’s procedures

Signed: ..... Date .....

(Headteacher on behalf of the Hillside Governing Body)



## Appendix 2

# Stoke-on-Trent City Council: Code of Conduct for the issuing of Penalty Notices 2018

### 1. Purpose of the code

The Government has made it clear that it expects Local Authorities to have a Code of Conduct in place so that the full range of measures for improving attendance are available to schools. Regular school attendance is both a legal requirement and essential if the children of Stoke-on-Trent are to achieve better outcomes in education and maximise the opportunities available to them. Stoke-on-Trent schools consistently work towards a goal of 100 per cent attendance for all children in school.

The purpose of the local Code of Conduct is to ensure that Penalty Notices are issued consistently and fairly across the Local Authority area, in accordance with the relevant legislation, and that suitable arrangements are in place for the administration of the scheme.

The Education (Penalty Notices) (England) Regulations 2007, No. 1867 specify that each Local Authority must draw up a Code of Conduct which sets out measures to ensure consistency in the issuing of Penalty Notices including:-

- Means of avoiding the issue of duplicate notices;
- Measures to ensure that a notice is not issued when proceedings for an offence under S.444 of the Education Act 1996 [or S.444(1A) of that section] or section 103(3) of the Education and Inspections Act 2006 are contemplated or have been commenced by the Local Authority;
- The occasions when it will be appropriate to issue a Penalty Notice for an offence;
- The maximum number of Penalty Notices that may be issued to a parent in a twelve month period, in respect of any individual child;
- Arrangements for co-ordination between the Local Authority, neighbouring local authorities where appropriate, the police and authorised officers.

Authorised officers are defined in section 444B(4) of the 1996 Act in relation to penalty notices under section 444A of that Act, and in subsection (6) of section 105 of the 2006 Act in relation to penalty notices under that section.

The Code will be reviewed annually in consultation among the local partners, namely:-

- The Local Authority;
- Governing Bodies and head teachers of Schools including Primary, Secondary and Special Schools as well as Academies;
- The Chief Officer of Police for the Police area which includes all or part of the area of the Local Authority.

## **2. Background Legislation**

In February 2004, section 23(1) of the Anti-Social Behaviour Act 2003 added sections 444A and 444B to the Education Act 1996. These sections enable Penalty Notices to be used as an alternative to prosecution and provide parents with the opportunity to discharge liability for conviction of an offence under section 444 by paying a financial penalty to the Local Authority.

Section 103 of the Education and Inspections Act 2006 enables Penalty Notices to be issued to parents in relation to an excluded pupil should they fail to ensure their child is not present in a public place during school hours in the first five days of each and every fixed period or permanent exclusion without reasonable justification.

It is a defence for a person charged with an offence under section 103(3) to provide proof of reasonable justification, for example, that the child or young person needed to attend a pre-arranged medical appointment, or a medical emergency requiring the child to be supervised elsewhere other than at home.

Persons authorised to issue Penalty Notices must have regard to The Education (Penalty Notices) (England) Regulations 2007 as subsequently amended or modified by The Education (Penalty Notices) (England) (Amendment) Regulations 2013 No. 757, any guidance issued by the Secretary of State in relation to School Attendance, Absenteeism and Penalty Notices, together with the following legislation: -

- Disability Discrimination Act 1995
- Data Protection Act 1998
- Human Rights Act 1998
- Equality Act 2010

In relation to all legislation and guidance, regard must be given to any subsequent amendments or modifications to the above documents.

## **3. Circumstances in which a Penalty Notice warning can be issued**

Regulation 15 of The Education (Penalty Notices)(England) Regulations 2007 states that in preparing the Code of Conduct the Local Education Authority must consult with governing bodies, head teachers and the Chief Officer for the Police in the area of the Local Education Authority.

