

Appendix 2

Leave of Absence in Term Time

- 1 The Anti-Social Behaviour Act (2003) provides the Local Authority, Schools and Academies the power to issue penalty notice fines for unauthorised leave of absence in term time.
- 2 No parent can demand leave of absence as a right.
- 3 Any request for leave of absence must be made in advance.
- 4 The request for leave of absence **should** be made by the parent /carer “with whom the child normally resides”. If this is the parent /carer who is not taking the child out of school / academy, the full name and address of the parent /carer who is taking the child out of school/academy **must** be provided on the form.
- 5 There is no requirement to authorise just because a request has been made. The amendments under The Education (Pupil Registration) (England) Regulations 2006 make it clear that head teachers may not grant any leave of absence during term time unless there are exceptional circumstances*.

*See Code of Conduct /Guidance relating to Leave of Absence
- 6 The circumstances of each individual request for leave of absence will be taken into account on a case by case basis.
- 7 **The decision to approve / not approve the request is for the school / academy, not the Authority or the parent. Only schools / academies can authorise / not authorise absence.**
- 8 If important work has been missed by the pupil due to the parents making a request for leave of absence the parents should not expect special arrangements to be made by the school/ academy for that pupil to catch up that work.

If you go ahead with the leave of absence when unauthorised, you may receive a Penalty Notice issued by the Local Authority. This penalty will be £60 per child if paid within 21days; payment after this time but within 28days is £120

Failure to pay a fixed Penalty Notice will render you liable to criminal proceedings in the Magistrates Court under Section 444(1) of the Education Act 1996.