“Working together to fulfil potential”

Holidays in Term Time Policy

Ratified February 2018

James Brindley Community Primary School, in line with the Local Authority, will normally not authorise holidays taken in term time because of the detrimental effect this absence would have upon the child’s learning.

Legal Sanctions

School will consider applying for fixed penalty notices in the following circumstances:

- Unauthorised absence of ten sessions or more (5 days)
- Unauthorised holidays in term time
- Persistent late arrival (after the register has closed and an unauthorised absence is created).

The Local Authority can instigate prosecution under the Education Act 1996 section 441 or 441(a) when:-

- Parent/Carers persistently fail to respond to any correspondence in relation to their child’s absence
- Evidence indicates that support has been offered but parents/carers have failed to engage
- Targets have been agreed with the parent/carers through the Fast track procedure but improvements have not been made
- There is sufficient evidence that parent/carers have failed in their responsibility to ensure that their child receives appropriate full time education.

Disposal for prosecutions for non school attendance can range from a fine to a custodial sentence.

Absence Requests for Modelling, The Arts and Sports etc.

1. Each request will be treated on an individual basis. Authorisation is more likely when ‘exceptional talent’ is being supported by suitable ‘offsite’ educational tuition. Normally these requests will only be authorised for a maximum of 5 days per school year

2. Should parents exceed the agreed number of days then parents may be referred for a fixed penalty notice to the local authority.
Reintegration to school

It is important that on return from an absence that all pupils are made to feel welcome. This should include ensuring that the pupil is given the opportunity to catch up on missed work and brought up to date on any information that has been passed to the other pupils.

HOLIDAYS IN TERM-TIME

IMPORTANT: Please read carefully the information below.

WARNING: If you take your child on holiday in term time without the prior approval of the school, you may be liable for a minimum of £60 Penalty Notice per parent per child.

As a parent/carer, you can demonstrate your commitment to your child’s education by, whenever possible, taking your holidays during school holidays.

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<tr>
<th>THE FACTS</th>
<th>THE LAW</th>
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<td>We recognise that it is often expensive to take a holiday during school breaks and that is why some parents may ask for term-time leave for their child. However, it is important that parents carefully consider the implications of taking their child out of school during term time. Research suggests that children who are taken out of school may never catch up on the work they have missed. This may affect their progress and can be particularly harmful if the child is studying for SATs. Children who struggle with English or Mathematics may also find it even harder to cope when they return to school, while younger children may find it difficult to renew friendships with their classmates.</td>
<td>The law does not say that parents have an automatic right to take their child out of school during term-time. However, in exceptional circumstances school may authorise, in advance, requests for periods of leave of no more than ten days in total in any year. If a child then stays away from school for more than the authorised period this must be recorded as unauthorised absence and could be quoted in a prosecution for poor attendance. If the child is away from school for a total of four weeks or more, the school may have to take the child off roll unless there is a good reason for the continued absence, such as illness. In these circumstances it is up to the parent to inform the school as once removed from roll, there is no guarantee that the child will regain a place at the school.</td>
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Please contact Mr Moore if you wish to discuss this issue.
We hope that when you have read this leaflet you will consider that your child’s education is too important to take holidays during term time.

ABSENCE REQUESTS

NOTES TO PARENTS/CARERS

The law does not grant parents an automatic right to take their child out of school during term time except in exceptional circumstances. To make such a request you must have Parental Responsibility and be the parent with whom the child normally lives. Permission must be sought in advance. If you do not have Parental Responsibility and/or normally live with the child you must seek the consent of the parent who does and that person should complete this form. Schools will only consider requests from that parent.

When deciding whether to allow term time leave, for any reason, the school will only consider exceptional circumstances. (Please see Salford City Council –’Advice to Parents and Carers’)

2
WARNING: If the school refuses your request and the child is still taken out of school, this will be recorded as an
unauthorised absence and this may make you liable to a fine.

