

***Alder Community High School  
A Specialist Maths and Computing College***



**Attendance Policy May 2016**

Approved by the Governing Body on: 11/5/16

To be reviewed: Summer 2018

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# Section 1: Introduction and Vision

Every child at Alder Community High School matters and we seek to ensure that all of our students receive an education which maximises opportunities for them to realise and reach their full potential.

The most important factor contributing to a student's success at our school is regular attendance. There is a definite link between attendance and attainment and those students who attend more achieve greater qualifications and are more able to access higher education, employment or training.

The school will strive to provide a welcoming and caring environment whereby each member of the school community feels secure.

All staff will work with students and their families to ensure that each student attends school regularly and punctually.

The school will establish an effective system of incentives and rewards which acknowledges the efforts of students to improve their attendance and punctuality and will work with and support all our students and their parents to address issues impacting on attendance and punctuality.

To meet these objectives, Alder Community High School will establish an effective and efficient system of communication with pupils, parents and appropriate agencies to provide mutual information, advice and support.

The Governing Body, Head teacher and staff will ensure that all aspects of this policy and its application promote equality for all students.

Alder Community High School recognises that attendance is a matter for the whole school community. Our Attendance Policy should not be viewed in isolation; it is a strand that runs through all aspects of school improvement, supported by our policies on Safeguarding, Bullying and Behaviour.

## Section 2: Aims

- To improve the overall attendance of students at school.
- To reduce the number of persistent absentees and those students on track to become persistent absentees.
- To make attendance and punctuality a priority for all those associated with the school including students, parents, staff and governors.
- To develop a framework which defines agreed roles and responsibilities and promotes consistency in carrying out designated tasks.
- To develop a systematic approach to gathering and analysing attendance related data.
- To provide advice, support and guidance to parents and students.
- To further develop positive and consistent communication between home and school.
- To implement a system of rewards and sanctions.
- To promote effective partnerships with the Local Education Authority and other external agencies.
- To recognise the needs of individual students when planning reintegration following a significant period of absence.

## Section 3: Legal Framework

Section 7 of the 1996 Education Act states that parents must ensure that children of compulsory school age receive efficient full-time education suitable to their age, ability and aptitude to any special educational needs that they may have either by regular attendance at school or otherwise.

A child is of compulsory school age at the beginning of the term following their 5<sup>th</sup> birthday. A child ceases to be of compulsory school age on the last Friday in June of the school year in which they reach the age of 16.

Under the Education Act 1996, the Local Authority has a statutory responsibility to ensure that parents secure education for children of compulsory school age and where necessary, use legal enforcement.

The Education (Student Registration) (England) Regulations 2006, require schools to take an attendance register twice a day, once at the start of the morning session and then again during the afternoon session.

The register must record whether the student was:

- present;
- absent;
- present at approved educational activity; or
- unable to attend due to exceptional circumstances.

## Section 4: Attendance Protocols

### Everyday:

Students are expected to arrive at registration by 8.20am, any student arriving from 8.25am will be given a late mark.

Registers will close at 9.45am. Any student arriving late to school after 9.45 a.m. will be given an unauthorised late after registration closed mark. This will impact on their overall attendance as it is recorded as an absence from school for the morning session.

**Lates procedure:** Any student arriving late will be kept in detention on the same day and parents will be notified by text message. If a student is late for registration, they will attend a 15 minute detention. If they arrive after registration has ended and therefore miss lesson time, they will attend the 15 minute detention plus they will make up the lesson time with the subject teacher to ensure that they are up to date with work missed.

### **When a student is absent:**

Parents will receive an automated text message issued by the attendance office and administered by the RS Connect Ed messaging service, asking parents to contact the school with a reason for the absence and the likely length of absence from school.

If there is no response or a note is not supplied when the student returns to school, the attendance office will send a letter home at the end of the week to obtain a reason for the absence.

**Every week:**

Letters will be sent to the parents of students who have absences that are unaccounted for.

Whole form percentages will be publicised and discussed in assembly and during tutorial.

Tutors are to encourage regular and punctual school attendance amongst their group.

**Every 2 weeks:**

The Attendance Support Assistant and Progress and Pastoral Leaders will meet to discuss the attendance of all students and intervention plans. Progress Leaders will direct Form Tutors if action is required by them.

