



## UNAUTHORISED LEAVE OF ABSENCE POLICY CORSHAM REGIS PRIMARY ACADEMY

**Date: September 2017**

**Next Review Date: September 2019**

Corsham Regis Primary Academy understands that family holidays are enriching experiences. However, the academic year is designed to give families the opportunity for these breaks without having to disrupt their children's education. Time off school for family holidays is not a right.

Schools have discretion to authorise up to 10 days in the school year for leave of absence if they believe that the circumstances warrant it, such as:

- when a family needs to spend time together to support each other during or after a crisis;
- for service personnel and other employees who are prevented from taking holidays outside term time *if* the holiday will have minimal disruption to the pupil's education.

In general terms, the Local Authority would expect a school to consider the potential negative impact that any absence can have on a child's academic progress.

The Department for Education has clear evidence that absence from school is linked to lower levels of attainment. The latest analysis published in March 2016 shows that every extra day missed was associated with lower attainment at age 11.

As a result, leave of absence for the following reasons will not be authorised:

- availability of cheap holidays;
- availability of the desired accommodation;
- poor weather experienced in school holiday periods; and/or
- overlap with the beginning or end of term.

In **exceptional circumstances**, schools can approve more than 10 days leave of absence, called extended leave of absence.

In all circumstances of leave of absence, a written application must be made by the parent with whom the pupil normally resides in advance of the period of absence and a date for the pupil's return to school agreed. Leave of Absence forms should be obtained from the school office (Appendix 1).

**Appendices attached:**

Appendix 1: Leave of Absence Request Form

Appendix 2: Letter authorising absence

Appendix 3: Refusal Letter (circumstances unacceptable)

Appendix 4: Wiltshire County Council Penalty Notice

Appendix 5: Notification of unauthorized absence

Appendix 6: Leave of absence process

In addition, it is Corsham Regis Primary Academy Policy not to authorise absences during April and May as this is when we carry out our annual assessments including SATs.

Appendix 1

**Leave of Absence Request Form**

**Taking your child out of school during term time may harm your child's academic progress.**

**Schools may agree requests for absence taken during term time, where an absence has been requested in advance and the reason for the leave of absence is deemed, by the headteacher, to be exceptional**

**Consideration will also be given to the pupil's educational progress and any public examinations to be taken.**

**Absences may only be authorised at the discretion of the Headteacher.**

**Please read the attached Local Authority leaflet which explains Penalty Notices issued for unauthorised holidays during term time.**

Name of Child(ren)	
Date of Birth	
Class	
Date of First Day of Absence	
Date of Return	
Number of Days requested	

Reason for holiday/absence to be taken during term time:

.....  
.....  
.....  
.....  
.....  
.....

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

Parent/Carer: \_\_\_\_\_

**For school use:**

Attendance%: .....  
Total sessions pupil absent this academic year: .....  
Total unauthorised absence this year: .....  
Request authorised: Yes/No HT Signature .....

Appendix 2

**Dear**

With reference to your request for ..... to be absent for ..... days for  
*family holiday / wedding / funeral / other reason (delete as necessary)*

I am writing to advise that the reason you have provided is deemed exceptional and the absence for this period will be authorised as holiday or other authorised circumstance.

Yours sincerely

Mr Gareth Spicer

Headteacher

### Appendix 3

**Dear**

With reference to your request for ..... to be absent for ..... days for

*family holiday / wedding / funeral / other reason (delete as necessary)*

I regret to inform you that this will not be agreed on this occasion.

The reason that you have provided for requesting a leave of absence does not indicate an exceptional circumstance and

- a) Your son / daughter has poor attendance and the Education Welfare Service is involved*
- b) Your son / daughter has had ..... unauthorised absences between ..... and .....*
- c) Your son / daughter will be taking his / her SATs during the period the absence has been requested;  
and*
- d) His / her educational progress will be affected by any disruption at this point in time  
(delete as applicable)*

I must advise you that if you do take your son / daughter out of school for this period of time the absences will NOT be authorised and will mean that your child will have a total of ..... sessions (.....school days) of unauthorised absence.

Where a pupil's unauthorised absence amounts to 10 sessions or more within a 6 month period the Education Welfare Service will be notified and the Local Authority may issue a Penalty Notice\* to each parent for each child.

Yours sincerely

Mr Gareth Spicer  
Headteacher

\*the Penalty Notice shall be a sum of £120 if paid within 28 days, reduced to £60 if paid within 21 days. If the Penalty is not paid in full within 28 days the Local authority is required to commence proceedings in the Magistrates' court for the offence of unauthorised absence.

