

Absence from School for Exceptional Circumstances – A Guidance for Parents

The information below is designed to help parents/carers understand how and when leave of absence in **exceptional** circumstances may be granted. The decision to authorise absence is at the Principal's discretion based on their assessment of the situation. Prior to June 2013, the Education (Pupil Registration) (England) Regulations 2006 allowed for principals to grant leave of absence for term-time leave or family holiday in 'special circumstances' and for extended leave in exceptional circumstances. However, amendments to these regulations removed all references to family holidays and extended leave, meaning the discretion of the Principal is now much more limited than it used to be. The amendments now state that principals may **not** grant any leave of absence during term time unless there are extreme, **exceptional** circumstances. Principals should determine the number of school days a child can be away from school if the leave is granted.

Circumstances vary from school to school and so there can be no absolute rules on this subject. The legislation considers term times to be for education. This is the priority. Children and families have 175 days each year to spend time together, including weekends and school/public holidays. Principals will rightly prioritise attendance. Generally, absences will not be granted during term time.

Frequently Asked Questions

What are exceptional circumstances?

Under the amended legislation, 'exceptional circumstances' are **one-off events** which are **unavoidable**. Examples may include: the death of a close relative; attendance at a funeral; respite care of a child looked after by the Local Authority; or a housing crisis which prevents attendance.

I explained my exceptional circumstances to the school yet I was still issued with a PN fine. Can this be reviewed by the County Council?

No. Only the Principal of a school can authorise any absence under exceptional circumstances. The County Council cannot override any decisions made by the Principal.

My child's attendance record is generally good, can I still be issued a fine for unauthorised holiday?

Yes.

Which parent receives the fine?

Both parents who live together and have day-to-day care (and also any absent parent who has frequent contact with the child and is named in the child's school records) may receive a fine for each of their children. This will include parents who allow their child to go on holiday with another family member or friend of the family.

Who is fined when parents do not live together?

The situation can become complicated where parents do not live together and both wish to remove their child from school at separate times during the same academic year. Where parents are separated, if an absence request is submitted by the parent not involved with the absence, then both parents may be fined.

Who is considered to have parental responsibility?

The definition of a parent is anyone who has parental responsibility for the child and/or any adult with day-to-day care and responsibility (Section 576 Education Act 1996). This will include step-parents and cohabiters, partners of older pupils if the partner is over 18 years of age and they are living together, other relatives with residency orders.

What happens if I am a self-employed worker e.g. a Farmer, is an employee with fixed holiday dates, or is on a holiday rota set by my employer?

It is advisable for parents to discuss this with their child's school prior to making any arrangements for absence during school term times. Legislation **no longer allows Principals to authorise** 10 days absence from school for a term time holiday. If you are self-employed then you are able to select when you take your annual leave.

Could an absence to attend a religious observance or festival be an authorised absence?

Absence that is due to religious observance for an individual faith must be authorised if the religious body in the UK deems the date of religious significance. The day should be marked as authorised where there is an element of worship associated with the religious observance that the UK body for that religion recognises. The religious observance days are set apart by the religious body of the individual religion within each jurisdiction of the UK, not determined by parental preference. UK Christian holidays have been set by the state. For other faiths, Principals will make reference to the appropriate religious body in the UK to support them with making a decision.

We want to go on a trip of a lifetime. Could this be an authorised absence?

No, this would constitute a family holiday. The Principal cannot authorise term time holidays for even one day unless they accept the reason for leave of absence is exceptional.

I have a significant number of relatives abroad and may need to spend an extended period in another country. Could this be an authorised absence?

Principals are bound by law to discourage families from taking trips during term time, whatever the reason given.