



## Leave of Absence during Term Time Applications



Dear Parent / Carer,

### Leave of Absence Application Form:

Please find attached an application form for leave of absence during term time. You should complete parts A and B, leaving part C blank for school use only.

### New Regulations around Leave of Absence:

When making an application for leave of absence during term time, please be aware that from 1<sup>st</sup> September 2013, Head Teachers are not able to grant any leave of absence during term time **unless there are exceptional circumstances**. This is because of a change in the regulations, which is fully explained in the 'Frequently Asked Questions' page attached to the back of the application form overleaf.

The application form attached therefore asks you to outline the reasons why you feel your application for leave of absence during term time should be regarded as 'exceptional.'

### Leave of Absence Authorisation:

Following the submission of your application, you will be notified as soon as possible of the School's decision. Please note that leave of absence authorisation is entirely at the Head Teacher's discretion, and if authorisation is granted, the number of days to be authorised will also be determined by the Head Teacher.

Parents / carers should be aware that if your requested leave of absence is not authorised, but you still take the child out of school, or you keep your child away from school for a longer time than agreed / authorised, the absence (or excess absence where longer than agreed) will be recorded as unauthorised.

Unauthorised absences on your child's attendance record may mean that you are liable to incur a Fixed Penalty Notice (fine) or could face prosecution. Fines will be issued to **each person with parental responsibility** for the child / children who is deemed liable for the offence / offences. 'The Frequently Asked Questions' page attached to the back of the application form overleaf explains the circumstances where enforcement action may be taken more fully.

Yours Sincerely,

Emma Woodhouse  
Head Teacher

# Application for Leave of Absence during Term Time



A. Pupil Details			
Name:		DoB:	
Address:			
Class / Form:			

B. Leave of Absence Request Details			
Start date of requested leave:		End date:	
Return to school date:		No. of days:	
What are the <u>exceptional circumstances</u> for your leave of absence request that you wish the school to consider?			
Name of parent / carer (print):			
Signature:		Date:	
Name of parent / carer (print):			
Signature:		Date:	

C. For School Use			
Current attendance %:			
Previous LOA this academic year:			
Does the LOA request time coincide with SATS / other examination periods:			
Any mitigating / aggravating circumstances (Including any ongoing medical issues):			
Child's current / potential level of attainment?			
Is the LOA approved?:	YES	NO	
If <b>YES</b> - Number of days to be authorised for this LOA application:			
Signature of Head Teacher:		Date:	
*Register Code to be used for this LOA:			

## **Holidays in Term Time**

### **Frequently Asked Questions**

#### ***Why did the rules on Holidays in Term Time change? / Why has my child's school told me that they will not authorise term time holidays unless there are exceptional circumstances?***

In July 2012, Charlie Taylor (the Government's expert advisor on behaviour at that time) was asked by Michael Gove (Secretary of State for Education) to conduct a review of school attendance.

Mr Taylor stated in his report that if children are taken away for a two week holiday every year and have an average number of days off for sickness and appointments, then by the time they leave at sixteen they will have missed a year of school.

Mr Taylor's report recommended that changes were made to strengthen the rules on term time holidays, and that whilst head teachers should continue to have some discretion over the issue, holidays in term time should be the exception rather than the rule.

In his response to the report, Michael Gove endorses this recommendation, stating that more needs to be done to discourage term time holidays and that the rate of these absences in primary schools is double that of secondary schools. He comments that the expectation will be that schools only give permission for absence where there are exceptional circumstances that warrant it.

Head Teacher's Associations welcomed the recommendation to strengthen rules on term time holidays, recognising the disruption that holidays can cause to a pupil's education. Following consultations, the law around term time holidays was then changed from 1<sup>st</sup> September 2013.

#### ***What does the law say about Holidays in Term Time?***

It says that from 1<sup>st</sup> September 2013, Head Teachers may not grant any leave of absence during term time unless there are exceptional circumstances. Head Teachers should determine the number of school days a child can be away from school if the leave is granted.

#### ***If my child's school refuses to authorise my term time holiday request, will I receive a fine (Fixed Penalty Notice) and can I be prosecuted?***

Durham County Council's Fixed Penalty Notice Protocol acknowledges that regular and punctual attendance at school is both a legal requirement and essential for pupils to maximise their educational opportunities.

Circumstances where a Penalty Notice might be issued include unauthorised leave of absence in term time, or other parentally condoned absence but only where the absence amounts to seven days or more in a minimum twelve rolling school week period. You can be prosecuted if you receive a fine and it is not paid.

