

Attendance policy

Lyncrest Primary School



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1. Introduction and Aims

It is the aim of Lyncrest Primary School that all pupils should be safe, happy and develop the skills and knowledge needed in order to achieve their full potential. Our attendance policy reflects this and recognises that regular attendance has a positive effect on the motivation and attainment of pupils.

Any absence affects the pattern of a child's schooling and regular absence may seriously affect their learning. The Department for Education (DfE) defines a pupil as a 'persistent absentee' when they miss 10% or more schooling across the school year, for whatever reason.

Our school aims to meet its obligations with regard to school attendance by promoting good attendance; ensuring every pupil has access to the full-time education to which they are entitled; and acting early to address patterns of absence.

This policy sets out our school's position on attendance and details the procedures that all parents must follow to report their child absent from school.

We want our pupils to attend school every day, unless they are really not well enough to. It is vital that children develop regular attendance habits at an early age. We believe that children who attend school regularly are more likely to feel settled in school, maintain friendships, keep up with their learning and gain the greatest benefit from their education. We want all our pupils to enjoy school, grow up to become emotionally resilient, confident and competent adults who are able to realise their full potential. Regular attendance and punctuality is essential in the workplace and children who are used to attending school on time, and on every occasion unless they are too unwell to attend, will be better prepared for the attendance expectations in the workplace.

We will do all we can to encourage our pupils to attend. We will also make the best provision we can for any pupil who needs additional support in school or who is prevented from attending school, due to a medical condition. We believe that one of the most important factors in promoting good attendance is the development of positive attitudes towards school. To this end, we strive to make our school a happy and rewarding experience for all children, and to foster positive and mutually respectful relationships with parents.

2. Safeguarding

Our school will monitor trends and patterns of absence for all pupils as a part of our standard procedures. However, we are aware that sudden or gradual changes in a pupil's attendance may indicate additional or more extreme safeguarding issues.

In line with government guidance Keeping Children Safe in Education we will investigate and report any suspected safeguarding cases on to the relevant authorities.

As part of our safeguarding duty and our standard procedures, we will inform the Local Authority and/or the Police of the details of any pupil who is absent from school when the school cannot establish their whereabouts and is concerned for the pupil's welfare.

3. Present at School and Lateness

Pupils are marked present if they are in school when the register is taken. If a pupil leaves the school premises after registration, they are still counted as present for statistical purposes.

It is the duty of parents to ensure that children attend school on time. This encourages habits of good timekeeping and lessens any possible classroom disruption. The Headteacher will meet with parents of those children who are frequently late arriving at school to investigate reasons and suggest solutions to enable more punctual attendance.

Our pupils must arrive by 8:50am on each school day.

Our morning register is taken at 8:50am and will be kept open until 9:00am

Our afternoon register is taken at 1:00pm and will be kept open until 1:10pm.

A pupil who arrives late after the register has closed will be marked as late (L) – which counts as present but the minutes of lateness are recorded for monitoring purposes.

If late after 9:30am, this is classed as an absence.

Effects of Late Arrival at School

When children arrive late to school, they miss important events like assembly, teacher instructions and explicit modelling. Children often feel embarrassed at having to enter the classroom late.

The table below indicates how frequent lateness can add up to a considerable amount of learning being lost. This can seriously disadvantage children in comparison to their peers.

Minutes late per Day	Equates to Days of Teaching Lost in one Year	Which means this number of lessons missed
5 mins	3 Days	15 Lessons
10 mins	6 Days	30 Lessons
15 mins	9 Days	45 Lessons

4. Authorised Absence

‘Authorised absence’ means that the school has either given approval in advance for a pupil of compulsory school age to be away from the school, or has accepted an explanation offered afterwards as justification for absence.

The following information outlines the main circumstances where absence may be authorised by the school:

4.1 Illness

In most cases, absences for illness which are reported by following the school’s absence reporting procedures will be authorised. That is unless the school has a genuine concern about the authenticity of the illness.

The school follows the 2019 DfE School Attendance Guidance, which states that if the authenticity of the illness is in doubt, the school may ask the parent to provide medical evidence, such as a prescription, appointment card, or other appropriate form of evidence. We will not ask for medical evidence unnecessarily. In some instances the school may ask the parent to obtain a letter from a GP, or the school may seek parental permission to contact the pupil’s GP directly.

