



The John Fisher School

Attendance Policy

Responsible: Governors' SLAW Committee

Next Review Date: November 2023

Nurturing young Catholic gentlemen
Aspiring for Academic, Cultural & Sporting Excellence

1 Introduction

The John Fisher School attaches great importance to the regular attendance of its students. The aim of this policy is to encourage students to attend school regularly so that they take full advantage of the educational opportunities available to them at this school.

Post Covid-19, it is of even greater importance that students attend school regularly, on time and ready to learn to ensure that there is no further disruption to a student's education.

In framing this policy the Governors have kept in the forefront of their discussions the statutory duty of schools to record student attendance twice a day; once at the start of the morning session and once during the afternoon session (Period 4/5). This duty is applicable to all students of compulsory school age who are on the school's admission roll.

2 Promoting attendance

The foundation for good attendance is a strong partnership between the school, parents/carers and the student.

The Home/School Agreement outlines how we will work with parents/carers and our expectations of what they will need to do to ensure their child(ren) achieve(s) good attendance.

We will ensure that our students are made aware of the importance of good attendance and how this will benefit them.

The school will seek to encourage students to attend school and to be punctual by a range of incentives. For students with outstanding attendance, this may include:

- ✓ Recognition at year group assemblies, newsletters and notice boards.
- ✓ Letters home
- ✓ Certificates
- ✓ Queue jump passes

3 Attendance Targets

The school will set attendance targets each year. A system for analysing performance towards the targets has been established and a member of the school's Senior Leadership Team is responsible for overseeing this work. The school makes use of the attendance information and its own data, when setting its targets. Targets will relate to national averages.

Our absence target rate is currently 4% or lower:

The school's absence rate for 2017 – 2018 was 4.7%

The school's absence rate for 2018 – 2019 was 4.9%

The school's absence rate for 2019 – 2020 was 5.35% (Covid-19)

4 Absence

Any student who is absent from school at the morning or afternoon registration period must have their absence recorded as being authorised, unauthorised or as an approved educational activity [attendance out of school]. Only the Headteacher, or a member of staff acting on their behalf, can authorise absence. If there is no known reason for the absence at registration, then the absence will be recorded in the first instance as unauthorised.

The coding for any absences will be in accordance with the guidance provided by the Department of Education.

The codes can be found at the back of this policy in Appendix A

4.1 Persistent Absence [PA]

- Below **94%** attendance – stage 1 letter
- Below **90%** attendance – stage 2 letter and meeting with student and parents/carers led by the Director Of Learning (DOL)
- Below **87%** attendance – stage 3 letter requesting medical evidence and meeting with Inclusion co-ordinator and

Assistant Headteacher (AHT)

- Below **85%** attendance – stage 4 letter and meeting with AHT and the Senior Borough Attendance Officer

Persistent absence will be closely monitored from 90% and any student whose attendance level falls below 85% will be subject to an action plan to support their return to full attendance.

The action plan will include engagement with all parties, including the Borough School Attendance Service, who can support the student's attendance.

4.2 Categorisation of Absence

Any student who is on roll but not present in the school will be recorded within one of these categories:

- **Unauthorised absence**
This is for those students where no reason has been provided, or whose absence is deemed to be without valid reason.
- **Authorised absence**
This is for those students who are away from school for a reason that is deemed to be valid under the Education Act 1996.
- **Approved Educational Activity**
This covers types of supervised educational activity undertaken off site but with the approval of the school.
Students recorded in this category are deemed to be present for attendance returns purposes.
This would include:
 - Work experience placements
 - Field trips and educational visits
 - Sporting activities
 - Link courses or approved education off site
- **Covid-19 related absence**
All absences directly related to Covid-19, for example self-isolation, will be recorded and remote learning provided.

If a student is receiving education off site or is attending at a school where they are dual registered with, the school will liaise with the other education provider to check on attendance.

4.3 Leave of absence in term time

Leave of absence during term time will be discouraged. Parents will be reminded of the effect that absence can have on a student's potential achievement. The school will consider any application for leave of absence and will only agree to authorize the absence in exceptional circumstances; parents must apply in advance for permission for their child to have leave of absence.

