

Leave of Absence during Term Time Applications

Dear Parent / Carer,

There was since a change in the law concerning term time leave of absence from 1st September 2013. Head Teachers **are not able to grant any** leave of absence during term time unless there are exceptional circumstances. Where leave is granted, Head Teachers must decide the number of school days a child can be away from school.

If you wish to make an application for your child's term time leave of absence, you must fill out an application form, which can be requested from school reception. The application form asks you to outline the reasons why you feel your application for leave of absence during term time should be regarded as 'exceptional.' Following the submission of your application, you will be notified as soon as possible of the School's decision.

Parents / carers should be aware that if you take leave of absence during term time without making a prior application to the school, or if you make an application but your requested leave of absence is not authorised and still take the child out of school, the absence will be recorded as unauthorised. Similarly, if you keep your child away from school for longer than agreed / authorised, the excess absence 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 or could face prosecution. 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. '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.

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 only, leaving part C blank for school use only.

Application for Leave of Absence during Term Time



A. Pupil Details			
Name:		DoB:	
Address:			
Class / Form:			
Siblings name(s):		School(s)	

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 / step parent (FULL name):			
Signature:		Date:	
Name of parent / carer / step parent (FULL name):			
Signature:		Date:	

C. For School Use			
Previous LOA this academic year:			
Does the LOA request time coincide with test / examination periods:			
Is the LOA approved?:	YES	NO	
If YES - Number of days to be authorised for this LOA application:			
Signature of Head Teacher / designated member of staff:		Date:	
*Register Code to be used for this LOA:			

* Full list of absence codes overleaf

Absence Codes

Code	Meaning	Application
H	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
G	Holiday (leave of absence) 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.
C	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..
O	Absent without authorisation	If the school is not satisfied with the reason given for absence they should record it as unauthorised.
N	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.'
U	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.
R	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.
S	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.
T	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.
E	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.
M	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.
I	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.

Leave of Absence in Term Time Frequently Asked Questions

What does the law say about leave of absence in term time?

It says 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 leave of absence request, will I receive a 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 where the absence amounts to **seven school days or more in a minimum twelve rolling school week period**. You can be prosecuted if you receive a fixed penalty notice 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 leave of absence without permission, and where the absence amounts to seven school days or more of unauthorised absence in a minimum twelve week rolling term 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.

Who has parental responsibility for a child?:

The Department for Education (DfE) state a parent means:

- All **natural parents**, whether they are married or not;
- Any person who **has parental responsibility** for a child or young person; and,
- Any person who **has care of a child or young person i.e. lives with and looks after the child**.

The DfE further state: '**generally parents include all those with day to day responsibility for a child.**'