**Every half term:**

Every parent will receive an attendance letter and a copy of their child's registration certificate (see appendix 1).

The attendance of individual students will be shared with them by their form tutor. Where improvements are required, guidance will be given.

A text will be sent to every parent giving their child's exact attendance percentage.

**Every academic year:**

Students achieving 100% attendance will be awarded a badge of recognition.

**Ongoing:**

Intervention plans specific to individual students and their parents/carers will be ongoing whilst attendance issues remain.

## **Section 5: Categorising Absence**

Where students of compulsory school age are recorded as absent, the register must show whether the absence is authorised or unauthorised.

Absence can only be authorised by the school and cannot be authorised by parents. All absences will be treated as unauthorised unless a satisfactory explanation for the student's absence has been received.

Parents should advise the school by telephone on the first day of absence and provide the school with an expected date of return. This should be followed up in the form of a written note from the parent/carer, though verbal explanations may be acceptable where this is considered appropriate. Alternative arrangements will be agreed with non-English speaking parents/carers.

Absence will be categorised as follows:

No reason yet given (N) - Until a reason is obtained a student's absence is temporarily recorded as a (N). The attendance office works to ensure that these N codes are reconciled after a maximum period of two weeks. Those that remain un-reconciled are converted to (O) – unauthorised absence.

Illness (I) - In most cases a telephone call or a note from the parent informing the college that their child is ill will be acceptable. Parents may be asked to provide medical evidence where there are repeated absences due to reported illness. This will usually be in the form of an appointment card, prescription etc.

Medical/dental appointments (M) - Parents are advised where possible to make medical and dental appointments outside of the school day. Where this is not possible, students should attend school for part of the day. Parents should show the appointment card to school.

Approved sporting activity (P) - This code is used for those students taking part in a sporting activity supervised by a person authorised by the Head teacher.

Interview (J) - This code is used to record time spent in interviews with prospective employers or for a place at a further or higher educational establishment (year 11 students only).

Educated off site (B) - This code is used for all students, including Traveller children, who are present at educational provision which is not in a school.

Dual registration (D) - This code is used when a student is dually registered at two schools and, for the session in question, they are not required to attend Alder Community High School.

Other authorised circumstances (C) - This relates to occasions where there is cause for absence due to exceptional circumstances, for example family bereavement, visiting a parent in prison or part time timetable agreed as part of a reintegration package.

Educational visit or trip (V) - This code is used for students attending an approved educational activity.

Excluded (no alternative provision made) (E) - Exclusion from attending school is counted as an authorised absence. The child's Progress and Pastoral Coordinators will make arrangements for work to be provided.

Family holiday not agreed (G) – School will not authorise any leave for students to take holidays during term time. If a parent requires leave of absence for their child in exceptional circumstances, a written request must be submitted in advance of the dates required detailing the reason. This letter should be addressed to the Senior Leader Safeguarding.

Religious observance (R) - Alder Community High School acknowledges the multi-faith nature of British society and recognises that on some occasions, religious festivals may fall outside school holiday periods or weekends and this necessitates a consideration of authorised absence or special leave for religious observance.

It is reasonable for a parent to allow their children not to attend school on any day of religious observance if recognised by the parent's religious body.

Parents are requested to give advance notice to the school if they intend their child to be absent.

However, in the interests of fulfilling the academic requirements of the school and limiting the authorised absence rate of the school, it is identified as reasonable that no more than one day be designated for any individual occasion of religious observance/festival and no more than three days in total in any academic year. Any further absence will be categorised as unauthorised.

Study leave (S) - Study leave may be granted for Year 11 students approaching GCSE examinations.

Work experience (W) - Work experience is for students in the last two years of compulsory schooling. Students who are out of school on a work placement are given this code and it does not affect their attendance percentage.

Forced closure (Y) - This code is used when students are unable to attend due to exceptional circumstances and the school is forced to close. For example; in very poor weather where transport is an issue or when the school building is out of use (no heating or no electric).

Student not on roll (Z) - This code is used for students not registered at the school at that time i.e. before their admission date.

School closed to students (#) - This code is used for planned closures, like general school holidays.

Traveller absence (T) - The aim for the attendance of Traveller children, in common with all other children, is to attend school as regularly and as frequently as possible.

