



19<sup>th</sup> July 2019

Dear parents/carers,

Following a number of questions recently, Governors have reviewed the policy on attendance, specifically regarding Leave of Absences, unauthorised term time leave and family holidays taken in term time. We therefore write to clarify the legislation school follows and the actions needed by both parents and school for any Leave of Absence.

Please find attached a letter from Jonathan Lewis setting out the Government expectations and Local authority position and use of enforcement action. As a local cluster of primary schools, we have worked together in aiming to be consistent in following this policy.

As a voluntary Aided Primary School, we do not have any choice but to apply the law.

Legislation no longer allows Head teachers to authorise 10 days absence from school for a term time holiday. The regulations make it clear that parents do not have any right or entitlement to take a child out of school for the purposes of a term time holiday. The default school policy is that absences **will not** be granted during term time. The Education Pupil Registration Regulation 2006 and 2013 (amended) legislation makes it very clear that term time leave of absence, which includes holiday during term time, should not be authorised unless in exceptional circumstances.

Whilst cases for exceptional circumstances are considered individually, exceptional means just that - it cannot be done at any other time and is truly exceptional. Exceptional circumstances are one off events which are unavoidable. Examples may include the death of a close relative, attendance at a funeral, and respite care of a looked after child or a housing crisis which prevents attendance. Exceptional Circumstances are "**rare, significant, unavoidable and short**".

As a school, we also authorise 1 day's absence for a close family wedding (not including those with Parental Responsibility who can choose the dates) assuming this cannot be avoided in term time. In addition, specific days for religious observances or festivals will be authorised. The religious observance days are set apart by the religious body of the individual religion, not determined by the parents.

Events that do not constitute exceptional circumstances include:

- Holidays, at any time, almost certainly do not count as exceptional circumstances.
- Holiday taken to suit a parents' fixed holiday dates, holiday rota or self-employment.
- A trip of a lifetime.

- Visiting family abroad

Any request for leave of absence must be made **a minimum of two weeks in advance**. During this time, we may request additional information if your request relates to exceptional circumstances. If you are requesting a Leave of Absence, please take the time to write to or meet with Mrs Penrose to share as much information as possible to enable a fully informed decision.

Please remember that every effort should be made to arrange dental/ medical appointments out of school hours. If this is not possible, evidence of the appointment should be provided when notifying school of the proposed absence.

Criteria for judging exceptional circumstances therefore include:

- Has a request been submitted on the Leave of Absence request form a minimum of two weeks in advance (or as soon as known if an emergency situation or bereavement)?
- Is it a one off event?
- Is it unavoidable?
- Is it "rare, significant, unavoidable and short"?
- Is it a holiday?
- Is it a close family wedding?
- Is it a religious observance set apart by the religious body?
- Is a sibling at another school? If so, has the request been made for them?

Following the decision of the Headteacher

The form will be annotated accordingly – authorised or unauthorised - and returned to parents. If the Leave of Absence is not authorised, the school must use the 'G' code to mark the absence. Where G codes have been used to record absences and meets the criteria for a Penalty Notice fine to be issued, the school MUST refer to Local Authority.

Suspected holiday

If the school has any reason to suspect a pupil is on holiday when a Leave of Absence request has not been completed and the child is absent, the school will contact parents and notify them of a suspected holiday. The parent has the responsibility to prove their child was absent for an authorised reason. If sufficient proof is not received, the school is required to refer the case to the Education Welfare Legal Panel for a Penalty Notice to be considered

Right to appeal

The Local Authority cannot override any decisions made by the Headteacher and therefore any appeals to the Council will be redirected to the school. The Governing Body delegate their decision-making power to the Headteacher. If a complaint is raised with the Governing Body, Governors will apply the same criteria as the

Headteacher in accordance with the law with the default expectation being that Leave of Absences will not be authorised.

Whilst we value the positive relationships we have with parents and the huge support we receive, these and almost any other matter are unrelated to any Leave of Absence request. Headteachers have to act within the guidance and the law and therefore it is very rare that a Leave of Absence will be approved.

In addition, Headteachers are required to contact parents where attendance is a concern. Therefore attendance will be recorded and commented on at each Parents' Evening and the final report will celebrate excellent attendance and identify "this must improve" for all attendance below 92% and "this needs to improve" for all attendance under 96%.

Attendance is important for all children. 80% or less attendance is equivalent to your child missing 1 year of education in 5 years. Therefore, at Petersfield, we continue to expect attendance at school to be 100%, unless there are exceptional or unavoidable reasons for absence.

Yours faithfully

Mrs Karen Gwynn and Mrs Laura Penrose  
Co-Headteachers

Mrs Linda Meredith  
Chair of Governors