Following consultation with the said consultees it has been decided that the following circumstances may result in the issue of a Penalty Notice:

- a. Where one or both parents persistently fails to ensure their child of compulsory school age attends the school in which they are registered as a pupil or attends at another place of learning and attendance is below 90 per cent in a school term i.e. 12 or more sessions of absence in a 12 week period, and;
- b. Any absence by the child which is not due to the instances stated in the Education Act 1996, namely:-
  - Sickness or unavoidable cause [Section 444(2A)]
  - With leave ie. Authorised absence [Section 444(3)(a)]

- For religious observance by the religious body to which his/her parent belongs [Section 444(3)(c)
  - The Local Authority has a duty to make travel arrangements to facilitate the child's attendance at the school and has failed to discharge that duty [Section 444(3B)]; and
- c. Where the school can show evidence to the Local Authority that they have attempted all of the following:-
- i. Contact by telephone;
  - ii. Contact by letter;
  - iii. Invitation to a formal meeting
- d. Term time leave is taken without obtaining the prior written agreement of the head teacher or an authorised deputy or assistant head teacher and the parents have been warned that a Penalty Notice may result.
- e. Unwarranted delayed return from term time leave without the prior written agreement of the head teacher or an authorised deputy or assistant head teacher
- f. Persistent late arrival of a child after the school register has been closed (Attendance Code U only) being 12 unauthorised late marks in the register within a 12 week period.
- g. A parent's failure to make arrangements to ensure that a child who has been excluded from school on disciplinary grounds is not in a public place at any time during school hours on a day which is during the first five school days of any exclusion, without reasonable justification. [Section 103 of the Education and Inspections Act 2006].

It is incumbent upon the parent in such circumstances to provide proof of reasonable justification, for example, that the child or young person needed to attend a pre-arranged medical appointment, or a medical emergency requiring the child to be supervised elsewhere other than at home.

In light of the above, a letter containing a Penalty Notice warning may be sent out by the head teacher or an authorised deputy or assistant head teacher on Stoke-on-Trent City Council letter-headed paper, signed by a head teacher or an authorised deputy or assistant head teacher and counter-signed by either:

- i. Education Welfare Team Manager; or
- ii. Education Welfare Officer for the school (where appropriate)

#### **4. Authorisation to issue a Penalty Notice (fine)**

The Education (Penalty Notices) (England) Regulations 2007 No. 1867 deals with the Issue of Penalty Notices in paragraphs 10. 11. 12 and 13. The authority to issue a Penalty Notice is only given to a head teacher or if they authorise it to a deputy or assistant head teacher [para. 10] – the head teacher cannot authorise any other member of staff to issue a Penalty Notice. However, although a Local Education Authority has the power to issue Penalty Notices there are limits to this as detailed in para. 12. – the child must be a registered pupil at a school in the area of the Local Education Authority; or for whom the Local Education Authority has made arrangements for alternative educational provision (whether or not in the area of the Local Education Authority;

or is a child who is not a registered pupil at any school (due to exclusion or otherwise) but lives in the area of the Local Education Authority.

In consultation with the said consultees it has been agreed that the Local Authority will issue Penalty Notices (fines) on behalf of those authorised to issue a penalty notice under The Education (Penalty Notices) (England) Regulations 2007. This will avoid the potential for duplicate notices to be issued, or for notices to be issued when legal proceedings are underway. A Penalty Notice (fine) may be issued once two sessions of unauthorised absence have occurred during the time frame outlined in the Penalty Notice warning. The request for the Penalty Notice to be actioned needs to be sent by a head teacher or authorised deputy or assistant head teacher to the Education Welfare Team Manager at Stoke-on-Trent City Council.

## **5. Who can be issued with a Penalty Notice**

Anyone defined as a 'parent' under Section 576 Education Act 1996 is a parent for the purposes of these provisions. The 1996 Act states that 'parent' includes any person who is not a parent of the child but has parental responsibility for him or who has care of him. This means a parent can include:

- all natural parents, whether they are married or not;
- any person who, although not a natural parent, has parental responsibility for a child or young person;
- any person who, although not a natural parent, has care of a child or young person.