4.4 Procedures in the case of absence

- Parents are expected to telephone the absence line at school on the first day of absence of their son. They should indicate the reason for the absence and, if possible, predict the likely date of their son's return to school.
- On the first morning of any unexplained absence from school parents will receive a text message informing them of their child's absence and requesting that they contact school regarding the absence. The school uses the 'PS Connect' messaging service.
- Where no contact is made with a parent, this is followed up by letter or telephone.
- When a boy returns to school after being absent his parent(s) must provide him with a note explaining the reason for his absence. This should be firstly given to his Form Tutor and then passed onto the appropriate KS Admin support officer (Mrs H Maynard KS3, Mrs M Cody KS4, Mrs K Cooney KS5). Failure to produce a note should be followed up immediately by means of a telephone call.
- All such notes, and notes of telephone messages, must be dated and signed.
- If Form Tutors receive what they consider to be an unsatisfactory explanation they should bring the

matter to the attention of their Director of Learning.

- Unexplained absences will be followed up by telephone or by enlisting the help of the Borough School Attendance Officer.
- Attention should be paid to any student with 85% attendance or under, who have incurred 10 sessions of unauthorised absences in a six week period- these may be formally referred to the Borough School Attendance Officer.

4.5 Approving Absence

The Governors acknowledge the law which says that parents may not authorise the absence of their son from school. Such authorisation may only be sanctioned by the school. Absence may be authorised retrospectively if the school is satisfied with the explanation offered.

5 Lateness

Morning registration will take place at the start of school at 8.45am. The registers will remain open for 30 minutes. Any student arriving after this time will be marked as having an unauthorised absence, unless there is an acceptable explanation.

Where the absence at registration was for attending an early morning medical appointment, the appropriate authorised absence code will be entered.

Students arriving after the start of the school day, but before registers close, will be recorded as late.

5.1 Procedure in the event of lateness to school

Students who are not present at registration, due to their late arrival at school, must sign in at the student office. Students are registered as late if they arrive after the registration bell goes at 8.45a.m. Senior leaders monitor the gate every morning.

Parent/Carers are contacted in the event of an unauthorised absence.

5.2 Persistent lateness to school

A 'late' list will be generated every fortnight and circulated to Directors of Learning and Senior Leadership members. The table below outlines the sanctions for lateness rates.

Level	No of 'lates' over a 2 week period	Sanction
1	2	Central Detention
2	3	SLT Detention
3	4+	Saturday Detention

Persistent lateness (level 3 or above twice in a half term) will result in parents/carers being invited into school to discuss and resolve the situation. Repeated persistent lateness involving a student incurring unauthorised absences due to lateness, will be referred to the Borough School Attendance Officer.

6 Early departure from school

Students who have to leave school for such things as medical/dental treatment must report to the Student Office, with written evidence/authorisation, together with a completed 'Yellow slip' in order to sign the "Signing Out" book.

The Yellow slip must be countersigned by the student's Director of Learning or, in their absence, a member of the school's Senior Leadership Team.

If they return to school, later in the day, they must report to the student office in order to sign themselves back in.

7 Children Missing Education (CME)

Guidance was introduced by the DfE, as of September 2016, to ensure Local Authorities and schools make procedures even more robust to prevent children becoming 'missing'.

All children of compulsory school age, regardless of their circumstances, are entitled to an efficient, full-time education which is suitable to their age, ability, aptitude and any special educational needs they may have. Knowing where children are during school hours is an extremely important aspect of Safeguarding. Missing school can be an indicator of abuse and neglect and may also raise concerns about other safeguarding issues, including the criminal exploitation of children.

'Children Missing Education' (CME) are:

- Those children who become missing from education and their whereabouts are unknown,
- Those not registered at a school and are not receiving a suitable education otherwise (i.e. Elective Home Education or alternative provision)
- Children on part-time timetables or those who cease to attend the school where they are a registered student.

These children can be at significant risk of underachieving, being victims of harm, exploitation or radicalisation and in later life becoming NEET (not in education, employment or training).

Where a student has 10 consecutive school days of unexplained absence and all reasonable steps* have been taken by the school to establish their whereabouts without success, the school will make an immediate referral to London Borough Sutton Council's Children Missing Education Service.

