

TERM TIME LEAVE

ADVICE FOR SCHOOLS AND PARENTS



Amendments to the 2006 regulations were made by the [Education \(Pupil Registration\) \(England\) \(Amendment\) Regulations 2013](#) and come into force on 1 September 2013.

The amendments make it clear that Headteachers can only grant leave of absence during term time for exceptional circumstances. All reference to a holiday and/or extended leave, including the threshold of ten school days is removed. Any request for leave must be made in writing for the attention of the Headteacher in advance.

There is no formal definition offered for exceptional leave at present by the Department for Education. However, from discussion with the DfE and concerned professional associations it is suggested that exceptional leave may include:

- Forces staff returning from lengthy active service abroad
- Police, Fire Service staff being told when they can or cannot take leave
- If a close family member has a terminal illness and it may be a last chance to be together especially if the family member lived overseas
- Parents having to work abroad for a fixed, minimum term period

Somerset County Council (SCC) supports schools:

- In expecting parents and carers to make sure that children and young people attend school regularly. Any absence from school will impact on educational achievement, success in later life and longer term health and well being
- In ensuring the law is upheld. Parents and carers are committing an offence if they fail to ensure the regular and punctual attendance at school of their child. Schools must explain their stance on term time leave in their attendance policy so parents/carers are clear on expectations and potential consequences, such as any unauthorised absence including taking term time leave not agreed with the school, can result in a Penalty Notice being issued to each parent for each child. Any Penalty Notice unpaid is taken to Magistrates Court as failure to secure the regular attendance of their child. If found guilty of such an offence, they might receive a criminal conviction and a potential fine of up to £1,000. Full Penalty Notice details are contained within the Code of Conduct on Somerset County Council's web site.

SCC cannot override a school's decision not to authorise any term time leave. There is no right of appeal.

Taking a child on holiday in term time interrupts the learning of the whole class. Teachers have to spend time helping children catch up when they return. Parents should arrange holidays for the 13 week school holiday periods. Schools are open 190 days which leaves 175 days of the year for a holiday.