'Parental responsibility' is defined by section 3(1) of the Children Act 1989 as being "all the rights, duties, powers, responsibilities and authority which by law a parent of a child has in relation to the child and his property.

Having care of a young person means that a person with whom the child lives and who looks after the child, irrespective of what their relationship is with the child, is considered to be a parent in education law.

A parent means each and every parent coming within the definition (whether acting jointly or separately) and should not be taken to mean that provisions only apply to a parent in the singular. As with prosecutions under Section 444 Education Act 1996, a Penalty Notice may be issued to each parent liable for the offence. A Penalty Notice must not be issued jointly to both parents, as each parent should be issued with their own Penalty Notice.

## **6. Maximum number of Penalty Notices that can be issued**

The said consultees have agreed that the maximum number of formal written warnings that may be issued in a twelve-month period is two. A parent would be advised, within the Penalty Notice Warning letter, that at this stage they can only make representations to the nominated Senior Local Authority officer. The maximum number of Penalty Notices that can be issued in respect of an individual child in a twelve-month period is two.

## **7. Amount of Penalty and Payment Arrangements**

Regulation 4 of The Education (Penalty Notices)(England) Regulations 2007 states the amount of the penalty payable by a parent and the period within which payment is to be made. The 2007 Regulations were subsequently amended by The Education (Penalty Notices) (England) (Amendment) Regulations 2013 No. 757. The penalty for each parent is £60 for each child, if paid within 21 days of receipt of the Penalty Notice. The penalty increases to £120 if paid after 21 days but within 28 days of receipt of the Penalty Notice. (Service by post is deemed to have been effected, unless otherwise proved, on the second working day after postage by first class post). Arrangements for payment to the Local Education Authority are detailed on the Penalty Notice.

If a penalty is not paid in full by the end of the 28 day period, the Education Welfare Team at Stoke-on-Trent City Council will either prosecute for the offence for which the Penalty Notice has been issued, or withdraw the Penalty Notice. The prosecution is not for non-payment of the Penalty Notice but is a prosecution for irregular school attendance (Section 444(1) Education Act 1996). The reasons for issuing a Penalty Notice need to accord with Section 444 of the Education Act 1996 and associated legislation. There is no statutory right of appeal against the issuing of a Penalty Notice.

A Penalty Notice can only be withdrawn in accordance with Regulation 8 of The Education (Penalty Notices) (England) Regulations 2007, namely, where it should not have been issued or that it should not have been issued to the person named as the recipient or the Penalty Notice contains material errors.

In accordance with Regulation 23 of The Education (Penalty Notices) (England) Regulations 2007 sums of money received by the Local Education Authority in respect of the payment of penalties will be used solely for the purpose of issuing and enforcing Penalty Notices and for the prosecution of recipients who do not pay. If any sums received are not used for those purposes then they must be paid to the Secretary of State.

## **8. Procedures for issuing Penalty Notices**

The issuing of Penalty Notices will be undertaken by staff authorised by Stoke-on-Trent City Council. A Checklist for schools and a Penalty Notice Warning Letter in respect of offences under sections 444(1) and 444(ZA) of the Education Act 1996 respectively, has been prepared by the Education Welfare Service and copies of these are shown in the appendices.

## **9. Pupil watch/truancy sweeps**

Where a child is located on a truancy patrol then unless there is a justifiable reason for the child's absence from attending school the following procedure will occur:-

- Child is located during a truancy patrol;

- Letter is sent to parent advising them that if the child is located during a truancy patrol a Fixed Penalty Notice will be issued to the parent, unless they can prove there was a justifiable reason for the child's absence from school;
- If the absence is found to be unauthorised then the head teacher's Certificate of Attendance for the absent child is to be made available for the evidential period
- The evidence of the child's absence from school must have been reported by an Education Welfare Officer, a Police Officer or a Police Community Support Officer whilst taking part in a Local Authority approved truancy operation.

