



# **Leave in Term Time Absence Policy**

**Revised February 2020**

**Next review February 2021**

## **Leave in Term Time Absence Policy**

### **Introduction**

This Telford & Wrekin Council Local Authority (LA) Policy Statement has been developed within the context of the national and local priority of raising the educational achievement and attainment of pupils.

Newdale Primary School & Nursery and Governors have agreed to follow the Local Authority Guidance in terms of the 'Leave in Term Time Absence Policy'.

*Guidelines with regard to travelling children are different. Please seek guidance from the Schools Multicultural Development Team (SMD), Tel: 01952 380828.*

Leave in term time which results in significant absence from school, is disruptive to the child's education and has a detrimental impact on attainment.

The purpose of this policy statement is to provide updated guidance on procedures to be followed by schools to manage absence in term time.

A number of factors indicated the need to introduce the policy:

- Government evidence on underachieving groups of pupils, particularly those from minority ethnic groups, and LAs responses to this, indicate a national trend in reducing the number of weeks deemed acceptable for an extended absence.
- The Telford & Wrekin Council Attendance Policy (Revised September 2018) supports the LA's view that parents should be made more aware of the official regulations and legislation about absence in term time including holidays.

In order for the policy to succeed, it is essential that it is formally adopted and implemented by schools' governing bodies and shared with pupils, families and the wider community

## **Legislation**

The Education (Pupil Registration) (England) (Amendment) Regulations 2013 provide, in respect of leave of absence in term time –

### Regulation 7 Leave of Absence

- (1) Leave of absence may only be granted by a person authorised in that behalf by the proprietor of the school.
- “(1A) Subject to paragraph (2), leave of absence shall not be granted unless-
- (a) An application has been made in advance to the proprietor by a parent with whom the pupil normally resides; and
  - (b) The proprietor, or a person authorised by the proprietor in accordance with paragraph (1), considers that leave of absence should be granted due to the exceptional circumstances relating to that application”.

Amendments to the 2006 Regulations remove reference to the threshold of ten school days. In the case of requests for extended trips, Headteachers should determine the number of school days a child can be away from school if the leave is granted.

A child’s name can be removed from the register if the pupil has been granted a leave of absence and, after the agreed period;

- s/he has not returned by the agreed date;
- and s/he has continued to be absent for a period of more than twenty school days;
- and the Headteacher is not satisfied that this is because s/he is ill or the absence is unavoidable;
- both the proprietor and the Local Authority have failed, after reasonable enquiry, to ascertain where the pupil is.

## **DfE Guidance**

Amendments to the Education (Pupil Registration) (England) Regulations 2006 remove reference to ‘Family Holidays’ and extended leave as well as the statutory threshold of ten school days. Headteachers may not grant any leave of absence unless there are exceptional circumstances, Headteachers should determine the number of school days a child can be away from school if the leave is granted. Such permission is granted in accordance with arrangements made by the governing body of the school.

**There is no automatic right to any holiday in term time.**

The LA policy supports new legislation which makes it clear that Headteachers may not grant any leave of absence during term time unless there are exceptional circumstances. Advice is available to schools from the Attendance Support Team.

Leave of absence must be requested from and agreed by the Headteacher in advance of any absence. If approved, the absence is registered as authorised and if not approved but still taken, as unauthorised. Schools should have documentation in place to use when dealing with requests for any leave (appendix 2 & 3). This provides parents/carers with information about the possible consequences of taking leave that has not been authorised.

The DfE guidance about holidays in term time makes the following points:

- each request can only be judged on a case by case basis;
- even in exceptional circumstances it is expected that Headteachers will use their discretion sparingly;
- Headteachers should not apply policies (for example, blanket bans) which might suggest that each application has not been considered on its individual merits;
- as a general guide any activity, holiday or event that can be arranged during the annual 13 week holiday time should not be authorised during the school term.

Permission is granted in accordance with arrangements made by the governing body of the school. Headteachers should determine the number of school days a child can be away from school if the leave is granted. Schools should not regard 10 days as the norm.

In deciding whether or not to grant the request for leave of absence the following should be taken into account;

- overall pattern of attendance;
- age of the child(ren)
- phase of education;
- time of the year and examinations;
- length, destination and purpose of the holiday and whether it is likely to be a rare event in the life of the child;
- family circumstances and the parents/carers reasons for wanting to take their annual holiday during term time.

Any pupils to be removed from the school roll should first be referred to the Attendance Support Team.

**Procedures for authorising leave in term time can be summarised as:**

- Holidays in term time are actively discouraged by the school and the LA;
- Holidays in term time are not a right and should not automatically be granted;
- 10 days should not be considered the 'norm';
- Leave should only be granted where proper procedures have been followed;
- Leave of absence should not be granted retrospectively;
- It remains a discretionary power of the Headteacher to authorise leave of absence. Clear advice needs to be included within the school's attendance policy and prospectus.
- Parents who continue to remove their child from school without authorisation may be issued with a Penalty Notice.