If the school is not satisfied about the authenticity of the illness, the absence will be recorded as unauthorised. Where a pupil has a high level and/or frequency of absence, the school may require medical evidence of some description in order to authorise any future medical absences. If this is the case, the school will make the parent/s aware of this expectation in advance.

The reporting of absence due to illness remains the responsibility of the parent. Absences due to illness which have not been reported to the school by the parent on the first day of absence may not be authorised. Parents should contact the school by 9:15am on the first day of absence, either via phone or Class Dojo. If a child is absent for more than one day, the parent should contact the school each day to provide an update on the child’s condition, unless otherwise agreed by the school.

If a pupil needs to be sent home due to illness, this should be by agreement with an appropriately authorised member of school staff. In such circumstances, the pupil must be collected from the school office by a parent or another authorised adult, and signed out in the ‘signing out’ book. No pupil will be allowed to leave the school site without parental confirmation.

4.2 Medical/Dental Appointments

Parents should try to make appointments outside of school hours wherever possible.

Where appointments during school time are unavoidable, the pupil should only be out of school for the minimum amount of time necessary for the appointment. It is not acceptable for a child to miss a whole day’s schooling for an appointment, unless absolutely necessary, in which case the school will need an explanation as to why this is.

If a pupil must attend a medical appointment during the school day, they must be collected from the school office by the parent or another authorised adult, and signed out in the 'signing out' book. No pupil will be allowed to leave the school site without parental confirmation.

Advance notice is required for medical or dental appointments, unless it's an emergency appointment, and must be supported by providing the school with sight of, or a copy of, the appointment card or letter – only then will the absence be authorised.

4.3 Religious Observance

Our school acknowledges the multi-faith nature of the school community and recognises that on some occasions, religious festivals may fall outside of school holidays or weekends.

In accordance with the law, the school will authorise one day's absence for a day exclusively set apart for religious observance by the religious body to which the parent belongs. Should any additional days be taken, these will be recorded in the register as unauthorised absence.

If necessary, the school will seek advice from the parents' religious body, to confirm whether the day is set apart.

4.4 Traveller Absence

The school will authorise the absence of a Traveller pupil of no fixed abode who is unable to attend school because they are travelling with their parent who is engaged in a trade or business of such a nature as to require him to travel from place to place. This is subject to certain limits, depending on the child's age and number of sessions absent. The school will discuss cases individually with Traveller parents as necessary. Parents should let the school know of their plans as far in advance as possible.

Authorised Traveller absence will be recorded appropriately in the register. To help ensure continuity of education for Traveller children, wherever possible, the child should attend school elsewhere when their family is travelling for occupational purposes. In which case the child will be dual registered at that school and this school, which is their 'main' school.

Children from Gypsy, Roma and Traveller communities whose families do not travel for occupational purposes are expected to register at school and attend as normal. They are subject to the same rules as other children in terms of the requirement to attend school regularly.

4.5 Exclusions

If the school decides to send a pupil home due to their behaviour, this will be recorded as a suspension or exclusion. The school will follow the current DfE's statutory guidance on suspensions and exclusions. Any suspension or exclusion must be agreed by the headteacher. The school will notify the parent of the exclusion. If the pupil is a Looked After Child, the school will notify the pupil's carer, social worker and Virtual School. In other

instances, where a pupil is open to Children's Social Care for any reason, the school will also inform their allocated social worker.

The pupil must be collected from the school office by the parent or another authorised adult, and signed out in the 'signing out' book. No pupil will be allowed to leave the school site without parental confirmation.

5. Leave of Absence Requests – Exceptional Circumstances

The law does not grant parents the automatic right to take their child out of school during term time.

Only exceptional circumstances warrant an authorised leave of absence.

The school will consider each application individually, taking into account the specific facts and circumstances and relevant background context behind the request, including the child's regular attendance at school.