Late arrival (L) or (U) – Registration begins at 8.20am, students who arrive after 8.25am will be marked as present but arriving late (L). The register closes at 9.45am and students arriving after this time will be recorded as late after registration closes (U), this will not be authorised and will count as an absence for that school session.

If a student arrives at school after the end of the registration period, they must sign in at the attendance office to ensure that we can be responsible for their health and safety whilst they are in school. They will be given a red slip detailing time of arrival and reason for lateness, which they will show to the class teacher when they go to lesson.

If a student arrives after 9.45am with a satisfactory reason and evidence for the late arrival, for example, attendance at a medical appointment, then their absence will be authorised.

The absence will be recorded as unauthorised if the student has arrived late without justifiable cause, for example, if they woke up late or were waiting for their uniform to dry.

Unauthorised absence (O) – Absence will not be authorised unless parents have provided a satisfactory explanation and that it has been accepted as such by the school.

Examples of unsatisfactory explanations for absence include:

- A student's/family member's birthday
- Shopping for uniform
- Looking after a sibling or relative
- Having their hair cut
- Closure of a siblings school for INSET or other purposes
- Minor ailments that do not warrant absence from school

- Holidays taken without the authorisation of school
- A student has woken up late (it is never too late to come in to school)

Where a student has had regular absence and concerns are emerging and there are no exceptional circumstances; the parent will receive a letter advising that further absence will not be authorised without medical evidence (see appendix 2). Medical evidence can be proof of a medical appointment or prescribed medication.

## **Section 6: Deletions from the register**

In accordance with the Education (Student Registration) (England) Regulations 2006, students will only be deleted from the register when one of the following circumstances applies:

- The school is replaced by another school on a School Attendance Order.
- The School Attendance Order is revoked by the local authority.
- The student has ceased to be of compulsory school age.
- Permanent exclusion has occurred and procedures have been completed.
- Death of a student.
- Transfer between schools.
- Student withdrawn to be educated outside the school system.
- Failure to return from an extended holiday after both the school and the local authority has tried to locate the student.
- A medical condition prevents their attendance and return to the school before ending compulsory school-age.
- In custody for more than 4 months (in discussion with the Youth Offending Team).
- 20 days continuous unauthorised absence and both the local authority and school have tried to locate the student.
- Left the school but not known where he/she has gone after both the school and the local authority have tried to locate the student.

Alder Community High School will follow Tameside Metropolitan Borough Council's children Missing Education Protocol when a student's whereabouts are unknown.

## **Section 7: Roles and Responsibilities**

Alder Community High School believes that improved school attendance can only be achieved if it is viewed as the shared responsibility of staff, governors, parents, students and the wider school community.

The Governing Body will:

- Ensure that the importance and value of good attendance is promoted to students and their parents.
- Regularly review the school's Attendance Policy and ensure that the required resources are available to fully implement the policy.
- Identify a member of the governing body to lead on attendance matters and chair attendance panel meetings.
- Ensure that the Registration Regulations, England, 2006 and other attendance related legislation is complied with.
- Agree school attendance targets and where appropriate link these to the Performance Management of Senior Leadership within the school.

- Monitor the school's attendance and related issues through termly reporting at Governing Body Meetings.
- Ensure that there is a named senior manager to lead on attendance.
- Ensure that the school has clear systems to report, record and monitor the attendance of all students, including those who are educated off site.
- Ensure that there are procedures for collecting and analysing data frequently to identify causes and patterns of absence.
- Ensure that data is understood and used to devise solutions and to evaluate the effectiveness of interventions.

The Senior Leadership Team will:

- Ensure that there is a named senior manager to lead on attendance (Rachel Lee).
- Actively promote the importance and value of good attendance to students and their parents.
- Form positive relationships with students and parents.
- Ensure that there is a whole school approach which reinforces good attendance; with good teaching and learning experiences that encourage all students to attend and to achieve.
- Monitor the implementation of the Attendance Policy and ensure that the policy is reviewed regularly.
- Ensure that all staff are aware of the Attendance Policy and adequately trained to address attendance issues.
- Ensure that the Registration Regulations, England, 2006 and other attendance related legislation is complied with.
- Return school attendance data to the Local Authority and Department for Education as required and on time.
- Report the school's attendance and related issues through termly reporting to the governing body and on a half termly basis to the lead governor for attendance.
- Ensure that systems to report, record and monitor the attendance of all students, including those who are educated off site are implemented.
- Ensure that attendance data is collected and analysed frequently to identify causes and patterns of absence.
- Interpret the data to devise solutions and to evaluate the effectiveness of interventions.
- Develop a multi-agency response to improve attendance and support students and their families.
- Document interventions used to a standard required by the local authority should legal proceedings be instigated.