The Children Missing Education Service can be contacted on 02083230461 or by email to attendance@cognus.org.uk

*Reasonable steps include:

- Telephone calls to all known contacts.
- Letters home (including recorded delivery).
- Contact with other schools where siblings may be registered.
- Possible home visits where safe to do so.
- Enquiries to friends, neighbours etc. through school contacts.
- Enquiries with any other Service known to be involved with the student/family.
- All contacts and outcomes to be recorded on the student's file.

Schools, the Local Authority (and other agencies where necessary) need to act as soon as possible to make reasonable enquiries. Action must be taken to establish the whereabouts of children who cease attending school and their whereabouts or destination school is not known.

8 Legal action to enforce school attendance

If a student incurs unauthorised absence in term time, the parents/carers may be eligible to receive a Penalty Notice. ***It is the Local Authorities decision as to whether a Penalty Notice is issued.***

Why have Penalty Notices been introduced?

Reducing absence from school is a key priority nationally and locally. Missing school lowers a student's achievement levels and disrupts school routines and affects the learning of others. It can also cause a student to be vulnerable to anti-social behaviour and youth crime. Above all, missing school seriously affects children's longer-term life opportunities.

The Local Authority is authorised to issue Penalty Notices on referral from schools, for unauthorised absence, in accordance with the provisions of the Education Act 1996, and the Education and Inspection Act 2006.

What is a Penalty Notice?

Under existing legislation, parents and carers commit an offence if their child fails to attend school regularly, and the absences are classed as unauthorised i.e. (those for which the school cannot, or has not given permission). Depending on circumstances, such cases may result in prosecution under Section 444 of the Education Act 1996.

The fine is £60 if paid within 28 days of issue of the Penalty Notice, increasing to £120 if paid after this date, but within 42 days of issue. Penalty Notices are issued to each Parent/Carer in respect of each child not attending school. There is no statutory right of appeal once a Penalty Notice has been issued. If the Penalty Notice remains unpaid the matter will be taken before the Magistrate's court.

Appendix A

Registration

Registers are legal documents. For this reason and because of the important function they fulfil in the daily life of the school the information recorded in them must be accurate. At the beginning of each Academic Year the Form Tutors will be provided with a sheet containing the names, dates of birth, addresses and home telephone numbers of the students in their class. This must be checked for accuracy and returned to the Student Office with any amendments. Emergency telephone numbers are obtainable through Sims.net or the Student Office. Any amendments to this information that is received during the year should be passed on to the Student Office as soon as possible.

The School uses Sims.net Lesson Monitor in its place. **All** classes must be registered in Sims at the beginning of each lesson, not forgetting to do the register twice for double lessons. Please see the appropriate KS Admin support officer for any manual registers that may be required (Mrs H Maynard KS3, Mrs M Cody KS4, Mrs K Cooney KS5).

Marking of the register

If a boy is present at registration a 'forward slash' should be entered in the appropriate morning slot and a 'back slash' entered for the afternoon slot. This will have the effect of creating a herring-bone pattern across the page. Students who are not present at registration must be entered as a circle.

A letter "L" should be entered, to indicate that a boy has arrived late to school or to your lesson. (Students who are late to school and who do not appear on the late gate register taken daily by Senior Staff, must go to the Student Office and sign the "Late Book" on their arrival at school).

In the case of "Absence" the following symbols should be inserted, indicating absence for that session. There are times that a student may be registered as being absent for a school session when such an absence should not be included in his attendance record or, indeed, the overall school statistics for absence. These are shown in the following table.

CODE	DESCRIPTION	MEANING
/	Present (AM)	Present
\	Present (PM)	Present
B	Educated off site (NOT Dual registration)	Approved Education Activity
C	Other Authorised Circumstances (not covered by another appropriate code/description)	Authorised absence
D	Dual registration (i.e. student attending other establishment)	Approved Education Activity
E	Excluded (no alternative provision made)	Authorised absence
F	Extended family holiday (agreed)	Authorised absence
G	Family holiday (NOT agreed or days in excess of agreement)	Unauthorized absence

