

The Local Authority strongly discourages parents/carers from applying for leave of absence during term-time and encourages schools NOT to authorise such applications save in exceptional circumstances

**GUIDANCE ON LEAVE OF ABSENCE DURING  
TERM-TIME & EXTENDED LEAVE OF  
ABSENCE**

## **IMPROVING AND SUSTAINING SCHOOL ATTENDANCE**

**“SUCCESS BEGINS BY BEING  
AT SCHOOL”**

### **Guidance on Term-time Leave of Absence**

**(Re-issued September 2012)**

*Guidance issued in compliance with  
DfE guidance and provisions of  
Education Pupil Registration  
Regulations 2006 No.8 Sections 8 (3)  
and (4) and 9 sub section 1e*

#### **Mission Statement**

**“Children & Young People’s Services in Stoke-on-Trent, by working in partnership with, and offering support to, schools, parents, pupils, communities and other agencies, will contribute to the raising of levels of attainment by seeking to ensure entitlement and access to education, allied to regular and punctual attendance.”**



**Children & Young People’s Services**

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## **Guidance on Leave of Absence during Term Time**

**There is no right to any leave of absence during term-time and all such leave of absence MUST be the exception rather than the rule**

### **Rationale**

- a) Holidays taken during term-time (both authorised and unauthorised) accounted for 0.52% of absence from secondary school during 2007-08
- b) Schools will benefit from an agreed Local Authority-wide policy in this area, thereby ensuring a consistent approach
- c) A Local Authority-wide approach will enable schools to take a robust approach to authorisation without damaging relationships with parents/carers
- d) Links with improvements in levels of attainment:
  - 88% of pupils gain 5 or more A\* to C grades at GCSE in schools with an average absence of 8 days or fewer per pupil but only 26% at schools whose average is greater than 20 days per pupil
  - 86% of pupils achieve level 4 or better in KS2 Maths in schools with an average absence of 8 days or fewer per pupil but only 57% at schools whose average is greater than 15 days

### **Introduction**

Schools have the discretionary power ***in exceptional circumstances*** to grant leave of absence during term time. Parents/carers may make formal application to the school's Governing Body for leave of absence from school for up to ten days during term-time.

***Despite this discretionary power, periods absence in term time of this type should be discouraged in that they are often detrimental to the pupils' continuity of learning and thereby will adversely affect levels of attainment.***

### **Principles**

Parents/carers do not have an automatic right to withdraw pupils from school for a holiday and, in law, are obliged to apply for permission in advance. All schools are encouraged to make use of standard letters and application forms developed by the Local Authority. Parents/carers requests should be required to be completed and produced well in advance of the proposed period of absence (see example letters). This must, by law, include an agreed date for the pupil's return to school. Parents/carers should be made aware of the following:

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- ***All requests will be submitted to the Governing Body***
- ***Failure to return the child to school by the agreed date could result in the child losing their school place***

**Parent/carers should be made aware of the school's requirements in this respect.**

Some factors to consider when assessing requests are:

- ***The time of year proposed for the absence:*** it should be made clear in the school's policy statement on this matter that under no circumstances will leave of absence be authorised should the proposed time period clash with public examinations, such as GCSEs or SATs. The Local Authority further recommends that no period of leave is authorised during years 6 or 11
- ***The motive and purpose of the period of absence:*** consideration may be given to special circumstances, for example, visits to various parts of the world such as the Indian sub-continent for the purpose of family visits (see below)
- ***The duration of the period of absence and its impact on continuity of learning:*** as stated above, any period of disruption due to leave of absence during term time can have a negative impact on pupils' levels of achievement but careful consideration must be given to these factors when examining applications from parents
- ***The circumstances of the family request:*** for instance, parents' employment – it is good practice to require a parent to provide written confirmation from an employer that the period for which the request is made is the only time possible for leave to be granted. In the event of the receipt of such confirmation, the absence may be authorised
- ***The rarity of this event during the child's school career:*** if the principle that leave of absence in term time is to hold true, i.e. that leave of absence in term time should be the exception, repeated requests should be discouraged and only authorised in exceptional circumstances
- ***Siblings attending other schools:*** there are many occasions when applications for leave of absence are made to a number of schools in respect of pupils from the same family attending those schools. A consistent response should be made by all schools; it is clearly unhelpful for one school to authorise leave of absence for a family where a neighbouring school has refused to do so
- ***The attendance pattern of the child(ren):*** the policy of the Local Authority and all schools must be maintained in this type of case. If the parents/carers of any pupil whose attendance is cause for concern, under no circumstances should that leave of absence be authorised. Should parents take leave of absence that is unauthorised by the Headteacher, a penalty notice may be considered and issued by the Education Welfare