**Extended Overseas Trips**

When making judgements about extended absence for pupils from ethnic minority families, schools should ensure that full account has been taken, not only of the regulations and DfE guidelines, but also of the situation of ethnic minority families in general and the particular circumstances relating to each individual case. There is no automatic right to any parent to remove their child from school during term time. Headteachers should determine the number of school days a child can be away from school if the leave is granted.

Schools should ensure that all parents are aware of the school's policy on absence. In the case of ethnic minority parents, special care should be taken to ensure that the regulations are fully explained and understood. Interpreters should be used if necessary or, where a number of parents are concerned, the school may wish to consider organising a special meeting for those parents taking into account their 'Leave in Term Time' policy.

**Schools should take account of the following:-**

- a visit involving family overseas has an entirely different significance from the normal associations with 'holiday' which is the category recognised by the DfE
- visits may be very important in terms of children's identity and self-esteem as they grow up

- parents may feel that the planned visit outweighs the importance of their child's uninterrupted attendance at school - maintaining family links may involve greater significance and greater pressure in some societies than it does in many western societies
- the reasons for parents making a visit may be similar to those for indigenous parents, e.g. family illness, bereavement, etc.

**However, schools should explain to parents that:-**

- leave in term time is disruptive and detrimental to a child's learning and attainment
- advanced permission must be requested and agreed
- the absence should be planned carefully with the school
- wherever possible, extended visits should be made during school holidays
- leave of absence during examination time should be avoided
- children who miss school for six weeks or more fall behind in their school work by a full term
- some children never catch up and will under-perform in their examinations
- their child's name may be removed from the register if he or she has not returned to school within twenty school days of the expected date of return

**If absence is agreed, schools should consider:-**

- the potential educational value of the visit
- the amount of school work missed and how parents and school can help their child catch up on his/her return to school
- preparing a study pack
- asking pupils to make notes/observations in relation to a current or forthcoming class topic
- going through any work that has been completed by the pupil on return to school
- sharing experience with other pupils - class teacher could ask child to bring into school postage stamps and other memorabilia from country visited.

## **Procedure for Pupils Not Returning to School after Leave in Term Time (Authorised/Not Authorised)**

School and AST must make adequate enquires to locate the pupil. If contact is made and parent/carer informs school of the reason for delay absence should be marked accordingly. If no contact is made school will send letter 1 (Appendix 4) to home address and copy sent to AST. If the parent/carer fails to contact school within 20 days of the known return date school will send letter 2 (Appendix 5). School should inform AST and attendance pupil tracking officer and remove child from register.

## **Procedures for Sharing with Families the Recommendations made in the Guidelines**

For this policy statement to be effective, it is essential that schools share with parents the expectations and procedures outlined in this document.