H	Family holiday (agreed)	Authorised absence
I	Illness (NOT medical or dental etc. appointments)	Authorised absence
J	Interview	Approved Education Activity
L	Late (before registers closed)	Present
M	Medical/Dental appointments	Authorised absence
N	No reason yet provided for absence	Unauthorised absence
O	Unauthorised absence (not covered by any other code/description)	Unauthorised absence
P	Approved sporting activity	Approved Education Activity
R	Religious observance	Authorised absence
S	Study leave	Authorised absence
T	Traveller absence	Authorised absence
U	Late (after registers closed)	Unauthorised absence
V	Educational visit or trip	Approved Education Activity
W	Work experience	Approved Education Activity
X	Untimetabled sessions for non-compulsory school-age pupils	Not counted in possible attendances
Y	Enforced closure	Not counted in possible attendances
Z	Pupil not yet on roll	Not counted in possible attendances
#	School closed to pupils	Not counted in possible attendances

CODE OF CONDUCT

Penalty Notices

For Parents of Students Absent from School
Education Act 1996 and Education and Inspection Act 2006



1. INTRODUCTION

1.1 The purpose of this Local Code of Conduct is to ensure that statutory powers are applied consistently and fairly across the Local Authority area and that suitable arrangements are in place for the administration of the issuing of Penalty Notices.

1.2 The Government requires Local Authorities to issue a Code of Conduct to all schools.

1.3 This Code of Conduct has been written in light of 'Guidance on Education-Related Parenting Contracts, Parenting Orders and Penalty Notices' - Revised Edition 2007, and Education (Pupil Registration) (England) Regulations 2006 (Amended 2013).

1.4 The London Borough of Sutton Code has been agreed following consultation with:

- Sutton Local Authority – School Attendance Service;
- Representatives from Governing Bodies and Headteachers of Sutton Schools;
- The Sutton division of the Metropolitan Police Service;
- South London Legal Partnership (SLLP) Legal Services.

This is in accordance with the Education (Penalty Notices) Regulations 2004 and Anti-Social Behaviour Act 2003 Section 23 Subsection (1).

1.5 Anyone issuing a Penalty Notice to a parent¹ of a child of statutory school age on roll at a Sutton school, must do so within the terms of this Code.

1.6 The key consideration in deciding whether to issue a Penalty Notice will be whether it can be effective in helping to improve the pupil's

¹ All those defined as a parent under Section 576 Education Act 1996 are parents for the purpose of these provisions. This means that all natural parents, whether they are married or not; any person who, although not a natural parent, has parental responsibility (as defined in the Children Act 1989) for a child or young person; and any person who, although not a natural parent, has care of a child or young person. Having care of a child or 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. '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 '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.

attendance. The School Attendance Service will also consider whether the Local Authority is likely to be willing and able to prosecute, should the parent fail to pay the penalty.

2. LEGISLATION

2.1 The Anti-Social Behaviour Act 2003 inserts into the Education Act 1996 Section 444A and Section 444B enabling authorised personnel to issue Penalty Notices as an alternative to prosecution under Section 444, and enable parents to discharge potential liability for conviction for that offence by paying a penalty.

2.2 **What is a Penalty Notice?**

Penalty Notices are fines that can be issued by a Local Authority or a school to parents for their child's unauthorised absence from school.

2.3 **When is a Penalty Notice appropriate?**

- Parents of a registered pupil whose child fails to attend school regularly, without reasonable justification, are committing an offence under Section 444 of the Education Act 1996. A Penalty Notice for irregular attendance can be issued where the parent is capable of, but unwilling to secure an improvement in their child's school attendance.
- Where a parent fails, without a reasonable excuse, to ensure that their excluded child is not present in a public place during school hours in the first five days of any exclusion, then she or he is committing an offence under Section 103 of the Education and Inspections Act 2006.

2.4 The education-related provisions of the Anti-Social Behaviour Act 2003 apply to all parents who fall within the definition set out in Section 576 of the Education Act 1996. This defines 'parent' as:

- (i) all natural parents, whether they are married or not;
- (ii) any person who, although they are not a natural parent, has parental responsibility (as defined in the Children Act 1989) for a child or young person;
- (iii) any person who, although not a natural parent, has care of a child or young person. Having care of a child or 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.

2.5 **Specific Conditions**

Children Looked After: The London Borough of Sutton does not include Children Looked After in the Penalty Notice process. Where there are concerns over attendance with a child within the London Borough of Sutton or other Local Authority care, a review

should be held to determine that appropriate provision is in place and whether changes need to be made to better engage the young person with their education.

Special Educational Needs (SEN): For pupils with an Education Health & Care Plan, an early review should be held before considering a Penalty Notice or other legal action. This is to determine that appropriate provision is in place and whether changes need to be made to better engage the young person with their education.