Where a parent fails or refuses to pay a penalty issued in these circumstances, then the evidence provided by the head teacher will be laid before the court, alongside a witness statement completed by the reporting officer, copies of the Penalty Notice and a Certificate of Confirmation of Non-payment of the Fixed Penalty. This will be done after 28 days have elapsed since the Penalty Notice was deemed to have been received by the parent for the child. From that point, the Education Welfare Team will make an application for a hearing in the Magistrate's Court to be scheduled for a date within 21 days, subject to court availability.

## **10. Holidays in term time**

A parent must obtain prior written permission from the head teacher of the school where the child is registered as a pupil if they want to take their child out of school during term time.

They can only do this if:

- a parent the child normally lives with makes a written application to the head teacher at least four weeks in advance of the proposed absence during term time.
- there are exceptional circumstances, in which case the period of notice may be reduced but should nevertheless be at least two working days' written application prior to the proposed absence.

The head teacher (or an authorised deputy or assistant head teacher) has absolute discretion regarding whether or not a child's absence from school is to be permitted during term time and if so, the period of absence to be permitted.

**A parent can be fined for taking a child on holiday during term time without the prior written permission of the head teacher (or an authorised deputy or assistant head teacher) at the school where the child is registered as a pupil.**

### **Unauthorised leave of absence (holidays) taken during term time**

A parent will be expected to complete a holiday application form at least four weeks in advance of the proposed holiday. The form will include information about the use of Penalty Notices as a consequence of leave of absence taken in term time without the head teacher's prior written authorisation.

Where a parent has taken a child out of school for a holiday or other leave of absence without prior written authorisation, there should be evidence on the attendance certificate of

unauthorised absence. The head teacher will notify the Local Authority that an unauthorised leave of absence has taken place and will complete the following documents:-

- A completed pro-forma witness statement;
- A Certificate of Attendance for the period in question;
- A copy of the advisory letter sent to the parent;
- A copy of the holiday application form from the parent and reply from the head teacher;
- A completed referral form

If a holiday form has not been completed but a head teacher has sufficient evidence that the child has been absent from school due to an unauthorised holiday/leave of absence then the head teacher or their authorised representative should provide this evidence in the witness statement and submit the following documents to the Education Welfare Service:-

- A completed referral form
- A completed pro-forma witness statement
- A Certificate of Attendance for the period in question

On receipt of these, the Education Welfare Service will issue a Fixed Penalty Notice by first class post to the parent. Where a parent fails or refuses to pay a penalty issued in these circumstances, then the evidence provided by the head teacher will be laid before the court, alongside a witness statement completed by the reporting officer, copies of the Penalty Notice and a Certificate of Confirmation of Non-payment of the Fixed Penalty. This will be done after 28 days have elapsed since the Penalty Notice was deemed to have been received by the parent. From that point, the Education Welfare Team will make an application for a hearing in the Magistrates' Court to be scheduled for a date within 21 days subject to court availability. The prosecution of the parent will be on the grounds that the parent has failed to ensure the child has regularly attended the school with whom he is registered as a pupil rather than for non-payment of the amount detailed in the Penalty Notice.

## **11. Copy of Penalty Notice to be supplied to the Local Education Authority**

A person issuing a Penalty Notice must provide a copy to the Local Education Authority which is named as the recipient for any payment of the penalty.

## **12. Records**

Pursuant to Regulation 20 of The Education (Penalty Notices)(England) Regulations 2007, a Local Education Authority must keep records of Penalty Notices, namely, a copy of each Penalty Notice issued with a record of all payments made and the dates of such payments together with details about whether the Penalty Notice was withdrawn and the grounds for such a withdrawal, as well as information as to whether the recipient was subsequently prosecuted for the offence for which the Penalty Notice was issued.

### **13. Information to the Secretary of State**

A Local Education Authority must supply the Secretary of State with such information as he may require in respect of Penalty Notices.

### **14. Compliance with the Code of Conduct**

Any person issuing a Penalty Notice must do so in accordance with the Code of Conduct, any regulations regarding Penalty Notices and any directions issued by the Secretary of State to a Local Education Authority at any time.