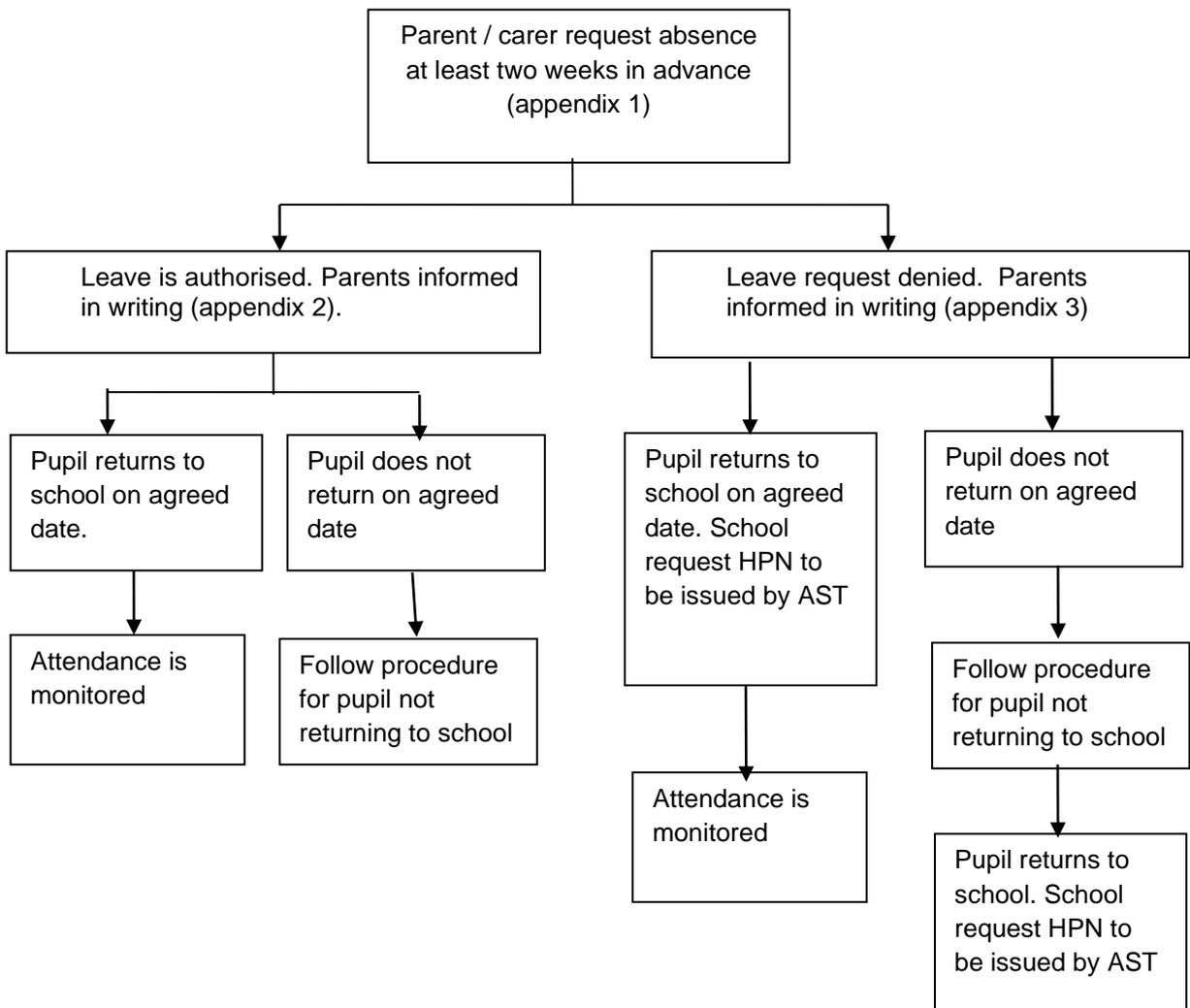
This could be done in a number of different ways:

- new intake evenings or parents' evenings,
- leaflet for parents,
- reminders in newsletters,
- statement in the school's prospectus (if available),
- on school's website.

The Local Authority recommends that the following paragraph is included in the school prospectus and on the school's website.

*“Parents are encouraged to organise family holidays, including visits to a country of family origin, during school holiday periods. If it is necessary to go in term time, parents must contact the school to seek agreement.”*

## Leave of Absence in Term Time Authorisation Procedure



## Appendix 1

## Guidance Notes for Parents requesting Leave in Term Time

1. Parents wishing the school to consider granting leave of absence in school term time should read these notes carefully and then complete and send to the headteacher the tear off request form below. This form should be sent to the school in time for the request to be considered **well before** the desired period of absence. Parents are strongly advised not to finalise any holiday booking arrangements before receiving the school's decision on their request. In any event the request form must be received by the school at least four weeks before the departure date to allow sufficient time for appropriate consideration.
2. The granting of leave of absence in school term time is, by law, a matter for consideration and decision by the school. There is no automatic right to any leave in term time. The Department for Education (DfE) and Telford & Wrekin Local Authority (LA) policy is that family holidays should not be taken in school term time. Where such requests are made, for the leave to be granted, the Headteacher should decide if there are **exceptional circumstances**.
3. Each case will be considered individually and on its own merits. Parents need, therefore, to consider very carefully before making any request for leave of absence the demands of the National and wider School Curriculum especially at the Key Stage assessment stage. In considering a request, the school will take account of: -
  - the **exceptional** circumstances stated that have given rise to the request;
  - the age of the child;
  - the stage of the child's education and progress and the effects of the requested absence on both elements;
  - the overall attendance pattern of the child;
  - the nature of the trip.
  - students/pupils on examination courses or due to take SATS will **not** normally be granted leave of absence.
4. Where parents have children in more than one school a separate request must be made to each school. The Headteacher of each school will make their own decision based on the factors relating to the child at their school. It is possible that because of these factors different decisions may be made. It is hoped that if this situation arises parents will be persuaded to accept the reasons for refusal given and, thereby, withdraw any other requests.
5. Where requests for a grant of leave of absence are received from only one parent the response letter – agreeing or refusing – will be either addressed to both/all parents where they live at the same address or to each where they do not. This is to ensure, particularly in the case of a refusal, that both or all 'parents' are fully aware of the consequences of ignoring a refusal as the refusal letter clearly states that each parent will receive a penalty notice.
6. Should the school decide to grant leave of absence but, the child **does not return to school at the time s/he was expected to** (i.e. following the expiry of the granted leave of absence period) and, no information is available to the school to explain/justify the continuing absence or, make known the whereabouts of the child, **his/her place at the school could be lost**.
7. Should the School decide **not to grant leave of absence** and parents still take their child out of school the absence will be recorded as **unauthorised** which may be subject to a Holiday Penalty Notice fine of £60 per parent per child. From 1<sup>st</sup> September 2013 this fine will increase to £120 if not paid within 21 days. Failure to pay the £120 fine within the period 22 to 28 days may lead to Court proceedings.

