
WELSH STATUTORY INSTRUMENTS

2013 No. 1983

The Education (Penalty Notices) (Wales) Regulations 2013

Codes of conduct

Requirement to draw up code of conduct

14. Each local authority must draw up a code of conduct which sets out measures to ensure consistency in the issuing of penalty notices, including—

- (a) means of avoiding the issue of duplicate penalty notices;
- (b) measures to ensure that a penalty notice is not issued in respect of an offence when proceedings for that offence under section 444 of the 1996 Act (or an offence under subsection (1A) of that section arising out of the same circumstances) as the case may be, are contemplated or have been commenced by the local authority;
- (c) the occasions when it will be appropriate to issue a penalty notice for an offence;
- (d) a maximum number of penalty notices that may be issued to one parent in any twelve month period; and
- (e) arrangements for co-ordination between the local authority, neighbouring local authorities where appropriate, the police and authorised officers⁽¹⁾.

Consultation on the code of conduct

15.—(1) In preparing the code of conduct the local authority must consult governing bodies, head teachers and the chief officer of police for a police area which includes all or part of the area of the local authority.

(2) In this regulation—

- “chief officer of police” has the meaning given by section 101(1) of the Police Act 1996⁽²⁾;
- “police area” means a police area provided for by section 1 of that Act.

Compliance with the code of conduct

16. Any person issuing a penalty notice must do so in accordance with the code of conduct.

(1) “Authorised officer” is defined in section 444B(4) of the Education Act 1996 (c.56) in relation to penalty notices under section 444A of that Act.

(2) 1996 c.16, to which there are amendments not relevant to these Regulations.