3. RATIONALE

3.1 Regular and punctual attendance at school is both a legal requirement and essential for pupils to maximise their educational opportunities. In law an offence occurs if a parent fails to secure a child's attendance at school at which they are a registered pupil and that absence is not authorised by the school. Parents are supported at school and Local Authority level to overcome barriers to regular attendance.

4. AUTHORISATION TO ISSUE PENALTY NOTICES

4.1 Primary responsibility for issuing Penalty Notices rests with the Local Authority through the School Attendance Service.

4.2 In Sutton it has been agreed that the Police will not issue Penalty Notices to parents of truants, and neither will schools. If Headteachers feel it appropriate that a Penalty Notice is served, they therefore must consult with and refer to the School Attendance Service.

4.3 This will avoid a Penalty Notice being issued when the Attendance Service may already be instigating legal proceedings for unauthorised absence from school.

4.4 It has been agreed that the School Attendance Service, on behalf of Sutton Local Authority, will therefore issue Penalty Notices. The Service will administer the scheme from any funds obtained as a result of issuing Penalty Notices.

4.5 The Local Authority is required to set out the maximum number of Penalty Notices which may be issued to each parent in any 12-month period. For these purposes the Local Authority has set the maximum at **two** Penalty Notices for each parent for each individual child (with no restriction on the number of Warnings issued), although more than one Penalty Notice can be issued in a 12-month period in circumstances relating to multiple leave of absence (i.e., unauthorised holidays during term time).

Should the issue of a Penalty Notice fail to improve attendance, consideration will be given to a prosecution.

NB It is not a defence for the parent to say that she/he was unaware of the absences or the pupil being out unsupervised during an exclusion from school. Parents are expected to know where their children are on a daily basis and there is no duty, in law, on the school or the Local Authority to advise them of their child's absence.

5. CIRCUMSTANCES IN WHICH A PENALTY NOTICE MAY BE ISSUED

5.1 Penalty Notices apply to pupils of statutory school age, which finishes on the last Friday in June of Year 11.

Within Sutton it has been agreed to use Penalty Notices in the following circumstances:

5.2 Penalty Notices for Unauthorised Absence from School

London Borough of Sutton uses Penalty Notices to safeguard the education of children, and to influence the improvement of identified cases of poor attendance patterns at school.

The School Attendance Service will consider the issue of Penalty Notices to parents. This will be where:

- there has been a Referral to School Attendance Service from the school as part of the school's processes to address poor attendance patterns;
- evidence of intervention has been supplied by the pupil's school and / or the Local Authority;
- the Local Authority is satisfied that an offence has been committed under Section 444 Education Act 1996;
- where overall absence, within the previous six months, has fallen to 85% or below (15% or more absence);
- at least 50% of that absence remaining unauthorised;
- or, where there have been at least 10 sessions of unauthorised absence within the previous six weeks.

5.3 Required Documentation for Each Child

If a Penalty Notice is in relation to Unauthorised Absence:

- A fully completed Penalty Notice Referral form.
- A Registration Certificate – to include previous 12 months.
- A Certificate of Attendance.
- A copy of the school's Warning letter to the parents, warning that a referral may be made to the Local Authority to issue a Penalty Notice.

5.4 Excluded pupils identified in a public place during specified days of exclusion:

When a pupil is excluded from school, either for a fixed period exclusion or a permanent exclusion, the parent is responsible for

ensuring that their child is not found in a public place during normal school hours on the specified days of the exclusion. Truancy Patrols take place regularly in Sutton, carried out by Attendance Officers in partnership with the Police.

If an excluded pupil is stopped in a public place by the Truancy Patrol during the specified days of their exclusion, the School Attendance Officer on patrol can refer for a Penalty Notice to be issued under Section 103 of the Education and Inspections Act 2006.

Pupils on roll at a school outside Sutton will be referred to the attendance service in the Local Authority where they are on roll.

5.5 Holidays in term time without permission

The Education (Pupil Registration) (England) Regulations 2006, amended in September 2013, removes references to family holiday and extended leave as well as the previous statutory threshold of ten school days. The amendments make it clear that Headteachers may not grant any leave of absence during term time unless there are exceptional circumstances. Headteachers should determine the number of school days a child can be away from school if the leave is granted. It is at the Headteacher's discretion to authorise such leave of absence.