## Request for Leave in Term Time from School



Date.....

To: The Headteacher of:.....(School)

I request permission for leave in term time from school for my child:

(full name) .....

from (date) ..... to (date) ..... for ..... school days.

My child will be accompanied during the leave by:

(parent/carer) ..... and (parent/carer).....

The **exceptional circumstances** and reason for this request are: -

(If necessary, please continue on a separate sheet and attach it to this form)

I have (an)other child(ren) in (an)other school(s) as follows

Child(ren) (full name(s) ..... School(s) .....

.....

.....

**Name of 1<sup>st</sup> Parent/Carer(s)** ..... **Signed** .....

Current address.....

Mobile No 

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**Name of 2<sup>nd</sup> Parent/Carer(s)** ..... **Signed** .....

Current address.....

Mobile No 

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## Appendix 2

## School Letter Leave Agreed

(Parents name and address)

Date

Dear (Parents name)

(Child's Name and Date of Birth)

Thank you for your letter dated (date) requesting permission for (pupil's name) to be absent from school for (number of days), (dates).

As you may be aware the Government has renewed appeals to parents not to take their children out of school during term time. The Governors of the school support this and have decided that students will only be given permission to take holidays in term time if there are exceptional circumstances.

Having looked at your application, I feel that your request can be supported in this instance. **Therefore, the absence to include the dates requested will be authorised.**

Our key priority is to ensure that (pupil's name) is as successful as possible and is able to achieve (his/her) full potential. I would hope that, in the future you are able to support this decision in line with the Local Authority and Government policy that leave should be restricted to the 13 weeks school holidays except in exceptional circumstances.

I hope this letter explains the reason for the decision that has been made.

Yours sincerely

Miss R. Cook

Headteacher

### Appendix 3

### School Letter Leave Not Agreed

(Parents name and address)

Date

Dear (Parents name)

(Child's Name and Date of Birth)

Thank you for your letter dated (date) requesting permission for (pupil's name) to be absent from school for (number of days), (dates).

As you may be aware the Government has renewed appeals to parents not to take their children out of school during term time. The Governors of the school support this and have decided that students will only be given permission to take leave in term time if there are exceptional circumstances. Having looked at your application, although understanding of your reasons, I do not feel that your request cannot be supported in this instance. **Therefore, if the absence occurs the dates will be unauthorised.**

As a school we are asked to inform you that, in line with Telford and Wrekin Council Policy, unauthorised absence may be subject to a penalty notice fine of £60 payable per parent, per child, increasing to £120 each if not paid within 21 days. If this fine is not paid within 28 days this may lead to court proceedings.

Our key priority is to ensure that (pupil's name) is as successful as possible and is able to achieve (his/her) full potential. I would hope that, upon reflection you are able to support this decision in line with the Local Authority and Government policy that leave should be restricted to the 13 weeks school holidays except in exceptional circumstances.

Thank you for your understanding; I hope this letter explains the decision that has been made.

Yours sincerely

Miss R Cook

Headteacher

## **Appendix 4**

### **Letter 1**

(Parents name and address)

Date

Dear (Parents name)

(Child's Name and Date of Birth)

Your child .....has now been absent from school for ..... school days.

Before your child's absence, you agreed that he/she would return to school on .....

As this date has now passed and your child has not returned, I need to let you know that, if your child has not returned to school before .....(i.e 20 days after the agreed return date) we will take him/her off the school register.

**This means that your child can only be re-admitted if there is a place available at this school.**

This is in line with the Telford & Wrekin Local Authority policy.

Please contact me as soon as you return.

Yours sincerely

(Name)

**(Headteacher)**

## **Appendix 5**

### **Letter 2**

(Parents name and address)

Date

Dear (Parents name)

(Child's Name and Date of Birth)

Your child ..... has now been absent from school for ..... weeks.

Following my letter dated..... and in line with the Telford & Wrekin Local Authority policy, I have removed your child from the school register.

**This means that your child no longer has a place at this school.**

**To arrange provision for the future education of your child you now need to contact the School Admissions team or seek further advice from Family Connect on 01952 385385.**

Please contact me as soon as you return.

Yours sincerely

(Name)

**(Headteacher)**