The Senior Leader for Safeguarding will: (in addition to those tasks mentioned above)

- Be a member of the Senior Leadership Team.
- Manage the attendance team, Learning Mentors and all pastoral work relating to attendance of students.
- Case manage and proceed with legal interventions where appropriate. (Particularly where school interventions have been unsuccessful due to lack of engagement or consistency from parents).
- Support parents and families to address issues impacting on a student's attendance at school via a range of interventions.
- Complete CAF assessments and use a multi-agency approach to support.
- Safeguard students with persistent absence by ensuring their wellbeing through home visits and working together with other agencies.

Progress and Pastoral Leaders will:

- Support form tutors to manage the attendance of the students in their form and reinforce the importance of early intervention and recognition of potential issues or

- concerns and furthermore, acting upon them.
- Meet regularly with the School Support Assistant (Attendance) to analyse attendance and plan, monitor and review interventions.
- Reinforce the importance of regular and punctual school attendance and the impact on attainment via assemblies.
- Link attendance and punctuality achievement to reward systems; give incentives and realistic achievable targets for students.
- Send letters home each half term.
- Address attendance issues with individual students.
- Raise attendance and punctuality issues during meetings with parents linking attendance and attainment.
- Contribute to the evidence required to support legal interventions.
- Document interventions used to a standard required by the local authority should legal proceedings be instigated.

The Attendance Support Assistant will:

- Ensure that all registers are uploaded to SIMs by tutors and other staff.
- Input absence data and authorise absences using appropriate codes.
- Make contact with parents when a student is absent with no reason provided.
- Send and receive messages via the RS Connect Ed messaging system.
- Send letters to parents with regard to absence from school.
- Identify and refer concerns for individual students to the Progress Leaders and/or the Senior Leader.
- Work together with the Progress Leaders and other members of the pastoral team to address issues of poor school attendance.
- Liaise with other agencies as necessary.
- Maintain a system of identifying students arriving late to school and facilitating the late detention process.

Form Tutors will:

- Actively promote the importance and value of good attendance to students and their parents.
- Support students to review their own attendance
- Form positive relationships with students and parents.
- Contribute to a whole school approach which reinforces good attendance; with good teaching and learning experiences that encourage all students to attend and to achieve.
- Comply with the Registration Regulations, England, 2006 and other attendance related legislation.
- Implement systems to report, record and monitor the attendance of all students.
- Discuss attendance with students individually.
- Contribute to the evaluation of school strategies and interventions.

As part of their intervention to remove barriers to learning, Learning Mentors will:

- Actively promote the importance and value of good attendance to students and their parents.
- Work with other agencies to improve attendance and support students and their families.
- Form positive relationships with students and parents.
- Document interventions used to a standard required by the local authority should legal proceedings be instigated.
- Report concerns to the Senior Leader.

We request that Parents will:

- Talk to their child about school life and what goes on there. Take a positive interest in their child's work and educational progress.
- Instill the value of education and regular attendance within the home environment.
- Encourage their child to look to the future and have aspirations.
- Contact the school if their child is absent to let them know the reason why and the expected date of return. Follow this up with a note where possible.
- Try to avoid unnecessary absences. Wherever possible make appointments for the doctor, dentist, etc. out of school hours.
- Ask the school for help if their child is experiencing difficulties.
- Inform the school of any change in circumstances that may impact on their child's attendance.
- Support the school; take every opportunity to get involved in their child's education, form a positive relationship with school and acknowledge the importance of children receiving the same messages from both school and home.
- Encourage routine at home, for example, bed times, homework, preparing a school bag and uniform the evening before.
- Not to keep their child off school to go shopping, to help at home or to look after other members of the family.
- Avoid taking their child on holiday during term-time, where a parent requires leave of absence for their child in exceptional circumstances, they are asked to put the request in writing to school.

