

Pupil term-time absence

Guidance for Head Teachers

Whilst we understand the challenges that some parents face when booking holidays, particularly around school holidays, as educational providers we have a legal responsibility to ensure children attend school as often as possible and are required to operate under relevant legislation. Amendments to the Education (Pupil Registration) Regulations 2006 make clear that Head Teachers may not grant any leave of absence during term time unless there are 'exceptional circumstances'.

Any requests for term-time absence must be made in advance. If parents do not apply for the leave of absence in advance, it must be recorded as unauthorised.

The Department for Education makes clear that Head Teachers may only authorise a request for leave of absence if the request constitutes an 'exceptional circumstance'. The judgement of the Head Teacher is based upon the individual circumstances and the relevant context behind the request. Further information should be requested from parents where it is necessary to make this judgement.

'Exceptional circumstances'

Examples of 'exceptional circumstances' where leave **may** be granted during term time are as follows:

1. If a parent can provide evidence that they will not be in receipt of any leave in the near future that coincides with school holidays
2. Where an absence from school is recommended by a health professional as part of a parent or child's rehabilitation from a medical or emotional issue
3. The death or terminal illness of a close relative, only if the Head Teacher is satisfied that the circumstances are truly exceptional
4. Out of school programmes such as music, arts or sport operating at a high standard of achievement (for example, national age-group competitions in sport). Documentary evidence of this event will be required
5. Religious observance – The Education Act 1996 S444(3) (c), states "on any day exclusively set apart for religious observance by the religious body to which his/her parent belongs"
6. To attend a wedding or funeral of a close relative if the Head Teacher is satisfied that the circumstances are truly exceptional. Leave should only be authorised for this purpose when a Head Teacher is satisfied that there is a persuasive reason for holding the wedding during term time and there **WILL** be an onus on parents to show clear evidence that this absence is absolutely an exceptional circumstance. In difficult family situations the Head Teacher may use their discretion in granting leave and each case should be addressed on its individual merits, taking into account the overall welfare of the child

Where there are exceptional and unforeseen circumstances that fall outside of criteria 1-6 above, the Head Teacher may choose to consult with trust officers prior to any authorisation being given to the parent. Evidence would likely be required in such cases.

Further consideration prior to granting leave

There is no automatic right to any leave in term time. If the criteria of 'exceptional circumstances' are met, the Head Teacher will give consideration to the following factors before authorising leave during term time:

- The time of the academic year when the leave has been requested
- The duration of the absence – number of school days being missed

- The stage of the child's education and progress and the effects of the requested absence on both elements
- The child's current attendance and punctuality rate and overall attendance pattern
- Any exceptional term time leave requested/taken in previous academic years for a similar purpose
- Whether the parent made the request in advance
- Pupils due to take any statutory testing arrangements (KS1 and KS2 SATS, Y1 Phonics, GCSE and A level exams) will not normally be granted a leave of absence
- Whether parent/carers have considered limiting the amount of time the child would be absent from school e.g. wrapping around school holiday
- Whether alternative care arrangements have been considered by the parent/carer to limit the time away from school
- The impact on any interventions, assessments or referrals being undertaken with the child or family e.g. family support, social care assessments, CAMHS, SEND
- The impact that the absence will have on the child
- Any possible risks to the child, for example if the child would be travelling abroad to a potentially dangerous location

Examples of circumstances NOT considered as exceptional

- Holidays abroad for the purpose of visiting a sick relative, excepting where that person is seriously ill. Medical evidence may be requested
- Holidays taken in term time due to lower cost/parental work commitments

After the request is responded to

Should the Head Teacher decide to grant leave of absence, but the child does not return to school at the time s/he was expected to (i.e. following the expiry of the granted leave of absence period) and no information is available to the school to explain/justify the continuing absence, this absence will be recorded as unauthorised.

Should the Head Teacher decide not to grant leave of absence and parents still take their child out of school, the absence will be recorded as unauthorised. The unauthorised absence may be reported to the Local Authority. In Nottinghamshire, parents can be fined if their child has in excess of 3 days unauthorised absence over a 6-week period, by the issuing of an Education Penalty Notice.

This guidance for Head Teachers is supported by the following:

[Working together to improve school attendance - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/working-together-to-improve-school-attendance)

[School attendance and absence: Overview - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/school-attendance-and-absence-overview)

[School attendance, absence and truancy | Nottinghamshire County Council](https://www.nottinghamshire.gov.uk/school-attendance-absence-and-truancy)

[Holidays during term time | Nottinghamshire County Council](https://www.nottinghamshire.gov.uk/holidays-during-term-time)

[Education Penalty Notices - FAQs | Nottinghamshire County Council](https://www.nottinghamshire.gov.uk/education-penalty-notice-faqs)