

Leave of absence during term time – changes to the law by the Government

Missing school for any reason can deprive a child of educational opportunities and hamper their progress at school. Children have a right to an education and, by denying children their rights, can have a long-lasting effect on ensuring children meet their true potential. There is a strong correlation between good school attendance and academic achievement. There are 190 statutory school days a year, so there are 175 other days available for holidays that would not have a negative effect on a child's education.

Applying for holidays

The Education (Pupil Registration) (England) Regulations 2006 and the accompanying guidance make it clear that parents/carers **do not have legal right to take their child out of school for holidays in term time.**

Applying for leave of absence

The law states an application for leave must be in exceptional circumstances.

- Requests for leave of absence should be sent to the school by the parent the child normally lives with no less than 4 weeks prior to the start of the period of absence unless there is an emergency.
- Failure to fill in a leave of absence request form may result in legal sanctions being taken against the parent(s).

Penrice Academy will consider:

- The age and stage of your child's education.
- The length of time.
- The nature of the circumstance, such as trauma or death within the immediate family where an immediate leave of absence may help the child deal better with the situation
- Any other exceptional reasons
- Court orders or the involvement of other agencies
- Previous similar requests

Penrice Academy should not, as a rule, grant leave:

- If a child's attendance record is less than 95%
- If the period coincides with the start of term, or is near to, or coincides with in-school tests, SATs, GCSEs or other significant events on the school calendar.
- If there are patterns of non-attendance or if there is Education Welfare Service (EWS) involvement.
- If the school have concerns over a child's welfare and safety.

If the school refuses a request for term-time leave and the child is still taken out of school, this will be recorded as **unauthorised absence**.

The school will not consider more than one leave of absence request per academic year.

Warning

If you take your child out of school without permission you will be committing an offence under the Education Act 1996. Parents can be fined for taking their child on holiday during term time without consent from the school. We may refer the matter to the Education Welfare Service who may decide to prosecute. A conviction may result in a fine of up to £2,500, a prison sentence of up to three months or both. Alternatively a penalty notice may be issued under Section 444A and 444B of the Education Act 1996. This carries a fine of £50 if paid within 28 days or £100 if paid after this but within 42 days. Failure to pay the penalty notice may result in Court action.

For more information please visit the website on <http://www.education.gov.uk/popularquestions/a005551/can-i-take-my-child-on-holiday-in-term-time?>