

Unauthorised holidays during term time

In September 2022 the Department For Education issued guidance for local authorities, schools and ultimately families entitled “Working Together To Improve School Attendance”.

One aspect of this guidance is very specific on how applications for holiday leave during term time should be treated, defining it under Reg 7(3) The Education (Pupil Registration) (England) Regs 2006:

Leave of absence for the purpose of a family holiday granted by the school

(Paragraph) 215. Parents should plan their holidays around school breaks and avoid seeking permission from schools to take their children out of school during term time unless it is absolutely unavoidable.

(Paragraph) 216. An application for leave of absence should (and from certain schools must) not be granted unless it is made in advance by a parent the pupil normally lives with and the school is satisfied that there are exceptional circumstances based on the individual facts and circumstance of the case which justify the leave. Where a leave of absence is granted, the school will determine the number of days a pupil can be absent from school. A leave of absence is granted entirely at the headteacher’s discretion.

If a holiday is not authorised, and is taken without permission, the Local Authority may issue a penalty notice to each parent of £60 for each child to be paid within 21 days. If the penalty is not paid within the time scale the penalty will increase to £120. If the higher penalty is not paid within 28 days, the Local Authority will then institute legal proceedings in the magistrate’s court under Section 444 of the Education Act 1996 for failing to ensure your child attends school regularly.

In order to apply this Regulation fairly I am informing families that, if the circumstances are not deemed exceptional, from January 2023 the local authority will be informed if a holiday is taken without permission. The school has, this year, increased the number of home visits and welfare checks that it conducts if a learner is off for more than three days and it is expected that they will be at home during that time, otherwise it may be deemed that a holiday is being taken.

For more information follow this link:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1099677/Working_together_to_improve_school_attendance.pdf