



Absence During Term Time – Policy and Guidance for Parents

Note: this document is based on the Local Authority Policy Statement: Considering Applications for Discretionary Leave of Absence during Term-Time (July 2013) and the amended Joint Procedures for Issuing Education-Related Penalty Notices (July 2015)

Revised Government Regulations

Revised regulations, which came into effect on 1st September 2013, removed all references to 'family holidays', 'extended leave' and the former statutory threshold which allowed up to ten school days leave per year for the purpose of a family holiday during term-time.

With the above references omitted, the amended regulations are now explicit that:

- **Headteachers cannot authorise any leave of absence during term time unless they are satisfied that there are exceptional circumstances.**
- **Parents must make an application in advance.** Schools cannot **grant** retrospective approval for **any** leave of absence.
- There is **no entitlement** for parents to take their child on holiday during term-time.

In addition, when considering applications for discretionary leave of absence, **Headteachers must always:**

- **be satisfied that each child's individual circumstances warrant being granted leave;**
- take into account the frequency of any such requests, the pupil's attainment, overall attendance and ability to catch up on missed lessons; and then
- determine the number of days, if any, a child can be away from school.

Please note: requests for absence in the period leading up to, or the week of, any formal tests (SATs) will **automatically be refused**. Any absence in Year 6 would also, in most circumstances, be routinely refused.

Consequently, a request for leave of absence in term time is not guaranteed automatically. It will be a rare, irregular occurrence, only allowed in exceptional circumstances.

The Local Authority Policy Statement **identifies** a generic list of **examples** of 'exceptional circumstances' which **may** justify approval. These examples include:

- members of the armed forces who are returning home from active duties.
- emergency services personnel (Police, Ambulance, Fire and Rescue) who are unable to take leave at certain times of the year.
- employees who are prevented from taking family holidays outside term-time.
- the death of an immediate family member (**parent, grandparent, sibling, uncle or aunt**).
- a child or parent/carer receiving medical treatment abroad – additional guidelines apply and evidence must be supplied **which is supported by a senior medical consultant**.
- families who can evidence that they have experienced genuine disruption to their originally agreed return travel plans, e.g. severe weather conditions or civil unrest.

Note: in the case of all intended travel abroad, copies of travel arrangements/tickets are requested providing confirmation of intended dates of both outward and return journeys.

Procedures for Parents Requesting Leave of Absence During Term-time

Note: This procedure is required for **all absence requests**.

- A letter of application must be submitted to the Headteacher in advance of the requested absence, allowing sufficient time to consider the request and respond appropriately (usually a minimum of two weeks).
- The letter should detail the request and state why the absence should be considered as 'exceptional', providing dates of the first and last day of intended leave.
- The Headteacher may request a meeting with parents to further clarify the request and discuss the granting or otherwise of the application.

If an application is granted...

- Parents will be notified in writing of the decision confirming the agreed dates of absence and the date by which the child/children will be expected to return to school. This letter will also inform parents of the actions which may be taken if they fail to return on time e.g. the issuing of a penalty notice for unauthorised absence or the child's/children's names being removed from the school roll.
- In those rare circumstances where leave of absence is granted in **excess of 10 school days**, parents will also be required to complete and return a Local Authority **Application for Discretionary Leave of Absence** form confirming the request for absence in accordance with the dates authorised by the Headteacher.

This application form will then be forwarded to the Local Authority to enter into their **E-Tracker System**. This system will generate text messages to parents on the first 'approved' day of absence confirming their agreed date to be back in school. The Headteacher will receive email copies of all correspondence. The e-tracking system also creates a daily report of when all those children granted extended leave are due back in school on each day and sends this in an e-mail to the Local Authority's Pupil Tracking and Licensing Officer, who will then contact the child's/children's school to check if the child/children have returned.

Failure to return by the agreed date...

- In the case of a child/children **granted** leave of absence but the child/children then fail to return to school **within 5 school days** of the agreed return date, a request to issue a penalty notice to the parents will normally be made by the Headteacher to the Local Authority Learning Access Manager.
- Penalty notices will be issued unless the school is satisfied that the child/children are unable to attend the school by reason of sickness or other unavoidable cause e.g. flight delays. In all circumstances, evidence will need to be provided to substantiate the reasons given. It is the responsibility of parents to inform school of any changes to return dates in advance of/on the date agreed to prevent the commencement of procedures by school to issue a penalty notice.
- In the case of a child/children **granted** leave of absence but the child/children then fail to return to school **after 10 school days** of the agreed return date, the child's/children's names **may also be removed from the school roll** as an alternative action to issuing a Penalty Notice, with no guarantee of re-admission.

If an application is not granted...

- If permission for discretionary leave is **not granted**, the Headteacher will write to the parents explaining the reason why the request has been refused and warning them of the potential consequences for failing to ensure their child's attendance at school, e.g. the issuing of penalty notices and/or the removal of their child/children from the school roll.
- However, warning letters may not be issued in instances where leave of absence is either not requested by parents in advance or requested with insufficient notice for a warning letter to be sent. In these instances the Local Authority reserves the right to issue penalty notices without a warning letter.
- If a parent removes a child/children from school **without seeking prior approval** from the Headteacher **or disregards the Headteachers decision** to refuse an application for absence, then the procedures for issuing a penalty notice **will** commence with failure to return to school within 5 days, or alternatively, the child's name may subsequently be removed from the school roll, with no guarantee of re-admission, should they still fail to appear after 10 days of continuous unauthorised absence.

Penalty Notices – circumstances of use

The circumstances in which a penalty notice for non-attendance may be issued include:

- Parentally condoned absence
- **Unauthorised holidays in term time**
- **Unwarranted delayed return from discretionary leave (without school agreement)**
- Persistent late arrival after the register has closed

'Parentally condoned absence' also refers to 'ad hoc' absences, not necessarily consecutive days, which are deemed to be **unauthorised**.

Penalty notices may be issued in these circumstances for a **minimum of 10 unauthorised school sessions (5 days)** by any child in any **one term** and/or a **minimum of 14 unauthorised school sessions (7 days) over two consecutive terms**.

Persistent late arrival after the register has closed will be monitored and determined by the school's Education Welfare Officer and Penalty Notices issued accordingly.

(Note: these procedures comply with BwD, Blackpool & Lancashire County Local Authorities' Joint Procedures for Issuing Education-related Penalty Notices July 2015 – policy available upon request.)

Penalty Notices - costs

By law, individual Education Penalty Notices are required to be issued to each liable parent/carer per child, i.e. in the case of a family with both parents and two children who are taken out of school without the Headteacher's permission, 4 x separate Penalty Notices will be issued.

Further amendments to the Education Regulations have reduced the time limits by which a Penalty Notice amount must be paid:

Payment of penalty within 21 days - £60 per parent, per child; and where not paid

Payment of penalty within 28 days - £120 per parent, per child

Non-payment of the penalty within 28 days will normally trigger prosecution in the Magistrates Court

The Local Authority will retain any revenue from the income generated by the issuing of penalty notices to help cover administration and enforcement costs.

Policy Revised: October 2015

To be reviewed: Autumn 2018 or as necessary due to local/national legislation requirements