## **Section 8: Support Systems**

Alder Community High School recognises that poor school attendance maybe due to illness but it can also be an indication of difficulties in a child's life. This may be related to problems at home or in school. Parents should make school aware of any difficulties or changes in circumstances that may affect their child's attendance and/or behaviour in school, for example, bereavement, illness of a family member, divorce/separation, or any other issues within the family home. This will help the school identify any additional support that may be required.

Alder Community High School also recognises that some students may require additional support to attain good attendance, for example, those students with specific health needs/ongoing illness, those students with special educational needs, those with physical or mental health needs and looked after children.

The school will implement a range of strategies to support improved attendance. Strategies used will include:

- Analysis of data
- Reward systems
- PSHE awareness raising sessions
- Letters home
- Student Voice activities
- Attendance report cards
- Friendship groups
- Pastoral care and support
- Reintegration programmes following absence
- Learning Mentor intervention and support
- Breakfast club
- Time limited modified timetables

- Additional learning support
- Individual and group work with identified students
- Discussion with parents and students – meetings in school/home visits
- Governors Attendance Panels
- Illness Panels involving School Health
- The Common Assessment Framework (CAF)
- Referrals to support agencies
- Parenting Contracts

## Section 9: Stages of Intervention

**Stage 1:** If a student has had a number of periods of absence during a half term or there is concern about the reason given, the young person will be spoken to and/or contact will be made with parent.

**Stage 2:** Following initial contact, if concerns re: attendance persist, the parent will be invited to a meeting in school or a home visit will be arranged by a member of the pastoral team. The purpose of the meeting being to discuss reasons for absence and to agree an improvement plan. School staff will offer a range of interventions to support students to achieve regular school attendance. Support may be sought from other agencies at this stage and a CAF assessment completed. In cases of unauthorised absence, a Penalty Notice application will be submitted to the Local Authority.

**Stage 3:** If the student's attendance continues to deteriorate, a further meeting with the parent will be arranged to complete an attendance improvement agreement, where a set of targets and action points will be agreed. The student will have their attendance monitored over an agreed period, during which time the school will work with the parent/carer to implement the plan. Parents may be issued with a Penalty Notice warning or fine during this period.

**Stage 4:** A package of support from school and external agencies (where appropriate) will be offered in order to bring about an improvement in a student's attendance.

**Stage 5:** If the student's attendance fails to show significant and sustained improvement, the parent will be prosecuted under Section 444 (1) or 444 (1a) of the Education Act 1996. Prosecution may result in a fine of up to £2,500, community service or even a prison sentence of up to 3 months.

If a parent fails to engage at any of the stages, then stage 5 may be reached at an earlier point in time.

## Section 10: Legal Sanctions

**Prosecution** – Where intervention fails to bring about an improvement in attendance, the Local Authority will be notified and legal action in the Magistrates' Court may be taken. The School will provide the Local Authority with evidence required for a prosecution under Section 444 of the Education Act 1996 and will appear as a prosecution witness if required by the Court. This is to ensure that parents realise their own responsibilities in ensuring attendance at school and most importantly about returning children to education.

Section 444 of the Education Act 1996 states that if a parent fails to ensure the regular school attendance of their child if he/she is a registered student at a school and is of compulsory school age, then they are guilty of an offence.

A parent found guilty of this offence can be fined up to £2500 and or be imprisoned for a period of three months.

Alternatives to Section 444 prosecution are Parenting Contracts and Penalty Notices.

Parenting Contracts – (Anti Social Behaviour Act 2003) A parenting contract is a voluntary agreement between school and the parent, it can also be extended to include the child and any other agencies offering support to resolve any difficulties leading to improved attendance.

The contract will outline attendance targets and will detail agreed actions that will help to achieve the target. The contract will be reviewed regularly.

The contract can be used as evidence in a prosecution should parents fail to carry out agreed actions.

Penalty Notices – (Anti Social Behaviour Act 2003) Penalty Notices will be considered when:

- A student is absent from school for the purpose of a holiday in term time and the absence has not been authorised by the school.
- A student has accumulated at least ten sessions of unauthorised absence.

A Penalty Notice gives the parent the opportunity to discharge themselves of their legal responsibility if a £60 fine is paid within 21 days or £120 if paid within 28 days of the date the Notice was issued.

Failure to pay the Penalty Notice may result in a prosecution under Section 444 of the Education Act 1996.

Penalty Notices will be used in accordance with Tameside Metropolitan Borough Council's Penalty Notice Protocol.

