



**South Molton United**  
**Church of England**  
**Primary School**

**ATTENDANCE POLICY & TERM-**  
**TIME HOLIDAYS**

Reviewed by T+L 2 February 2021  
Next Review T+L Spring 2022

**RA6 (NEW November 2012)**

# TERM-TIME HOLIDAYS

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## What the law says

The regulations state that parents/carers do **not** have a legal right to take their child out of school for holidays in term-time. Some mistakenly believe that they are entitled to take their children out of school for up to ten days per school year but this is not the case.

Nevertheless schools can allow parents/carers to take their child out of school for a holiday providing there are **exceptional** circumstances for the request and an application is made in advance by the parent/carer with whom the child normally resides. Only in **extremely exceptional** circumstances will more than 10 school days absence be granted in the school year. The special circumstances mentioned above might be a close family bereavement or illness. Alternatively, the children of servicemen posted abroad might have no option other than to have holidays during term-time.

If parents/carers take a holiday without the school's permission or if the child fails to return by the agreed date, this will be recorded as unauthorised absence and noted in the child's record. If the child has not returned within 10 days of the expected date of return, then the school may take the child off roll, after consultation with the local authority.

## Penalty notices

A school may also ask the Education Welfare Service to consider a penalty notice. The penalty notice is £60 per parent, per child if paid within 28 days or £120 per parent, per child if paid after 28 days but within 42 days. If a penalty notice is not paid, the parent/carer is likely to be prosecuted.

Where the school considers that a penalty notice may be the appropriate course of action after an unauthorised absence, then a committee of governors will convene to consider whether or not this is appropriate. When considering their decision they will take into account:

- Previous attendance over their time at school
- The length of the unauthorised absence
- Whether or not there has been previous unauthorised absences
- The reason for the unauthorised absence

### **What schools can do**

Every school will have a policy on granting term-time holidays. When deciding whether or not to allow time off the school should consider:

- if there are special circumstances for the request;
- the time of year requested for the holiday;
- how long the holiday will be and how much it is likely to disrupt the child's education;
- previous similar requests; and
- the child's attendance record.

Requests for term time holiday will be refused unless there are exceptional circumstances.

Only in exceptional circumstances will a term time holiday be authorised. The absence will be unauthorised and the school will use the above criteria to decide whether a penalty notice is applicable. In deciding whether to authorise an absence request and/or applying a penalty notice, the school will liaise with other schools involved with siblings to ensure consistency and fairness.

Schools will take into account government guidance when considering what constitute special circumstances. Holiday requests for the following reasons are not considered special circumstances:

- availability of cheap holidays;
- availability of the desired accommodation;
- poor weather experienced during school holidays; and/or
- overlapping with the beginning or end of term.

### **Expectations of parents/carers**

Parents should request time off for their child as early as possible and always weeks before the holiday. They should not automatically expect the school to grant their request unless there are special circumstances. Parents/carers should consider carefully the implications of taking their child out of school during term-time. There are 190 statutory school days a year; so there are 175 other days (weekends and school holidays) available for holidays which would not have a negative effect on a child's education.

There is a view that parents/carers who take their child on holiday during term-time are giving them an unspoken message that school doesn't matter. Some children may find it difficult to renew friendships with other pupils when they return to school. If the school does agree to a holiday in term-time due to special circumstances, it is expected that the parent/carer will discuss with the school how to help the child catch up with the lost hours of education, which would be 50 hours for a full 10-day holiday.

### **Times to avoid**

Parents/carers should never take their child out of school:

- close to or during examinations;

- when valuable group work with other pupils is taking place that cannot be repeated;
- if the child needs help in certain subjects to access all the education support that is on offer;
- during the Induction Week when the child transfers from one school phase to another and needs to familiarise him/herself with the new school layout;
- during the first year in a new school when pupils may experience problems settling in.

### **Staff entitlement**

All the above information applies equally well to staff asking for permission to go on holiday during term-time. Normally, any such requests would go to the governing body and only in very special circumstances would permission be granted. On occasions governors might grant permission but as unpaid leave. Any member of staff who took a holiday in term-time without the permission of governors would be in breach of contract.

Governors, like headteachers, will also have varying views about what constitutes special circumstances. The much-publicised case of the teacher who sought permission for a term-time holiday abroad because he was getting married and was refused permission, serves as a good example. Governors felt that there was absolutely no reason why he had to arrange his wedding during term-time.

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