

THE BERWICK PARTNERSHIP OF SCHOOLS

School Term Time Leave Guidance

DfES Guidelines

Can pupils go on holiday in term time?

Under current regulations, Statutory Instrument 2006 No 1751 The Education (Pupil Registration) (England) Regulations 2006, head teachers have discretion to grant leave of absence for purposes of family holidays in term time. A head teacher can approve up to a maximum of ten days in any one school year. Beyond that a head teacher can agree more than ten days if the circumstances are exceptional.

Parents are not entitled to remove children from school for holidays, leave of absence must be applied for and the decision to authorise absence for holidays rests entirely with the head teacher.

Guidance to Parents/Carers:

- Wherever possible parents should take holidays during school holidays.
- Parents **should not expect** their child's school to agree to a family holiday during term time. The school will carefully consider their request and may take the child's attendance record into account.
- Parents should avoid taking a school aged child on holiday at times when the child should be taking examinations or tests.
- Schools will not agree to a child missing more than a total of ten school days for family holidays in any one school year, unless there is a very good reason.
- The school may set work for the child to do while he/she is away. (DfES leaflet "School Attendance Information for Parents").
- The Head Teacher's decision is final- there is no appeal mechanism.

Guidance to Schools:

This is contained in the DfES document, "Guidance on Education Related Parenting Contracts, Parenting Orders and Penalty Notices (2004) paragraph 78:

Under the Education (Pupil Registration) (England) Regulations 2006, head teachers are able to grant up to ten days authorised absence for the purpose of family holidays during term time. Save in exceptional circumstances a parent shall not be granted more than ten school days leave of absence in any school year. It is for head teachers to determine if the request is reasonable. Each request can only be judged on a case by case basis and we expect that head teachers will use their discretion sparingly. Head teachers should not fetter their discretion by applying policies (for example, blanket bans) which might suggest that each application has not been considered on its individual merits.

Legal position

The legal position is described in The Education (Pupil Registration) (England) Regulations 2006 and is summarised as follows:

- A pupil may be granted leave of absence from school to enable him/her to go away on holiday.
- An application should be made in advance to the head teacher by the parent/carer with whom the pupil normally resides.
- The head teacher should only grant leave of absence where there are special circumstances relating to the application.

- Only in exceptional circumstances should a pupil be granted more than ten school days leave of absence in any school year.

THE BERWICK PARTNERSHIP OF SCHOOLS AGREED CRITERIA

Up to 10 days leave may be authorised if the following criteria are fulfilled:

- *A letter requesting permission is submitted to the Head Teacher at least two weeks in advance of the leave, unless there are mitigating circumstances.
- Parents/Carers may be asked to attend a brief appointment to discuss the application.
- The letter should indicate if siblings attending another school in the Partnership are also requesting leave.
- Each application will be considered on an individual basis.
- The actual date that the child will return to school must always be provided by the parent/carer.
- *Leave is not taken during national or school Examination weeks.
- *The leave is not taken during the first two weeks of September due to this being an important time for establishing relationships, routines etc.
- *The child's attendance is currently above 94% (if it is the start of a new academic year, then last year's attendance will be used.)
- * School will inform the parent/carer, in writing, advising whether the leave has been authorised. It will be made clear the reasons why the decision has been taken and the criteria used. The letter will also explain the category of "unauthorised" absence should that be necessary.

Register Codes

- If the leave is authorised, the register code 'H' should be used. The statistical meaning for this is authorised absence.
- If the head teacher declines the request for term time leave, and the child is absent due to the leave still being taken, the register code 'G' should be used. The statistical meaning for this is unauthorised absence. In this case, normal procedures for non attendance apply.

If the child does not return to school on the date agreed after authorised leave

- If another reason for absence is provided by the parent/carer the pupil should be registered appropriately. In all other cases the register should denote unauthorised absence.
- If the absence continues and remains unexplained, then a referral to the education welfare officer should be made.

Procedure for sharing this policy with families

- For this document to be effective it is essential that schools share with parents and pupils the expectations and procedures outlined in this document or in the school's own procedural guidance.
- Reference can also be made to this policy in school prospectuses. Specific reference could also be made in home/school agreements and planners.
- Schools may wish to raise the profile of holidays in term- and school attendance in general- at school meetings and in school prospectuses and draw the content of this document to the attention of parents.