



East Farleigh Primary School Policy for Family Holidays during Term Time

Under Section 444 of the Education Act 1996, parents of a child of compulsory school age are under a legal duty to ensure the regular attendance of that child at the school where he/ she is a registered pupil. Failure to fulfil this duty may result in the Local Authority prosecuting the parents. If found guilty of the offence, each parent could be fined up to £2500, and/or sentenced to three months imprisonment. The parent may alternatively be subject to a fixed penalty fine of £50.

Absence during term time as a result of term time holidays, interrupts continuity of teaching and learning, disrupts the educational progress of individual children and creates disruption in school. We actively discourage parents from arranging holidays during term time and will only authorise absence for such holidays in exceptional circumstances.

Parents do not have any right or entitlement to expect term time leave to be granted and all leave is granted at the discretion of the headteacher. Leave for the purpose of a family holiday will only be granted in exceptional circumstances. If leave is taken without authorisation, it will be recorded in the school attendance register as unauthorised absence, that is as truancy, and the matter may be referred to the school's education welfare officer.

The head in each school reserves the right to make individual judgements as to what constitutes exceptional circumstances, which might include the following:

-  A parent or grandparent is seriously/terminally ill and the holiday proposed is likely to be the last such holiday;
-  There has recently been a death or other significant trauma in the family and it is felt that an immediate holiday might help the child concerned better deal with the situation;
-  The holiday is a unique one off never to be repeated occasion which can only take place at the time requested.

As a rule, the financial factor when a parent claims that they are unable to afford a holiday during school holidays when prices may be significantly higher than in term time, should not constitute an exceptional circumstance. It is acknowledged that individual head teachers may have their own views and perspectives on this, and may choose to respond according to these views and perspectives.

Similarly, the nature of the proposed holiday should not be taken as exceptional circumstances, although again, it is acknowledged that individual head teachers may have their own view and perspectives on this and may choose to respond in the light of those.

We will not grant leave if:

-  A child's attendance record over the previous 20 week period is less than 95% - even if any previous absence was due to unavoidable causes such as illness;
-  The period of leave coincides with the start of term, or is near to or coincides with tests, SATs, exams or other significant events in the school calendar.

When leave is granted, it will normally be for one holiday in any one school year (up to ten days).

Information for Parents/ Carers

Children of school-age who are on roll at a school must, by law, attend that school regularly and punctually. Regular attendance is important, not just because the law requires it but also because it is the best way of ensuring children make the most of the educational opportunities available to them.

When a child is absent from school, he or she misses not only the teaching provided on the days when absent, but is also less prepared for the lessons on their return. This will lead to a risk of underachievement, which Headteachers and parents will both wish to avoid.

There may be occasions when a child has to miss school -for example, if unwell. Any other absences should be kept to an absolute minimum. In particular, parents should avoid taking children out of school during term-time in order to go on holiday.

What the Law says

The regulations make it clear that parents **do not** have any automatic right or entitlement to take a child out of school. Indeed, it is likely that in most cases Headteachers will refuse to authorise the absence.

The regulations state that Headteachers cannot grant a leave of absence to a pupil except where an application has been made in advance and the Headteacher considers there are exceptional circumstances relating to the application.

How Headteachers deal with requests for absences during term time

All schools in Kent have an attendance policy. This policy strongly discourages parents from requesting absences during term-time and states that leave for term-time absences will not be granted unless there are exceptional circumstances.

However it is the decision of the Headteacher as to what might constitute **exceptional circumstances** and each request for term-time absence will be considered on an individual basis.

It is recognised that on occasions there may be extenuating or compassionate reasons for an absence to be authorised.

Issues parents need to be aware of

If the absence request is not authorised by the school and the absence is still taken, this will remain unauthorised. Should leave be granted but the child remain absent for longer than agreed, then this extra time will be recorded as an unauthorised absence. Should a child fail to return to school on the agreed date consideration may be taken to remove them from the school roll. Parents would then be responsible for reapplying for a school place with no guarantee of a place back at the same school.

Any leave of absence that has not been authorised may be referred to the Education Welfare Service.

This may result in the issue of a Fixed Penalty Notice or prosecution proceedings.

A Fixed Penalty Notice will be issued to each parent of each child of statutory school age and carries a maximum penalty of £120. (E.g. Two parents with two children could incur a total cost of £480.) If the matter proceeds to court this carries a maximum penalty of £1,000 per parent per child and a criminal conviction, which may affect your current and/or future employment.