REQUESTS FOR HOLIDAYS/ABSENCE DURING TERM TIME SHOULD BE MADE IN WRITING TO THE HEADTEACHER

Please include as many details as possible about the reasons for your request
REQUEST BY PARENT / CARER FOR A PLANNED PUPIL ABSENCE

Date of request: ______________

Child’s name: ________________________________ Year group: ____________

First date of absence: ______________ Last date of absence: ______________

Total school days planned to be absent: __________

The Department of Education states:

‘Headteachers may not grant any leave of absence during term time unless there are exceptional circumstances. Headteachers should determine the number of school days a child can be away from school if the leave is granted.’

Holiday requests that cite parental work patterns as the reason for ‘exceptional circumstances’ relate to instances when employee holidays are issued and dictated by the employer. These circumstances most usually relate to members of the emergency services and armed forces.

Further details: Please give further details of your request for absence - failure to do so will compromise your request.

Attendance figures form part of the target setting procedures in all schools and it is our objective to keep these figures as high as possible to ensure the education of all children remains unbroken. Both Salford Local Authority and the Department for Education monitor your child’s attendance in relation to these targets.

Signed: __________________________________________________ Parent / Guardian

Head teacher: _________________ Date: ________________

For Office Use Only:
Current Attendance _________ %
Absence authorised / unauthorised Code given: ________
Date:

UNAUTHORISED ABSENCE

NAME OF CHILD:
Current Attendance:

Dear Parent/Guardian

Further to your request for authorised permission to take your child out of school on the following dates: inclusive during term time for a family holiday.

On this occasion I cannot authorise your request for absence.

The Department for Education explains, as of September 2013: ‘Headteachers may not grant any leave of absence during term time unless there are exceptional circumstances. Headteachers should determine the number of school days a child can be away from school if the leave is granted.’

Holiday requests that cite parental work patterns as the reason for ‘exceptional circumstances’ relate to instances when employee holidays are issued and dictated by the employer. These circumstances most usually relate to members of the emergency services and armed forces.

I will bring to your attention that attendance figures form part of the target setting procedures in all schools and it is our objective to keep these figures as high as possible to ensure the education of all children remains unbroken. Both Salford Local Authority and the Department for Education monitor your child’s attendance in relation to these targets. Penalty Notices can be issued for unauthorised absence.

The Penalty Notice fine is £60.00, if you fail to pay the fine within 21 calendar days of issue of penalty, it will be increased to £120.00. If the penalty is still not paid within 28 days you will be prosecuted under Section 444(1) of the Education Act 1996. You will be prosecuted for failing to ensure that your child[ren] attend[s] school on a regular basis, i.e. not for the non-payment of the penalty.

Also where there are two parents who both have responsibility of their child(ren), you will receive a Penalty Notice fine each, per child.

Thank you.

Mr C. Moore
Head Teacher.
REMEMBER

- EACH PARENT WILL BE FINED FOR EACH CHILD
- A PENALTY NOTICE WILL BE ISSUED REGARDLESS OF PREVIOUS ATTENDANCE
- A PENALTY NOTICE CAN BE ISSUED WITHOUT WARNING

How do I pay?
Details of payment arrangements will be included on the Penalty Notice. You need to be aware that payment in part or by instalment is not an option with Penalty Notices.

What happens if I do not pay?
You have up to 28 days from receipt to pay the Penalty Notice in full, after which Salford Children’s Services is required under the Act to commence proceedings in the Magistrates Court for the original offence of poor attendance by your child.

If proven, this can attract a range of fines up to £1,000.

Can I be prosecuted if I pay the Penalty Notice but my child is still missing school?

Not for the period included in the Penalty Notice, the payment discharges your liability in this respect. However, it may be the case that a prosecution might be considered for further periods of poor attendance not covered by the Notice, depending on the circumstances.

If this is an issue, it is vital that you work closely with your child’s school and support agencies such as the Locality Team within your area.

Can I get help if my child is not attending regularly?

Yes, Salford Children’s Services and your child’s school will give you advice and support if you need to help secure an improvement in your child’s attendance.