5.6 It is for each school, with their Governing Body, to decide whether they wish to issue Penalty Notices for unauthorised leave of absence in term time. Where Penalty Notices will be issued, schools must ensure that all relevant literature is provided to parents, such as the school Prospectus, Attendance and Behaviour Policies, Home School Agreements, Newsletters; and website information includes the warning that parents may be issued with a Penalty Notice if leave of absence is taken without permission.

5.7 If a Headteacher does not authorise a request for leave of absence, s/he will send a letter to the parent confirming this decision, which includes a warning that a Penalty Notice may be issued.

5.8 If leave of absence is then taken without authorisation, school may choose to complete a Penalty Notice Referral. Penalty Notice Referrals must be agreed and signed by the Headteacher. Referral forms should be sent to the Penalty Notice Officer at the School Attendance Service, for receipt within 2 weeks of the holiday being completed. All Referrals will be considered for Penalty Notice issue.

5.9 Penalty Notices for any unauthorised leave of absence in term-time can be requested by the Headteacher. The Headteacher should act in accordance with the school's Policy and must take

Into account all considerations recommended in the National Guidance². The School Attendance Service Court Officer / Penalty Notice Officer may decline to issue a Notice where such considerations have not been made.

The Local Authority will consider the following case disposals :

- Penalty Notice
- Warning
- Formal Caution
- Court Proceedings
- NFA

6. ISSUING OF PENALTY NOTICES

6.1 The issue of a Penalty Notice for unauthorised absence must be preceded by a formal letter to the parent. This letter will:

- Raise concerns regarding the level of unauthorised absence, and giving advice regarding contact with the school / School Attendance Officer.
- Remind the parent of their responsibility for ensuring their child maintains full and regular attendance at school, in accordance with Section 444 of The Education Act 1996, and that failure to do so could result in legal action being taken.
- Advise the parent of the powers of the Local Authority to issue Penalty Notices.
- State the specific absences which will give rise to the formal warning.
- Notify the parent that continued unauthorised absence may lead to the issue of a Penalty Notice or other legal action.

6.2 It for Headteachers to determine if the request is Exceptional. Legislation requires that each request is judged on a case by case basis.

6.3 Before a Penalty Notice is issued it must be evident that the matter is capable of proof in the Magistrates' Court so that in the event of non-payment of the charge, the parent / carer can be prosecuted.

7. NUMBER OF PENALTY NOTICES TO BE ISSUED FOR TRUANCY OR UNAUTHORISED ABSENCE

7.1 Sutton will issue no more than **two** penalty notices per pupil with high levels of unauthorised absences in a 12-month period.

If the law continues to be broken around school attendance, the School Attendance Service legal intervention process will be considered.

²'Guidance on Education-Related Parenting Contracts, Parenting Orders and Penalty Notices' DfES 2007, p39

8. PAYMENT OF PENALTY NOTICES

- 8.1 The penalty for each parent is £60 for each child if paid within 21 days of receipt of the notice, rising to £120 if paid after 21 days but within 28 days of receipt of the notice. (Service by post is deemed to have been effected, on the second working day after posting the Notice by first class post, unless the contrary is proved.)
- 8.2 All penalties are paid to the Local Authority to cover the administration costs of issuing and enforcing penalties and the prosecution of recipients who do not pay their penalty.
- 8.3 The arrangements for the paying of penalties will be detailed on the Penalty Notices.
- 8.4 If the penalty is not paid in full by the end of the 28-day period the School Attendance Service will consider prosecution for the offence to which the Notice applies. The prosecution is not for non-payment of the Notice but is a prosecution for irregular school attendance – Education Act 1996 Section 444.
- 8.5 There is no statutory right of appeal against the issuing of a Penalty Notice.
- 8.6 A Penalty Notice need not be served before any prosecution can take place.

9. WITHDRAWAL OF PENALTY NOTICES

- 9.1 A Penalty Notice can only be withdrawn in the following circumstances:
- where it ought not to have been issued, i.e. where it has been issued outside the terms of the local Code of Conduct or where no offence has been committed;
 - where it has been issued to the wrong person;
 - where it contains factual errors;
 - where new evidence or information has come to light after the initial application, that warrants the withdrawal of the Penalty Notice.