Under the Education Act 1996, parents commit an offence if they fail to ensure their child's regular school attendance. Taking a child out of school for a holiday without permission, and where the absence amounts to seven days or more of unauthorised absence is viewed as failing to ensure your child's regular attendance at school.

Payment of a Penalty Notice, where offered, is an alternative to prosecution. If unpaid, prosecution for the Education Act offence may therefore ensue. A fixed penalty notice will be issued to **each person with parental responsibility** for the child / children who is deemed liable for the offence / offences.

Code	Meaning	Application
<b>H</b>	Holiday authorised by the school	Head teachers should not grant leave of absence unless in exceptional circumstances. The application must be made in advance and the head teacher must be satisfied that there are exceptional circumstances which warrant the leave. Where a leave of absence is granted, the head teacher will determine the number of days a pupil can be away from school. A leave of absence is granted entirely at the head teacher's discretion
<b>G</b>	Holiday not authorised by the school or in excess of the period determined by the head.	If a school does not authorise a leave of absence for the purpose of a holiday but the parents still take the child out of school, or the child is kept away for longer than was agreed, the excess absence is unauthorised. The regulations do not allow schools to give retrospective approval. If the parents did not apply for leave of absence in advance, the absence must be recorded as unauthorised.
<b>C</b>	Leave of absence authorised by the school	Only exceptional circumstances warrant an authorised leave of absence. Schools should consider each request individually taking into account the circumstances, such as: the nature of the event for which leave is sought; the frequency of the request; whether the parent gave advance notice; and the pupil's attainment, attendance and ability to catch up on missed schooling..
<b>O</b>	Absent without authorisation	If the school is not satisfied with the reason given for absence they should record it as unauthorised.
<b>N</b>	Reason for absence not yet provided	Schools should follow up all unexplained and unexpected absences in a timely manner. Every effort should be made to establish the reason for a pupil's absence. When the reason for the pupil's absence has been established the register should be amended. This code should not be left on a pupil's attendance record indefinitely; if no reason for absence is provided after a reasonable amount of time it should be replaced with 'O.'
<b>U</b>	Arrived in school after registration closed	Schools should actively discourage late arrival, be alert to patterns of late arrival and seek an explanation from the parent.
<b>R</b>	Religious observance	Schools must treat absence as authorised when it is due to religious observance. The day must be exclusively set apart for religious observance by the religious body to which the parents belong. Where necessary, schools should seek advice from the parents' religious body about whether it has set the day apart for religious observance.
<b>S</b>	Study leave	Schools must record study leave as authorised absence. Study leave should be used sparingly and only granted to Year 11 pupils during public examinations. Provision should still be made available for those pupils who want to continue to come into school to revise.
<b>T</b>	Gypsy, Roma and Traveller absence	A number of different groups are covered by the generic term Traveller – Roma, English and Welsh Gypsies, Irish and Scottish Travellers, Showmen (fairground people) and Circus people, Bargees (occupational boat dwellers) and New Travellers. This code should be used when Traveller families are known to be travelling for occupational purposes and have agreed this with the school but it is not known whether the pupil is attending educational provision. It should not be used for any other types of absence by these groups. To help ensure continuity of education for Traveller children it is expected that the child should attend school elsewhere when their family is travelling and be dual registered at that school and the main school. Children from these groups whose families do not travel are expected to register at a school and attend as normal. They are subject to the same rules as other children in terms of the requirement to attend school regularly once registered at school.
<b>E</b>	Excluded but no alternative provision made	If no alternative provision is made for a pupil to continue their education whilst they are excluded but still on the admission register, they should be marked absent in the attendance register using Code E. Alternative provision must be arranged for each excluded pupil from the sixth day of any fixed period or permanent exclusion. Where alt. provision is made they should be marked using the appropriate attendance code.
<b>M</b>	Medical or dental appointments	Missing registration for a medical or dental appointment is counted as an authorised absence. Schools should, however, encourage parents to make appointments out of school hours. Where this is not possible, the pupil should only be out of school for the minimum amount of time necessary for the appointment.
<b>I</b>	Illness	Schools should advise parents to notify them on the first day the child is unable to attend due to illness. Schools should authorise absences due to illness unless they have genuine cause for concern about the legitimacy of an illness. If the authenticity of illness is in doubt, schools can request parents to provide medical evidence to support illness. Schools can record the absence as unauthorised if not satisfied of the authenticity of the illness but should advise parents of their intention. Schools are advised not to request medical evidence unnecessarily. Medical evidence can take the form of prescriptions, appointment cards, etc. rather than doctors' notes.