Taking children out in term time Information for parents/carers

Regular attendance at school is vital to help children achieve and get the best possible start in life.

Children who frequently miss school often fall behind. There is a strong link between good school attendance and achieving good results. It is proven that attainment is connected to good attendance, missing school could have an impact on your child's education. This is valuable learning time that cannot be given back. For example, only 12% of pupils with below 80% school attendance achieve five or more GCSEs at grades A*-C including English and Maths, compared to 68% for pupils with attendance greater than 95%.

Thinking of taking your child out of school in term time?

New legislation introduced in September 2013 stated that Headteachers could no longer authorise holidays during term time.

Leave of absence during term time, can now only be authorised by the Headteacher if they are satisfied, that these are exceptional circumstances.

If the Headteacher does not authorise the leave of absence but the child is absent during the requested time, parents may receive a Penalty Notice (fine).

How do I make a request for leave of absence in term time?

1. You need to complete a leave of absence request form (which is attached at the end of this information pack) at least four weeks before the start of the absence. This form is also available to download from our website.
2. The completed form must then be sent to school for approval.
3. The school will then write to you within seven school working days to confirm/decline the request.

What will happen if my request is refused but I still take the leave of absence?

Your school will notify the delegated local authority office who may issue a Penalty Notice to you if your child/children are absent for 10 accumulative sessions in a 10-school week rolling period.

From 19th August 2024, the National Framework for Penalty Notices for unauthorised absences from school changed.

The first time a penalty notice is issued the fine will be £160. per parent, per child. If paid with 28 days, this will reduce to £80 per parent, per child. If you take your child out in term time again within a 3-year period, the second penalty will be £160. per parent, per child. The lower rate is not an option.

Should you take your child out again within 3 years, there will be no penalty notice issued and the local authorities will consider other available measures to address the absence concerns

If parents are found guilty of an offence under s444 (Education Act 1996) they can be fined you to £2,500 and have a criminal record.

Frequently Asked Questions

1. **Can I dispute the Fixed Penalty Notice**
   Only a Headteacher can authorise leave of absence from school. If there are other exceptional or compelling circumstances of which the school were not aware of, you can make a representation to the Headteacher. If the school maintain the absence was unauthorised, the Penalty Notice will stand. There is no right to appeal a Fixed Penalty Notice, but you may choose not to pay and make you representation in the Magistrate's Court. You should be aware that should the court find you guilty of the offence of irregular school attendance, they can impose a higher punishment upon conviction. The court may also charge you with the court costs.

2. **I do not live with the child or I am a step-parent, can I still be fined?**
   Yes, Section 576 Education Act 1996 defines 'parent' as:

   - Any natural parent, whether married or not
   - Any parent who, although not a natural parent, has parental responsibility as defined in the Children Act (1989) for a child or young person
   - Any Person who, although not a natural parent, has care of a child or young person on a day to day basis. However, for any parent who does not reside with the child(ren), applications will be considered on an individual basis by the Headteacher and may still be liable for prosecution.

3. **Why do some schools authorise absence and another does not?**
   The Headteacher is the only person who can authorise leave of absence. Headteachers are only able to authorise leave of absence requests for exceptional circumstance and each case will be looked at individually.

4. **My Child has never had unauthorised leave of absence before?**
   The Penalty Notice has been issued on the referral criteria. School attendance is crucial to children and any absence will have an impact upon your child's educations. Your child's Headteacher will have based their decision on whether the leave of absence request was exceptional rather than based on your child's attendance level percentage.

Leave of Absence (exceptional circumstances)

Request Form

Child's Details

Full Name _____ Date of Birth _____

Parents/carers Details

Full Name _____Relationship_____

Address_____

_____

Post Code _____ Telephone Number _____

Full Name _____Relationship_____

Address_____

_____

Post Code _____ Telephone Number _____

About the request for your child's absence from School

Please state the reason for taking your child out of school

_____

_____

_____

Length of absence (school days)_____

From (date) _____ To (date) _____

_____ _____

Parent/guardian's signature Date