



## RE LEAVE OF ABSENCE (HOLIDAYS) IN TERM TIME

We know that you as parents/carers want the best for your child and that having a good education helps to open more opportunities in adult life. Bearing this in mind, I would like to include a reminder regarding the law relating to holidays taken during term time.

As parents you have a legal duty to ensure that your children attend school on a regular basis. The Education Act 1996 makes it a criminal offence for a parent to “*fail to secure their child’s regular attendance at the school*”. Amendments to the 2006 Regulations remove any reference to *family holidays, extended leave and the statutory threshold of ten school days*. The amendments also make it very clear that **Headteachers may not grant any leave of absence (holiday) during term time unless there are exceptional circumstances**. The amendments give **parents no entitlement** to take their child out of school for a holiday in term time and require the Principal and Governing Body to determine what the exceptional circumstances are.

A Leave of Absence form must be completed stating the reason for the request and must be sent to Mrs Brown, the Attendance and Liaison Officer at least two weeks in advance of the planned absence.

Any requests made for a holiday to be taken in the academic year 2022/2023 or thereafter, which is not considered by a Principal to be exceptional in circumstances, could result in a fine. If parents, contrary to what the school has said, still decide to take their child out of school for a leave of absence then the absence will be coded as **unauthorised**. This may lead to the school referring the matter to the Local Authority requesting a Fixed Penalty Notice to be issued.

Penalties for unauthorised absence		
Timeline	One child	Two children
Paid within 21 days	£60 <b><u>per</u></b> parent	£60 per child = £120 <b><u>per</u></b> parent
After 21 days and before 28 days	£120 <b><u>per</u></b> parent	£120 per child = £240 <b><u>per</u></b> parent
After 28 days	The parents will receive a summons to appear before the Magistrates’ Court on the grounds the parents have failed to secure their child’s regular attendance	The parents will receive a summons to appear before the Magistrates’ Court on the grounds the parents have failed to secure their children’s regular attendance

(NB: Definition of Parent: natural parent OR person who has responsibility for the care of a child).



**Penalty Notices may be considered appropriate in the following circumstances:**

- At least 10 sessions (5 school days) lost due to unauthorised absence in a ten-week period
- Unauthorised absences of at least 10 sessions (5 school days) due to holidays in term time or delayed return from extended holidays.
- At least 6 consecutive sessions of unauthorised absence during the first two calendar weeks of September due to a term-time holiday.
- **Persistent late arrival at school**, i.e. after the register has closed, in a ten-week period. "Persistent" means at least 10 instances of lateness.

I know that some parents/carers will find these measures severe but we believe that regular and high attendance is in every pupil's best interests and helps to maximise their achievements and enjoyment of school. Evidence shows that children with poor attendance are unlikely to succeed academically. All schools have a statutory obligation to provide information to the Local Authority and the DFE regarding attendance and the Education Welfare Service monitors attendance in all schools.

This letter reflects accurately the current legislation and as a school, we have a duty to point this out to parents/carers.



## Application for Leave of Absence from School during term time

Leave of absence may only be granted by a person authorised in that behalf by the proprietor of the school. Taking your child out of school during term time could be detrimental to their educational progress. **THERE IS NO ENTITLEMENT** to parents / carers to take a child out of school during term time, however you may apply to the school for leave of absence in exceptional circumstances. Agreement to each request is at the discretion of the Head Teacher, acting on behalf of the Governing Body (The Education (Pupil Registration) (England) (Amendment) Regulations 2013). If the absence is not authorised and the leave is taken, the matter will be referred to the Local Authority who may issue a Penalty Notice for £120 (or £60 if paid within 21 days) to each parent / carer for each child taken out of school. Failure to submit a leave of absence request will result in the absence being unauthorised and a referral to the Local Authority who may again issue a Penalty Notice as above.

**Please note: If you have previously received a Penalty Notice for an offence of failing to ensure regular school attendance or been the subject of a prosecution for any child in relation to irregular school attendance, you may not be given the opportunity to pay a further Penalty Notice; your case may proceed directly to court.**

Dear Head Teacher,

I would like to request permission for leave of absence for my child a pupil registered at your school for the reasons detailed below (further information can be attached if required).

<b>Child's Full Name</b>		<b>Date of Birth</b>	
<b>Year Group</b>		<b>Class</b>	
<b>Child's Full Address and Postcode</b>			

<b>First date of absence</b>		<b>Last date of absence</b>	
<b>Date of return to school</b>		<b>Number of school days absent</b>	

<b>If returning in time for lunch is a school dinner required (please tick)</b>	<b>YES</b>		<b>NO</b>	
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<b>Reason for request (please give full details, further details can be attached to this form).</b>

<b>Name of person making request</b>		<b>Relationship to child</b>				
<b>Full Address and postcode (if different from child's above)</b>						
<b>If child above does not reside with you, does the resident parent agree with this application?</b>			<b>YES</b>		<b>NO</b>	
<b>Signature of Parent / Carer with whom child resides</b>		<b>Date</b>				

<b>If you have a child or children at another school, please detail their names and which school(s) they attend below:</b>			
Child's full name:		School:	
Child's full name:		School:	
Child's full name:		School:	



**For School Office Use only**

Complete the below, keeping the originals, but returning copies of both the application and outcome of the application together with the appropriate letter on Infolink. This information should be sent first class, separately to both parents / carers / those with parental responsibility, ensuring address information etc. is accurate.

<b>Childs Forename and Surname</b>	
<b>Childs Date of Birth</b>	
<b>Childs Year Group</b>	
<b>Childs Class</b>	

<b>Date of response</b>	
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Dear	<b>Parents / carers Title, Forename and Surname</b>	
	<b>Parents / carers Title, Forename and Surname</b>	

<b>Date application received</b>					
<b>Date of response from school</b>					
<b>Percentage Attendance Year to date</b>					
<b>Number of Sessions absence this academic year</b>	<b>Authorised</b>		<b>Unauthorised</b>		<b>Total</b>
<b>Have the family of this child been issued with a Penalty Notice in the previous 12 calendar months, if yes please state how many.</b>	<b>YES</b>		<b>NO</b>		<b>Total in previous 12 months</b>

**Your application for leave of absence as detailed above has been:**

<b>Authorised</b> (number of sessions absent authorised).		<b>Unauthorised</b> (number of sessions absent unauthorised).	
<b>This is for the reason stated below</b>			
<b>Head Teacher Name</b>			
<b>Head Teacher Signature</b>		<b>Date</b>	