

ATTENDANCE · GUIDE 4

Challenging a school fine



SHORT ANSWER

There is no formal right of appeal against a school absence fine — but you can ask for it to be withdrawn, and you can defend yourself if the case goes to court. Act within the 28-day payment window and keep everything in writing.

What to do, step by step

- 1 **Check the notice.** Look for mistakes in names, dates or absence codes, and note the payment deadlines (28 days). Read your council's penalty notice code of conduct on its website.
- 2 **Contact the school straight away.** Give written evidence — medical letters, an EHCP, emails, or your agreed travel-for-work dates — and ask the head teacher to recode the absence or ask the council to withdraw the notice.
- 3 **Write to the local authority.** Ask for the notice to be withdrawn. Valid grounds are: it contains errors, it should not have been issued, or it was issued outside the council's own code of conduct.
- 4 **Keep everything.** Save letters, emails and notes of phone calls with dates — you may need them later.
- 5 **If it is not withdrawn, decide with advice.** Paying ends the matter. Not paying usually leads to court — speak to an advice service before you decide.
- 6 **In court, you can defend the charge.** Legal defences include: the absence was authorised; illness or another unavoidable cause; religious observance; the council failed its transport duty; your child is receiving suitable alternative education; or the travelling-for-work defence (s.444(6)).

Was discrimination involved?

If you believe the fine was issued unfairly because of your ethnicity, or the school ignored its own policies, use the school's complaints procedure and contact The Traveller Movement's Community Advocacy Caseworker at esju@travellermovement.org.uk for support. The Equality Act 2010 protects Gypsy, Roma and Traveller people from discrimination.

Sources: local authority penalty notice codes of conduct; Education Act 1996, s.444; Equality Act 2010.

Need advice?

Call The Traveller Movement on **020 7607 2002** or email us at info@travellermovement.org.uk