It is very important that you speak with the school or contact your Locality Team at the earliest opportunity if you have any worries about securing your child’s attendance.

Useful Contacts

Erin Rowan – Court Officer
Mossfield Children’s Centre, Mossfield Road,
Swinton, Manchester, M27 6EH
Tel: 0161 778 0493

North Locality Team - 0161 778 0495
South Locality Team - 0161 686 5260
Central Locality Team - 0161 778 0601
West Locality Team - 0161 686 7235

EVERY DAY COUNTS
DO NOT LET YOUR CHILD MISS OUT

PENALTY NOTICES FOR
HOLIDAYS/LEAVE OF ABSENCE FROM SCHOOL

INFORMATION AND ADVICE TO PARENTS AND CARERS

MAD ABOUT SCHOOL IN SALFORD
PENALTY NOTICES FOR HOLIDAYS/LEAVE OF ABSENCE FROM SCHOOL

What are my rights?

From 1st September 2013 new guidance issued by the Department for Education will apply to all absences during term time. An absence during term time, including family holidays, is not a right.

Any absence from school disrupts a child’s learning. In addition, children returning from a term-time absence generally require additional time from teachers to catch up on the teaching they have missed. This can have an impact on the education of other pupils in their class.

Therefore, the Department for Education only allows head teachers discretion to authorise an absence if they believe there are exceptional circumstances.

What are exceptional circumstances?

These have not been specifically defined by the Department for Education, it is therefore the head teachers discretion that will determine this.

Only a head teacher can make that decision based on the information provided to them by you, not the Local Authority or a parent.

What circumstances are NOT exceptional?

These include:
- the availability of cheap holidays
- an absence or holiday paid for, or booked, by someone else
- an overlap with beginning/end of term
- a mix up in term dates

(list is not exhaustive)

How do I request an absence?

You can put your request in writing to the school either by letter or on the schools absence request form. You must send your request into school as soon as possible.

The head teacher will then make the decision whether the absence is considered to be exceptional. If it is considered not to be an exceptional circumstance then the request will be unauthorised. This decision will be relayed to you by the school.

If the absence has been authorised because of exceptional circumstances, you must ensure you return on the date you have specified. This absence is then recorded as an authorised absence and coded accordingly.

What if my request is not authorised?

If you feel you have exceptional circumstances, have you made the school fully aware of these? If an absence has been unauthorised by the head teacher, the Local Authority cannot override their decision. Therefore, if you have any queries in relation to why your absence was unauthorised you must refer these to the head teacher, not the issuing Authority.

What are the costs?

Payment within 21 days of receipt of notice is £60.00 and £120.00 if paid after but within 28 days. The fine will apply to each parent for each child who fails to attend regularly. Both Penalty Notices must be paid.

For example, in a family where there are two parents who fail to ensure the regular attendance of their two children, the fine would be £240 for each parent, reduced to £120 for each parent if paid within 21 days.

Is a Warning Given?

Yes, a warning letter will be issued from the Local Authority prior to your holiday if you request a holiday/leave of absence in advance. If you choose to take the holiday regardless of the schools decision then you will be in receipt of a Penalty Notice on your return.

However, where you have taken a holiday during term time without requesting permission you will not receive a warning letter from the Local Authority. Instead you will receive Penalty Notice, the Local Authority is authorised to do this.

There is no limit to the number of times a formal warning of possible Penalty Notice issue may be made in any particular case.

What if the holiday is taken?

The school may request the Local Authority to issue a Penalty Notice. This is a fine of £60 per parent for each child. If the fine is unpaid, court action may follow.

Is there an Appeal Process?

There is no statutory right of appeal once a notice has been issued, but on receipt of a Penalty Notice you can make representation should you wish i.e. if you believe that the Penalty Notice has been issued to the wrong person.

All correspondence should be addressed to either Tim Littimore or Steve Canning (Service Managers) Mossfield Children’s Centre, Mossfield Road, Swinton M27 6EH.