Dear Parent/s

I have been asked on a number of occasions why holiday requests cannot be granted by schools. In the past prior to changes in 2013 the Headteacher was able to use his/her discretion to grant holidays. However there were still occasions even prior to 2013 when holidays would have been refused due to attendance issues (falling below 95%) and during examination times. To clarify the situation in regard to the refusal of school holidays please see statutory guidance below as set out by the DFE.

Guidance and legislation for Headteachers, issued by the Department for Education (DFE), on ‘in term holidays’ were changed in 2013.

Parents are legally responsible for ensuring their children receive an education in accordance with Section 7 of the Education Act 1996 and if on a school roll that they regularly attend school.

Can the Headteacher authorise my holiday?
The Headteacher cannot and will not authorise school absence solely for the purpose of a family holiday. There may be many reasons for which a family may wish to plan a holiday in term time, including restrictions at work or financial opportunities, however, these do not override the constraints placed on Headteachers and governors not to authorise ‘family holidays’.

Parents commonly cite the recent Court of Appeal case in the Isle of White, which overturned a Local Authority’s issue of a fine. It should be noted that this DOES NOT alter the guidance and legislation for in term absence for Headteachers, as the case reviewed questioned the right of the Local Authority to fine under that specific circumstance. The supreme court overturned the magistrates court ruling and upheld the right for Local Authority’s to fine.

I want to take my child out of school at term time, and I think my reasons are exceptional. Can the school help?
There is a discretionary power held by Headteachers and governors to authorise absence in ‘exceptional circumstances’. Although the DFE do not define ‘exceptional’, circumstances may include, for example:

1. Service personnel returning from a tour of duty abroad where it is evidenced the individual 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 person close to the family.
4. To attend a wedding or funeral of a person close to the family.
Please note: a family holiday is not an exceptional circumstance. We advise that you do not plan for your child to be absent from school without gaining prior agreement from the school first.

If a request meets the above exceptional circumstances but falls within the following times, the Headteacher and governors must be convinced that absence from school is the only option:

- The first half term of any academic year (applies to all pupils)
- Year 6 transition day (for pupils in Year 6 only)
- SATs week (for pupils in Year 6)
- At any time other time specified by the school which is identified to parents prior to application

How long will I be given under exceptional circumstances?
Exceptional circumstances can only be authorised for the period in which the exceptional circumstance occurs and will not be extended beyond the minimum time required to attend. For example, the attendance at a funeral of a close family member may be authorised for the day of the event and time taken to travel, any other time, before or after the event, will not be authorised. This includes events ‘overseas’.

What else may impact on authorisation?
The Headteacher and governors will not authorise absences if they believe it is to the detriment of a child’s education or if they have concerns that attendance may drop below 95%.

I forgot to inform the school that my child would be absent, can it be authorised on return?
The Headteacher will not retrospectively authorise absence from school.

What else do I need to know?
If your request is authorised, you are required to ensure your child catches up on any missed school work.

This is your responsibility and school are not obliged to provide work for your child to complete.

What happens if I either take absence without requesting it, or if I do not abide by the judgment of the school?
Any unauthorised absence will be recorded on your child’s attendance records which will be submitted to the Local Authority (this may result in legal proceedings against you, either through a Penalty Notice or the Magistrates’ Court).

If your request is declined, and you still take your child out of school, each parent within your household will be issued with a £60 penalty notice for each child you taken out of school.
If a penalty notice remains unpaid after 21 days it will increase to £120. If after 28 days it remains unpaid you may be summoned to appear before Magistrates to explain why your child has unauthorised school absences and you may be liable for a fine of up to £1000.

How do I apply for ‘Exceptional Circumstances in term absence’?
If you feel you have an exceptional circumstance you must complete a ‘Request of Leave for Absence Form’, which will be reviewed by the Headteacher and governors. In addition, you may also be required to speak to the Headteacher.

Note: You will usually be requested to provide evidence to support your application.
DFE Guidance 2013

I hope that this helps to clarify the schools inability to authorise family holidays during term time. Until legislation changes the governing body and the Headteacher are unable to authorise absence for a family holiday. If you require any further details don’t hesitate to contact me.

Yours sincerely

Mr J Bolton
Headteacher