

APPLICATION FOR LEAVE OF ABSENCE FOR A SCHOOL PUPIL IN TERM TIME IN
EXCEPTIONAL CIRCUMSTANCES ONLY

Important Information for Parents/Carers

- The Education (Pupil Registration) (England) Regulations 2006 as amended by Education (Pupil Registration) (England) Regulations 2013 only allow Head Teacher to authorise leave of absence (for any purpose) in **exceptional circumstances**
- If the exceptional circumstances are agreed, the Head Teacher will determine the length of the absence authorised
- Requests for Leave of Absence should be made in advance and before any arrangements confirmed or money committed
- If Leave of Absence is granted please contact school to discuss measures to minimise the impact of the absence on your child's academic progress
- This form **MUST** be completed by the resident parent(s)/carer(s) before requests will be considered
- Please complete a Leave of Absence form for each child
- Failure to make a request for a Leave of absence in advance will result in the absence being recorded as unauthorised

Please note: Parents do not have any legal entitlement to take their child on holiday during term time.

I wish to apply for Leave of Absence from school to be granted to:

Name of Child: _____ Form Group: _____

First Date of Proposed Absence: _____ Last date of Proposed Absence: _____

Expected date of return to school: _____

Reason for Proposed Absence – please provide reasons to support the application including evidence (they can only be exceptional circumstances) (see overleaf before completing)

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

Total Days Requested On This Occasion

(For siblings) I have also applied to _____ School/Academy for leave of absence for _____ (Insert child/children's name)

Signature of resident Parent/Carer: _____

Print Name: _____ Date: _____

For school use only: NAME OF CHILD: _____ Date received by school: _____

1st date of absence requested: Last date of absence requested:.....

Expected date of return to school:

Absence Authorised: Yes/No

The reasons for this decision are:.....

- **LOA record sheet to be completed by school and submitted where verbal requests made/ for other relevant information**

Head Teacher/Attendance Lead: Date:

- **Copy of this completed section must be sent back to parent with letter**

The Education (Pupil Registration) (England) Regulations 2006 as amended by Education (Pupil Registration) (England) Regulations 2013 state:

1. Head Teachers **shall not grant any** leave of absence during term time **unless:**
 - A) *An application has been made in advance, by the parent with whom the child normally resides*

AND

 - B) *They consider there to be exceptional circumstances relating to the application.*
2. The Head Teacher must be satisfied that exceptional circumstances warrant the granting of a leave of absence.
3. The Head Teacher can determine how long an absence should be and any additional absence will not be authorised.

-
- Parents have a legal duty to ensure that their children of compulsory school age receive a suitable full time education through regular attendance at a school or otherwise (ie home education) (Section 7 Education Act 1996).
 - If a child who is of compulsory school age, who is registered at school and fails to attend regularly, it is the parent that will be guilty of an offence (Section 444 (1) Education Act 1996).
 - Parents whose children have unauthorised absence may be subject to a Fixed Penalty Notice and/or prosecution.
 - Any Fixed Penalty Notices issued and/or prosecution will apply to each parent for each child who fails to attend school.

Parents:

1. The application must be made in advance by the parent(s) that the child normally resides with.
2. Any leave of absences taken which have not been requested in advance will recorded as unauthorised.
3. Parents can be issued with a Fixed [Penalty Notice or prosecuted](#) for unauthorised absence including holidays.

We have a shared responsibility to ensure that the law is upheld and that your child achieves to his/her full potential. We look forward to your co-operation.

LEAVE OF ABSENCE DURING TERM TIME UPDATED INFORMATION FOR PARENTS

The Supreme Court clarified has clarified the law on unauthorised leave, including holidays, during term time (Platt v Isle of Wright 2017). The Supreme Court has made clear that attending school 'regularly' means that the children must attend school on every day that they are required to do so. As such, the parents of any child who is absent from school without authorisation for any length of time are likely to be considered as committing an offence under s444 of the Education Act 1996.

The regulations regarding Leave of Absence (The Education (Pupil Regulations) (England) Regulations 2006 as amended by Education (Pupil Regulations) (England) (Amendment) Regulations 2013.) advise:

- Head teachers **shall not grant any** Leave of Absence during term time **unless they consider** there are **exceptional** circumstances relating to the application.

If the leave is granted, Head teachers are able to determine the number of school days a child can be absent for.

It is for the Head teacher to decide what is 'exceptional' and it is at their discretion if the circumstances warrant the leave to be granted. When making an application for Leave of Absence in advance parents are advised to give sufficient information and time to allow the Head teacher the opportunity to consider all the exceptional circumstances and to notify parents of their decision. It is advised that if the resident parent has not received notification or a response regarding the leave of absence application, it is their responsibility to ascertain if the leave is authorised prior to the start of the leave.

The school can only consider Leave of Absence requests which are made by the 'resident' parent ie the parent with whom the child normally resides.

Where applications for leave of absence are made in advance and refused, the child will be required to be in school on the dates set out in the application. If the child is absent during that period, it will be recorded as an unauthorised absence, which may result in legal action being taken against the parent(s), by way of a Fixed Penalty Notice.

Where a leave of absence is requested, but additional days taken either prior to or after the request may be considered as part of the leave of absence and could result in a Fixed Penalty Notice being issued to the parent(s).

Each application for a leave of absence will be considered on a case-by-case basis and on its own merits.

Leave of Absences which are not made in advance cannot be authorised in line with legislation. This will result in the absence being recorded as 'unauthorised'. This may result in legal action against the parent, by way of a Fixed Penalty Notice. All matters of unauthorised absence relating to a Leave of Absence will be referred to the Warwickshire Attendance Service, part of Warwickshire County Council.

It is important to note, Fixed Penalty Notices are issued to each parent of each absent child, (for example 2 children and 2 parents, means each parent will receive 2 invoices in the amount of £120 each, totalling £240 for both children, this is reduced to £60 per child if paid within 21 days).

Where a Fixed Penalty Notice is not paid within the required timeframe as set out on the notice, the matter will be referred to Warwickshire County Council's Legal Services to consider instigating criminal proceedings under S444 Education Act 1996.

Fixed Penalty Notices are issued in accordance with Warwickshire County Council's Code of Conduct for Penalty Notices.

Your child's progress academically as well as socially is our shared priority

Warwickshire School pupils recorded 96,366 half day sessions of absence due to holiday in the Academic year 2021/22.