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Team, the following being an extract from the City Council's Code of Conduct in this regard:

Unauthorised "Holidays" during Term Time

***Under the Education (Pupil Registration) Regulations 2006, Headteachers are able to grant up to ten school days authorised absence during term time. Save in exceptional circumstances, a parent/carer shall not be granted leave of absence in any school year. It is for Headteachers to determine whether or not such a request is reasonable. Each request can only be judged on a case-by-case basis but it is usual that Headteachers will be sparing in their use of this discretion. It would be useful if Headteachers did not hinder their discretion by applying policies (for example, blanket bans) which might suggest that each application has not been considered on its merits.***

**Procedures**

**Schools' Policies**

The Local Authority, represented by the Education Welfare Team, in consultation with Headteachers, has produced a model attendance policy for consideration by schools, which contains the following basic principles:

**Operational Guidance**

- Regulation 8(3) and (4) of the Education (Pupil Registration) Regulations 2006 applies in respect of each and every child who is a registered pupil at the school.
- Under that regulation, NO child shall be permitted to take more than 10 school days leave in any school year, save in exceptional circumstances.
- It is the parent's obligation to apply to the school for leave of absence and if granted the school will write to the parents confirming the absence has been authorised, the start and end dates and the consequences as to what action, i.e. removal from roll, may be taken if they fail to return to school after that period without a reasonable excuse. The register should be marked with the coding "H" if the absence has been authorised, or "G" if unauthorised (see below).
- Where leave of absence is taken without the schools permission the register should be marked as unauthorised absence and referred to the Integrated Education Welfare Officer supporting the school/setting, who may consider issuing a Penalty Notice (see above).
- As a multi cultural authority/school we recognise the importance of the observance of religious festivals and therefore, for example, allow two days for "Eid Ul Adha" and one day for "Eid El Ftr"; the registers shall be marked with the coding "R". (Leave of Absence for religious observance in respect of other denominations will be granted on

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application, following advice taken from the relevant advisory authority, e.g. TALEEM, the Race Equality Council).

### **Extended Leave of Absence**

The principle that leave of absence for more than two weeks must always be exceptional, should continue to be applied in each individual application, but as clearly stated above, consideration may be given to special circumstances, for example, visits to various parts of the world, such as the Indian sub-continent, for the purpose of family visits. It is recognised that some families will need and wish to visit their country of origin where they still have family ties. It is important that schools show an understanding of the parents' perspective whilst also seeking to minimise the effects of such leave on the pupil's education. Open discussion with the family should be encouraged, showing sympathy for their point of view, but at the same time, explaining the limits advised by the Local Authority.

***Schools should, in every case, seek the clear commitment of parents to a clear and unambiguous date for the pupil's return.***

The TALEEM Service, without prejudicing wishes of parents and carers who may wish to take extended leave in term time, and with the co-operation of the Integrated Education Welfare Team, has constructed a robust stance in this regard and is seeking to make clear to all parents, the detrimental effects on pupils relating to continuity of schooling such leave of absence may have. Parents/carers should also be encouraged, wherever possible, to incorporate into their proposed period of absence scheduled school holiday periods. In this way, the disruption to continuity of learning will be minimised and any potential detriment to academic achievement may be avoided.

Schools should ensure that all parents are aware of the policy in regard to holidays in term time. In the case of ethnic minority parents, the Local Authority, via TALEEM, will ensure the appropriate translation and interpretation of such policy. (See also example leaflet "*Extended Absence From School By Bangladeshi Children DfEE 1998 ....*"). The Local Authority has been involved in discussions with the Race Equality Council in this regard and will produce literature for parents/carers in co-operation with that organisation.

Schools should consider the following factors:

- A visit involving family overseas may have an entirely different significance than the normal association with a "holiday".
- Such visits may be very important in terms of the child's identity and self-esteem as they grow up.
- Parents/carers may feel that the reasons for their visit outweigh the importance of their child's continuity of education.

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- There may be other reasons for the timing of the visit, e.g. family illness, bereavement, family business, maintaining family contacts, etc., and the

distances involved, climate at time of year and high costs may dictate the available choices to parents/carers.

Schools should explain that:

- Advance permission from school MUST be sought before booking the trip.
- The absence period MUST be planned carefully with the school.
- Research has demonstrated that pupils who miss school for six weeks may fall behind in their school work by a full term.
- The effects of any term time absence will be damaging to the child's continuity of learning and will impact on examination results.

