



Sir Alexander Fleming Primary School and Nursery Leave in Term Time Absence Policy

Reviewed September 2019
Next Review September 2020

Introduction

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

Sir Alexander Fleming Primary School and 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 January 2017) 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.

Regulation 8 Deletions from Admissions Register

(h) that he has been continuously absent from the school for a period of not less than twenty school days and –

- (i) at no time was his absence during that period authorised by the proprietor in accordance with regulation 6(2);
- (ii) the proprietor does not have reasonable grounds to believe that the pupil is unable to attend the school by reason of sickness or any unavoidable cause; and
- (iii) both the proprietor of the school and the Local Authority have failed, after reasonable enquiry, to ascertain where the pupil is;

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.

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. 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.

Leave 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.

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

Leave of absence must be requested from and agreed by the school 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 any requests for leave in term time. This provides parents/carers with information about the possible consequences of taking leave that has not been authorised.

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.

When considering requests for leave in term time, Headteachers should take into account that absence shall not be granted unless;

- a request has been made in advance to the proprietor by a parent with whom the pupil normally resides, and
- the proprietor, or a person authorised by the proprietor, considers that leave of absence should be granted due to the exceptional circumstances relating to that request.

These regulations clearly make the point that the Headteacher has the final decision as to whether to authorise the leave or not. There should be no 'blanket policy' but schools should consider individual circumstances.

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.

A child's name can be removed from the register if the pupil has been granted a leave of absence and after absence:

- s/he has not returned by the agreed date;
- and s/he has continued to be absent for a further twenty school days;
- and the Headteacher is not satisfied that this is because s/he is ill or the absence is unavoidable.

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.

See Appendix 1

Extended Absence

Amendments to the 2006 regulations (April 2013) remove reference to extended leave. 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.

If parents are considering visits to their country of family origin, they are encouraged to make them during school holiday periods.

Parents should be advised that:

- Any extended absence can be damaging to a child's progress.
- The cumulative effect of periods of absence can seriously impact on a child's educational achievement.

Where leave of absence is granted, the school may wish to consider a home/school contract, stating date of return, agreed and signed by the parent and Headteacher. A suggested format for the contract, which should be printed on school headed paper, is attached at Appendix 4. The school and the parent(s) should retain a copy of the contract.

Failure to agree a home/school contract or non-return by the agreed date may trigger a Penalty Notice (please refer to T & W code of conduct on Penalty Notices in relevant section of this guidance) and places the child at risk of losing his/her school place. Parents would then have to apply to the Admissions Team at Telford & Wrekin Council following normal procedures. This means that:

- the child may or may not be readmitted,
- parents may have to go to appeal which may or may not be successful,
- the child may have to go to another school.

In normal circumstances, requests for absence should be made to the school well in advance. In exceptional circumstances, e.g. family bereavement, families are still required to contact the school to request leave of absence.

This policy relates to all parents wishing to take their children on extended visits to their country of family origin or leave of absence for other exceptional circumstances.

Procedures for Agreed (Extended) Absence

The procedures and timeline for intervention regarding extended visits are detailed in the flow charts included in Appendix 5a & 5b.

The letters referred to in the timeline are included in Appendices 6a, 6b and 6c should be issued on school headed paper.

Please contact Family Connect on 01952 385385 for the admission procedures for pupils returning to the UK without a school place.

Unless otherwise stated, actions detailed should be taken by the school. The school has a responsibility to monitor closely the attendance of any pupil who has been granted extended absence.

Maximising the Educational Opportunities of Visits

When schools and parents/families meet to agree the extended absence contract, they should discuss ways in which pupils can be helped to derive maximum educational benefit from the visit.

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."

Appendix 1 Chart 1 – Leave of Absence in Term Time

Authorisation Procedure

- Leave is authorised.
- Extended absence contract is agreed. (See Appendix 4)

Exceptional Circumstances

- Leave request denied
- Extended Absence request denied

Parent / carer request absence

School inform parent/carer in writing that:

- The request has been denied giving the reason why, also that if the absence occurs it will be unauthorised and a Penalty Notice may be issued.
- School complete ASTR & send to Attendance Support Team, giving them copies of request and refusal letters.

School must be aware:

- The same authorised member of staff should deny the request and inform parent/carer in writing and that they may be called as a witness in court.

Pupil returns to school on agreed date.

Attendance is monitored

Unauthorised absence occurs.

Pupil returns to school.

- School complete ASTR & request Holiday Penalty Notice to be issued by Attendance Support Team

Pupil does not return on agreed date

Follow:-

Extended Absence Pupil does not return procedure. Chart 2

Extended absence occurs.

Follow: - Extended Absence in Term Time - No Contract Procedure. Chart 3

Appendix 2 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 1st 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 during Term Time