The request must be made by the parent with whom the child normally lives, and permission must be sought in advance. The school will not grant leave of absence unless there are exceptional circumstances. The school must be satisfied that there are exceptional circumstances, based on the individual facts and circumstances of the case; following consultation with other staff as required, including the Designated Safeguarding Lead.

Where a leave of absence is granted, the school will determine the number of days the pupil can be away from school. A leave of absence is granted entirely at the Headteacher's discretion. Circumstances which could be authorised include significant family emergencies or funerals. However, parents will also be aware that, wherever possible, it can be better for children to continue to attend school normally during difficult family times.

Depending on the circumstances, it could be the case that only part of the time requested is granted and the rest is classed as unauthorised.

If requests show that parents are intending for their child to be absent for more than 10 consecutive school days, a conversation will need to be had with the parents as school cannot keep a place open for a child during a prolonged period of absence.

Parents should put their request in writing to the Headteacher. The request should be submitted as soon as it is anticipated; and wherever possible, at least four weeks before the absence. Although such absence may be unauthorised, it is better that we know your child is safe, rather than missing. Please be aware that you may be required to provide us with additional evidence in order to support your request. If we have any concerns about possible safeguarding risks such as risk of FGM or Forced Marriage, we will follow the necessary protocols.

6. Unauthorised Absence

Unauthorised absence is where a school is not satisfied with the reasons given for the absence.

Absence will be unauthorised if a pupil is absent from school without the permission of the school.

Whilst parents can provide explanations for absences, it is the school's decision whether to authorise the absence or not.

Unauthorised absence includes:

- Absences which have never been properly explained
- Pupils who arrive at school too late to get a mark
- Shopping
- Birthdays
- Waiting at home for a washing machine to be mended, or a parcel to be delivered
- Day trips
- Having a day off for rain
- Long weekends and holidays in term time (unless very exceptional circumstances are agreed in writing, in advance by the school)
- In the case of term time leave - if a pupil is kept away from school longer than was agreed, the additional absence is unauthorised

Unauthorised absences may result in Legal Sanctions, usually Penalty Notices or Prosecutions.

7. Penalty Notices and Prosecutions

Parents have a legal responsibility to ensure that their child attends school on a regular basis. It is a criminal offence under Section 444 of the Education Act 1996 to fail to secure regular attendance of a registered pupil at the school. This applies to both resident and non-resident parents who may both be subject to legal sanctions if their child fails to attend school regularly. It also applies to others who may not be the parent, but may have day to day care of the child.

Unauthorised absence from school can result in a number of different outcomes for parents and children. Each case is considered individually. Lyncrest Primary School reserves the right to fine parents for the unauthorised absence of their child from school, where the child is of compulsory school age. The decision on whether or not to issue a penalty notice ultimately rests with the headteacher, following the local authority's code of conduct (Appendix 1) for issuing penalty notices.

Under section 444 of the Education Act 1996, if a child of compulsory school age, who is a registered pupil at a school, fails to attend regularly at the school his/her parent(s) are guilty of an offence. Parents with more than one school aged child need to be aware that each child's irregular attendance is dealt with as a separate matter.

The school will refer cases of unauthorised absence that meet the threshold, currently 10 unauthorised sessions in 12 school week period, for a Penalty Notice to the Local Authority for legal action, unless there are reasonable grounds for not doing so.

The outcome of a referral to the Local Authority may be a Penalty Notice or Prosecution. Penalty Notices are intended as a sanction for low level offences and a tool to support improved school attendance. They are an alternative to prosecution, and may not be issued if prosecution is considered to be a more appropriate response to a pupil's irregular attendance.

A pupil's unauthorised absence from school could result in one of the following:

1. A Penalty Notice - the penalty is £60 payable within 21 days, rising to £120 if paid between 22 and 28 days. (Failure to pay will result in prosecution.)
2. Prosecution - Prosecution could lead to fines up to £2500 and /or 3 months imprisonment.

Penalty Notices and prosecution proceedings are issued to each parent with responsibility for the child and are issued for each child with irregular attendance.

For example, in the case of Penalty Notices, if two siblings had irregular school attendance, and there were two parents with responsibility for the children, four Penalty Notices would be issued. Penalty Notices cannot be paid in instalments.