**Strategies to Maximise the Educational Opportunities of Visits**

When schools and families meet to arrange the extended absence agreement, discussions will take place around ways in which pupils can be helped to derive maximum educational benefit from the visit, including:

- Talking to pupils about their experience
- Taking books with you
- Encourage children to maintain a record of their experiences
- Encourage children to write to the school
- Use of electronic communications where available
- Using local magazines or newspapers as an educational resource

**Period of Absence:**

Schools have requested clear guidance on the maximum period which is reasonable for extended visits overseas. No such specific guidance has yet been given by DfE.

Stoke-on-Trent Local Authority has also avoided setting absolute limits for such holidays, as each case presents differently.

**The Local Authority suggests a benchmark of four weeks as being the most common limit to be discussed with parents/carers but strongly recommends that only one such visit be authorised during primary education and one in secondary.**

If an agreed period of leave is likely to be exceeded, it should be impressed upon parents that they must contact the school. It should also be made clear that exceeding the agreed period is acceptable only in extreme circumstances.

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**Removal from Roll:**

Schools will always be advised to consider the following factors before removing a pupil from roll:

- The exceptional circumstances of the case
- The agreement, if any, reached between parents/carers and school
- Demand from other parents/carers for places at the school.
- Where a pupil has a statement of special educational needs and fails to return at the stated time, the school should inform SEND Monitoring and Assessment Services in order that their additional needs may be re-assessed

**N.B. It is a legal requirement and a feature of the OfSTED Inspection Framework (2009) that the Local Authority is informed of such deletions from schools' registers.**

Given that the period agreed or, in the absence of any agreement a period of four weeks, has expired and that no extension to that period has later been agreed, the Integrated Education Welfare Team may, after reasonable enquiry, advise schools to remove pupils from roll, in line with the following regulation:

**EDUCATION (PUPIL REGISTRATION) REGULATIONS 2006 No.8  
Section 9 sub section 1e – Deletions from Register (see also below)**

The following is prescribed grounds on which the name of a pupil of compulsory school age **SHALL** be deleted from the Admissions Register:

“In the case of a pupil granted leave of absence exceeding ten school days ..... in accordance with Regulation 8 (3), that the pupil failed to attend school within the ten days immediately following the expiry of the period for which such leave was granted and the proprietor is not satisfied that a pupil is unable to attend the school by reason of sickness or any other avoidable cause.”

**Performance**

**Monitoring & Evaluation**

- The Local Authority/school will review on an annual basis, or sooner if circumstances dictate, the effectiveness of these procedures with the whole school community

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- The designated member of staff, the designated governor, the Headteacher and the Integrated Education Welfare Officer/TALEEM, where appropriate, will undertake the review
- The results of any review, along with data collated in respect of periods of leave authorised/unauthorised, inform the decision-making process and consider whether the policy is appropriate, effective and fair

Consistent analysis of available data will be undertaken and support offered, where appropriate, through SEOs, SIPs and Targeted Services where necessary.



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Comment by Headteacher/Chair of Governors, including number of half-days missed/% attendance over previous two years (if applicable)

Your reference STOT00180121  
Our reference EMT/HT  
Tel 01782 236100  
Date

All Parents/carers

Children & Young Peoples  
Services  
Civic Centre Glebe Street  
Stoke-on-Trent ST4 1RU

**Eleanor Brazil Director**

Dear Parent/Guardian

**Re Leave of Absence during Term-time**

The City Council has as one of its top priorities the raising of pupils' levels of attainment in all of our schools and it is clear that improving attendance and reducing levels of persistent absence are most important factors in achieving this goal. This cannot be achieved without your co-operation and while we would like to thank you for the work you have already done we must ask for further support in this crucial area.

**We are asking for your support by not taking holidays during term-time.**

**REMEMBER – The Law states that parents DO NOT have an automatic right to take their child out of school in term-time.**

Why shouldn't parents/carers take child out of school during term-time?

1. There is no substitute for the teaching that will be lost.
2. Your child will miss important work and may never catch up.
3. You may be helping your child to establish poor patterns of attendance.
4. You are putting your child at a disadvantage by adding barriers to their learning.
5. You will affect your children's assessments and results from Nursery through to GCSEs.
6. You are creating more work and pressure for your child and their teachers.
7. You may be reducing your child(ren)'s career prospects and earnings.
8. You may disrupt access to specialist support needed by your child.
9. You are saying that education is not important.

If any periods of absence are taken which are unauthorised, they will be recorded as such in the school's attendance register. If your child has any other periods of unauthorised absence you may be issued with a penalty notice of £60 per child per parent or guardian. If this remains unpaid after 28 days it increases to £120. Further non-payment results in automatic prosecution in Magistrates Court.

**Your child's education is important; together we can ensure that they achieve their full potential.**

Yours sincerely

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Eleanor Brazil  
Director of Adult & Neighbourhood Services

On behalf of Headteachers  
and Governing Bodies