**PENALTY NOTICES  
FOR UNAUTHORISED LEAVE OF ABSENCE DURING  
TERM TIME**

**(PREVIOUSLY CALLED HOLIDAY ABSENCE)**

**s444A and s444B Education Act 1996  
&  
The Education (Pupil Registration) (England) Regulations 2006**

**Information for Parents and Carers**

September 2017

**What are s444A and s444B of the Education Act 1996?**

Section 444A and section 444B of the Education Act 1996 give powers to the Local Authority (LA) to issue Penalty Notices where the parent/carer is considered capable of but unwilling to secure an improvement in their child's school attendance.

**Why are these powers available?**

Reducing absence from school is a key priority at both national and local level. Missing school reduces a pupil's educational attainment and life chances.

**What is a Penalty Notice?**

A Penalty Notice is an alternative to prosecution and is used to try and secure an improvement in a pupil's school attendance without the need to appear in Court. As long as the penalty is paid the Penalty Notice enables parents or carers to discharge their potential liability for prosecution for the period covered by the Penalty Notice.

**What are the costs?**

Payment of £120 is required within 28 days of receipt of the Penalty Notice; this sum is reduced to £60 if paid within 21 days. If the penalty is not paid in full within 28 days the LA is required to commence proceedings in the Magistrates' Court for the original offence of your child's poor school attendance. If you plead guilty or are found guilty the Courts have a wider range of options which could include a maximum fine of £1000. In addition a Parenting Order could be imposed.

Penalty Notices are issued to each parent for each child and payment is required for each Penalty Notice issued.

**Who issues them?**

The Local Authority through the Education Welfare Service.

## How are they issued?

By post to your home.

## Can I be prosecuted if I pay the penalty but my child is still missing school?

Yes. You will not be prosecuted for the period included in the Penalty Notice – payment discharges your liability in this respect. However, legal proceedings might be considered for further periods of poor attendance not covered by the Penalty Notice, depending upon the circumstances.

## When are they issued for unauthorised Leave of Absence

Penalty Notices are issued for absence taken during term time where the leave of absence has not been authorised by the school or an absence has not been requested in advance and pupil will have had a minimum of 10 sessions (5 school days) lost to unauthorised leave of absence during the previous six months up to and including the day the Education Welfare Service is notified.

## What is unauthorised Leave of Absence?

- A parent has made a request for leave of absence in term time and this has not been agreed by the school;
- A parent has not applied for leave of absence in advance of the absence (the regulations do not allow retrospective approval); or
- If the parents keep the child away from school for longer than was agreed, the extra time is recorded as unauthorised

## When can Leave of Absence be authorised?

Amendments made to the 2006 regulations in the **Education (Pupil Registration) (England) (Amendment) Regulations 2013** make clear that headteachers may not grant any leave of absence during term time unless there are **exceptional** circumstances.

## Why have I received this leaflet?

This leaflet is sent to parents in Wiltshire to inform them of the extended use of Penalty Notices for unauthorised leave of absence or for parents who have requested leave of absence during term time.

If the leave of absence you have requested is not agreed by the school and your child's total unauthorised leave of absence amounts to 10 or more sessions (5 school days), continuous or aggregated within the previous six months within the current academic year the Education Welfare Service will be notified. The six months includes all unauthorised leave of absence up to the day the Education Welfare Service is notified.

Following this notification from a school that a parental request for a leave of absence in term time has not been authorised and the leave of absence is taken the Local Authority will issue a Penalty Notice to each parent for each child.

## What can I do now?

If the leave of absence that you have requested is not authorised you are advised not to take your child out of school.

## Who can I discuss this with?

In the first instance talk to your child's school; otherwise the Penalty Notice Officer can be contacted on:  
Tel: 01722 438123 Email: [PNLO@wiltshire.gov.uk](mailto:PNLO@wiltshire.gov.uk)



**NOTIFICATION OF UNAUTHORISED LEAVE OF ABSENCE IN TERM TIME / UNAUTHORISED ABSENCE  
PLEASE ATTACH COPIES OF:**

REGISTRATION CERTIFICATE AND ALL RELEVANT DOCUMENTATION RELATING TO SCHOOL ATTENDANCE MEETINGS **OR** LEAVE OF ABSENCE REQUEST FORM AND REFUSAL LETTER TO PARENT.

*Where parents have not applied for leave of absence in advance the school must provide a signed witness statement which states that the pupil was believed to be on holiday*

Appendix 6

**Wiltshire Leave of Absence Process  
(Penalty Notices)**