8. Reporting Attendance to Parents

The school will report to parents annually about their child's attendance.

If a child's attendance falls below 90%, a period of monitoring attendance will take place. The school may contact the parents about this and offer guidance and support on a case by case basis to improve attendance. At this point it may also be necessary for an attendance contract to be put in place or a referral to the NCC Education Inclusion Partnership Team may be made.

See section 8 for full details of schools monitoring procedures and actions.

9. Attendance Monitoring and Procedures at Lyncrest

Attendance is monitored on a daily basis and any immediate concerns are dealt with on the day.

Attendance is more formally analysed and monitored each half term. We recognise that a bout of genuine illness in a half term could result in attendance falling below 90% over a period of 6 weeks. All children become ill and therefore this alone, will not trigger a concern. It would be expected that over the next half term, attendance would improve. However, when there are concerns, we follow the below procedures.

When the attendance of a child falls below 90% in a half term, their name will be added to a watch list. This list will be monitored by office staff over the coming half term and if absence continues, the Head Teacher will be alerted. This may result in an immediate letter or conversation if the Head Teacher has concerns.

If attendance falls below 90% for a second consecutive half term, a letter will be sent home to make parents aware. A meeting will be held between the parents and Head Teacher to discuss the reasons for absence and find out if there is anything further school can do to support. A target for improved attendance will be set and a review timeframe set.

If, after this meeting, attendance continues to be below 90%, a parenting contract will be put in place. This will involve a meeting to determine barriers to attendance, agree what support school can put in place and offer the family an Early Help Assessment. At this meeting, clear actions will be agreed and all parties will sign these with an agreed review timescale of 6 weeks.

10. Support for Poor School Attendance

Sometimes pupils can be reluctant to attend school. We encourage parents and pupils to be open and honest with us about the reason for the pupil's absence. If a child is reluctant to attend, it is never better to cover up their absence or for a parent to give in to pressure to let the child stay at home. This can give the impression to the child that attendance does not matter and can make things worse.

As a school, we need to understand the reasons why a pupil is reluctant to attend in order to be able to support pupils and parents in the best way. When we have concerns about the attendance of a pupil, we will do our best to make the parent/s aware of the concerns about their child's attendance and give them the opportunity to address this.

However, if parents do not make use of the support offered and improve their child's attendance to an acceptable level, this may result in legal sanctions. Parents may be asked to meet with the headteacher to discuss the matter. In some cases, this may result in a formal contract being produced as detailed above.

If our school refers a case of poor school attendance to the Local Authority for legal sanctions, we will show that we have warned the parent/s that they are at risk of receiving a Penalty Notice or other legal sanction. This will at least be evidenced via the sending of a warning letter.

We will not usually request legal sanctions from the Local Authority in cases where poor attendance is symptomatic of complex family circumstances. In such circumstances our school will take a holistic approach to the issue, and involve other agencies as necessary. The exception to this will be where parents fail to accept or engage with support offered by the school and/or other agencies, or fail to implement the suggested changes. Again, when referring for legal sanctions, we will show that we have warned the parent/s that they are at risk of receiving a Penalty Notice or other legal sanction. If our school has safeguarding concerns about a pupil who is absent we will share with other agencies as we deem necessary.

11. Roles and Responsibilities

11.1 The Governing Body

The governing board is responsible for monitoring attendance figures for the whole school on at least a termly basis. It also holds the headteacher to account for the implementation of this policy.

11.2 The Headteacher

The headteacher is responsible for ensuring this policy is implemented consistently across the school, and for monitoring school-level absence data and reporting it to governors.

The headteacher also supports other staff in monitoring the attendance of individual pupils and issues fixed-penalty notices, where necessary.

The head teacher also:

- Monitors attendance data at the school and individual pupil level;
- Arranges calls and meetings with parents to discuss attendance issues
- Liaises with the local authority with regards to issuing fixed-penalty notices

11.3 Class Teachers

Class Teachers are responsible for recording attendance on a daily basis, using the correct codes, and submitting this information to the school office.

11.4 Office Staff

Office staff are expected to take calls from parents about absence and record it on the school system. They are also expected to make calls to those parents who do not report any reasons for absence and record these reasons for absence too.