## **Section 11: Review**

This policy is reviewed bi-annually or whenever deemed necessary by the Headteacher and Governors in the light of events and changes in the law.

The policy is shared with parents via the school website and parental views are taken into account.

## **Section 12: Monitoring and Evaluation**

Half termly data collection and analysis of student attendance helps staff to focus on targets and identify areas of weakness. The systems are regularly reviewed, taking into account the views of students, parents and school staff.

Attendance data is feedback to the Senior Leadership Team via the link member on a regular basis.

We will continually review our systems and be involved in forward planning.

We will collect and disseminate good practice by working alongside local schools and attending Local Authority network meetings.

We will use staff meetings, governors meetings, parents' evenings and assemblies as forums to acknowledge and celebrate progress.

We will work in partnership with local schools to establish common systems, practice and protocols and to share skills and knowledge.

# Appendix 1

Dear Parent/Carer

**Re: Attendance**

At Alder Community High School, promoting regular school attendance remains a priority and we aim to ensure that all of our students are given every opportunity to fulfil their academic potential. There is a strong correlation between attendance and achievement and poor school attendance having a detrimental impact on the achievement and future prospects of a young person.

We know that working together is crucial and we aim to communicate regularly with all parents and carers. On the reverse of this letter, is your child's attendance certificate. Please take the time to discuss this and compare your child's percentage attendance with the grid below.

It is acknowledged that not all students are able to achieve regular attendance owing to diagnosed medical conditions or other exceptional circumstances. We will work together with parents or carers to formulate an action plan where necessary in order to minimise the impact on learning and to promote inclusion.

Attendance	
91.9% or less	<ul style="list-style-type: none"> <li>• This level of attendance is concerning</li> <li>• Staff at school will make contact with a parent to discuss an action plan to improve attendance</li> <li>• If a student's absences are unauthorised, parents could receive a Penalty Notice</li> <li>• A parent can face legal action (prosecution with a fine of up to £2500 and/or 3 months imprisonment)</li> </ul>
Between 92% and 94.9%	<ul style="list-style-type: none"> <li>• School closely monitors attendance at this level</li> <li>• Steps should be taken to reduce any further absence</li> <li>• If a student's absences are unauthorised, parents could receive a Penalty Notice</li> </ul>
95%- 97% Good	<ul style="list-style-type: none"> <li>• We aim for all students to achieve this level of attendance as a minimum</li> <li>• Students should be making good progress as good attendance is a key contributory factor</li> <li>• Good attendance will be recognised and celebrated within school</li> <li>• In line with Government guidelines, all students at Alder are expected to achieve a minimum of 95% attendance</li> </ul>
98% - 100% Excellent	<ul style="list-style-type: none"> <li>• This is achieved through commitment, motivation and determination</li> <li>• A high level of attendance will enable a student to maximise opportunities to achieve</li> <li>• Moving on with an excellent attendance record gives a positive impression to prospective colleges and employers</li> </ul>

Please do not hesitate to contact your child's Progress Leader should you have any concerns.

Yours sincerely



R Lee (Miss)  
Senior Leader Safeguarding

## Appendix 2

Dear

##### has had a number of periods of absence from school and consequently his/her attendance has dropped to ##% which is a cause for concern.

Because of this level of attendance, we are no longer able to authorise further absence from school unless medical evidence is provided.

At Alder, we want to work with you to improve your child's attendance as good school attendance means that children can fulfil their potential and make the most of what school life has to offer.

Please do not hesitate to contact me or your child's Progress Leader if you would like to discuss this further or if you would like any advice or support.

We have a duty to make parents aware of the law relating to school attendance and therefore bring your attention to the information below.

Yours sincerely

Rachel Lee  
Senior Leader Safeguarding  
Alder Community High School

'All children of compulsory school age who are registered pupils at a school must attend that school regularly and punctually. It is your responsibility as a parent to ensure this. Failure to do so may result in Tameside Metropolitan Borough Council taking legal action against you. Should your child fail to attend regularly and punctually the school may refer to the Local council Education department for consideration in relation to prosecuting you for an offence under the Education Act 1996.

Conviction of an offence under section 444 (1) may result in a fine of £1000. Under section 444 (1A) convictions may result in a fine of £2,500 or a prison sentence.'