

Written: December 2015    Approved by Governors: March 2018  
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Bradleys Both Community Primary School  
**Pupil Leave of Absence in Term Time**

### **Aims**

The aim of this policy is to minimise the amount of time lost to term-time absence in order to maximise the educational potential of every child. This can be achieved with the support of parents/carers by ensuring absence during school term-time is not taken unless there are exceptional circumstances. There are 175 days each year when your child is not in school. Absence for any reason during term time interrupts a child's education and disrupts educational progress.

### **Regulations and Guidance**

The Department of Education requires Local Authorities to implement government amendments to the regulations regarding the taking of Leave of Absence in term-time, which came into force on the 1<sup>st</sup> September 2013. The new law gives no entitlement to parents to take their child on holiday during term-time.

**Headteachers would not be expected to class any term time holiday as exceptional. Therefore Headteachers will only be able to grant leave of absence in exceptional circumstances and this will be at the discretion of the Headteacher.**

Requests for absence in term time must be made 6 weeks prior to the absence and made in writing using the relevant request form, which is available from our school office or on our school website.

**No parent/carer can demand leave of absence as of right.** The Education Regulations state that applications must be made in advance by a parent/carer with whom the child lives and can only be authorised by the school taking into account any factors presented by the family. Our Headteacher will also welcome early discussion with you around potential applications.

Parent/carers will be notified in writing of the decision for a leave of absence in term time within 10 school days of the date of the application.

The following are examples of the criteria for leave of absence, which may be considered as 'exceptional'.

- Service personnel returning from active deployment
- Where inflexibility of the parent's leave or working arrangements is part of the organisational or company policy. This would need to be evidenced by the production or confirmation from the organisation/company.
- Where leave is recommended as part of a parent's or child's rehabilitation from medical or emotional problems. Evidence must be provided.
- When a family needs to spend time together to support each other during or after a crisis.

This is not an exhaustive list and the Headteacher must consider the individual circumstances of each case when making a decision on this matter. Leave is only acceptable against exceptional circumstances and should not be granted on the basis of attendance record, academic performance or the 'experience' offered by being out of school. Where a Headteacher feels that there may be exceptional circumstances which do not fit the criteria, they may refer to the local authority for advice. The decision of the Headteacher is, however, final.

**Please note that the ability to access a reduced cost of a holiday does not constitute an exceptional circumstance.**

If the leave of absence in term time is agreed it will be recorded as 'H' on the school attendance registers (authorised absence).

If the school does not agree to grant the leave of absence and the parents/carers take their child out of school then this will be recorded as unauthorised absence 'G' (family holiday not agreed). If the child has unauthorised absent for 10 or more sessions (5 school days) a Penalty Notice and a Statement of Witness will be issued by the Headteacher and sent to the Educational Social Work Service.

Should the child fail to return to school within 10 school days of the agreed return date and there is no communication from parents/carers the school may remove the child from the school roll.

**Legal Implications:**

Where a child is taken out of school for the purpose of leave of absence in term time without the prior permission of the school, the absence will be recorded as unauthorised and as such may result in a Penalty Notice. Penalties are applied by the Local Authority and as such are not at the discretion of the Headteacher. If a Penalty Notice is not paid, the matter may be taken to prosecution in the Magistrates Court.

Parents must, from 1st September 2013, pay £60.00 within 21 days or £120.00 within 28 days. Where a family has more than one child absent from school a penalty notice will be issued for each child who is absent. This brings attendance penalty notices in line with other types of penalty notices and allows local authorities to act faster on prosecution if the fine is not paid.