11.5 Parents/Carers

Parents have a legal responsibility to make sure their child attends school. They are also responsible for informing school of any absence and reason for this. Parents are expected to work with and alongside the school when there are any concerns as this is in the best interests of the child.

12. Monitoring Arrangements

This policy will be reviewed annually by the Headteacher.

Code of Conduct

Penalty Notices to Address Absences and Poor Attendance at School or Alternative Provision

(Revised March 2019)

Rationale

1. The purpose of this Code of Conduct is to ensure that the associated powers are applied consistently and fairly across the Local Authority area and that suitable arrangements are in place for the administration of Penalty Notices.
2. Regular and punctual attendance at school, or alternative provision, is both a legal requirement and essential for children and young people to maximise their educational opportunities. Penalty Notices offer a swift intervention which Northamptonshire County Council (NCC) will use to deal with issues of unauthorised absence before they become entrenched.
3. An offence occurs if a parent/carer fails to secure a child's attendance at school, or alternative provision, at which they are a registered pupil and that absence is not authorised by the school, or alternative provision.
4. In addition a Penalty Notice can be used to help ensure parents fulfill their responsibilities to ensure their child is not out in a public place without reasonable justification during the first five days of every exclusion from school.

Authorisation

1. The primary responsibility for the issuing of Penalty Notices rests with the Local Authority. Educational Inclusion & Partnership Team (EIPT) of NCC will therefore issue Penalty Notices in Northamptonshire. This ensures consistency and will prevent conflict with other enforcement sanctions
2. Although professionals other than those within the Local Authority (e.g. Head Teachers, the Police etc.) are accredited persons within the legislation, able to issue Penalty Notices, there is no requirement for them to do so. In Northamptonshire it has been agreed that the Police will not issue Penalty Notices. If a Head Teacher feels it is appropriate for a Penalty Notice to be issued they must refer to the EIPT. This will avoid a Penalty Notice being issued when the EIPT is instigating legal intervention proceedings for irregular school attendance or where a Penalty Notice is not deemed an appropriate form of intervention.
3. Penalty Notices will be issued by First Class post to satisfy evidential requirements.

4. EIPT will act upon requests to issue Penalty Notices from schools, academies, or alternative education providers and Northamptonshire Police, provided that;
 - a) All relevant information is supplied in the specified manner;
 - b) The circumstances of the pupil's absence meets the requirements of this Code of Conduct; and
 - c) The issuing of a Penalty Notice does not conflict with other interventions strategies in place or other enforcement sanctions already in process.

Criteria for Issuing Penalty Notices

1. Penalty Notices are issued to parents as defined under Section 576 of the Education Act 1996, in relation to children of compulsory school age. Under the Act the term "parent" includes;
 - 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 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 a child, irrespective of what their relationship is with a child.
2. They may be issued for children at maintained schools, academies, free schools and alternative provision providers in Northamptonshire.
3. In accordance with the definition of parent, and thereby parental responsibility for non-school attendance, more than one person may be liable for the offence. In such circumstances, separate notices will be issued to each person.
4. Penalty Notices may be issued when:
 - Where there has been an unacceptable level of unauthorised absence from an educational establishment and enforcement is necessary to improve attendance. Unauthorised absence is absence without permission from a head teacher or other authorised representative from the school. This includes all unexplained or unjustified absences. The categories of authorised and unauthorised absence are explained in the Guidance to the Education (Pupil Registration) (England) Regulations 2006.
 - A minimum of 10 sessions of unauthorised absence in a 6 school week period will usually have occurred. However, a shorter period of time may be considered appropriate in some circumstances.
 - In the case of a unauthorised holiday taken during term time, if;
 - Parents have not sought permission from the Head Teacher before taking their child out of school for a holiday in term time.

- The Head Teacher has refused the request but the absence occurs anyway;
or
 - A pupil has not returned to school by the agreed date with no satisfactory explanation.
 - And there have been 10 sessions of unauthorised absence in a 6 school week period.
 - Each case is considered on its own individual merits.
- A pupil is persistently late to school, i.e. arrives after the register has closed;
 - Under truancy sweeps carried out under Crime and Disorder Act 1998 powers, a minimum of 5 sessions of unauthorised absence may generate a Penalty Notice, if these unauthorised absences occur in the 6 school weeks (maximum) after the child was stopped on the truancy sweep; and
 - When an excluded child is present in a public place during school hours on a day which is one of the first 5 school days to which the exclusion relates or, where that exclusion is for a fixed period of 5 days or less, any of the days to which the exclusion relates, under the protocol for Section 103 of the Education and Inspections Act 2006.

Alternative action may need to be considered if school attendance offences re- occur, in the light of advice from Legal Services.

Withdrawal of Penalty Notices

Once issued a Penalty Notice can only be withdrawn in the following circumstance;

- The Penalty Notice has not been issued in accordance with the Code of Conduct.
- Evidence has been established that the Penalty Notice was issued to the wrong person.
- There are material errors in the information leading to the issue of the Penalty Notice.
- The period for payment has expired and the Local Authority does not intend to institute legal proceedings for which the Penalty Notice relates.

Payment of Penalty Notices

The arrangements for the paying of Penalty Notices will be detailed on the Penalty Notice.

Revenue generated from the Penalty Notices will be used to cover the costs of issuing and enforcing notices, or the cost of prosecuting recipients who do not pay.

Non-Payment of Penalty Notices

The Penalty is £60 if paid within 21 days of receipt of the Penalty Notice (assumed as 2 working days following the Notice being sent by first class mail), or £120 if paid after 21 days but within 28 days of receipt of the Penalty Notice.

If the Penalty Notice is not paid in full by the end of the 28 day period, the Local Authority may prosecute for the offence to which the Notice applies. The prosecution relates to irregular school attendance under Section 444 of the Education Act 1996. Where a prosecution is an appropriate course of action a Caution may be offered by the Local Authority as an alternative method of disposal.

There is no statutory right of appeal against the issuing of a Penalty Notice.

A record will be kept of all prosecutions relating to offence for which a Penalty Notice was issued.

Legislation

1. Section 23 Anti Social Behaviour Act 2003 empowers authorised officers of a Local Authority, Head Teachers (and Deputy and Assistant Head Teachers authorised by the Head) and Police Officers (including Community Support Officers) to issue a Penalty Notice in cases of unauthorised absence from school, or alternative provision.
2. The Education (Penalty Notices) (England) Regulations 2004 came into force on 27th February 2004.
3. The Education (Penalty Notices) (England) Regulations 2004 require the Local Authority, in consultation with the above, to develop a code of conduct for issuing of Penalty Notices. Any person issue a Penalty Notice must do so within the terms of this code of conduct) the Code of Conduct”).
4. The Education (Penalty Notices) (England) Regulations 2005 extends the issuing of Penalty Notices to alternative provision.
5. The Education (Penalty Notices) (England) (Amendment) Regulations 2012 confirms the increase in the amount of penalty where the offence are alleged to have been wholly or partly committed after 1st September 2012.
6. Education (Penalty Notices) (England) (Amendment) Regulations 2013 confirm that the penalty of £60 must be paid within 21 days or after that period increase to £120 to be paid within 28 days.
7. The Education (Pupil Registration) (England) (Amendment) Regulations 2013 remove all reference to *family holiday* and extended leave as well as the statutory threshold of 10 school days. Amendments make clear that Head Teachers may not grant any leave of absence during

term time unless there are exceptional circumstances. Head Teachers should determine the number of school days a child can be away from school *if* the leave is granted.

8. The education provisions of the Anti Social Behaviour Act 2003 apply to all parents who fall within the definition of parent as set out in Section 576 of the Education Act 1996.
9. Penalty Notices supplement existing sanctions currently available under Section 444 Education Act 1996 or Section 36 Children Act 1989 to enforce attendance at school or alternative provision.
10. Education and Inspections Act 2006; giving authorisation to Penalty Notices when a child has been excluded.
11. This Code of Conduct complies with the requirements set out in Sections 14-16 of the Education (Penalty Notices) (England) Regulations 2007.
12. The issuing of Penalty Notices must conform to all requirements of the Human Rights Act and Equal Opportunities legislation.