

St Germans Primary School Guidance on requests for leave of absence due to exceptional circumstances

Any period of leave taken without the agreement of the School, or in excess of that agreed, will be classed as unauthorised and may attract sanctions such as a Penalty Notice.

The Cornwall Council Code of Conduct for Issuing Penalty Notices in Respect of Unauthorised Absence from School gives the following guidance:

1. When can Penalty Notices be issued?

- When a pupil has had 10 or more half day sessions i.e. the equivalent of 5 school's days, of unauthorised absence during a period of 100 sessions (10 school weeks) and parent has been previously warned (as outlined in 5.3). This includes term time holidays where the parent has been informed that a Penalty Notice may result from such unauthorised absences. In this regard, a parent must be warned by the school if a request for absence is not being authorized in the first instance for absences at least 10 or more sessions.
- When the circumstances of the pupil's absence meet all the requirements and criteria in the Code of Conduct; and
- When the issuing of a Penalty Notice does not conflict with other intervention strategies in place or other sanctions already being processed.

2. Examples of exceptional circumstances:

- Out of school programmes such as music, arts or sports at a "high standard of achievement".
- Educational opportunity – sport and performance.
- Parents, sibling or grandparent is seriously/terminally ill and the holiday proposed is likely to be the last such holiday.
- There has recently been a death or other significant trauma in the family and it is felt that an immediate holiday might help the child concerned deal with the situation.
- The holiday is a unique, never-to-be-repeated occasion which can only take place at the time requested and is considered of exceptional value to the child's development/education.
- Sudden loss of housing through eviction or domestic violence (up to a maximum of 3 days).
- Serious illness of a close relative – only if Headteacher is satisfied that the circumstances are truly exceptional.
- The funeral of a parent, grandparent or sibling. (Headteachers should use their discretion having heard from parents about travel and funeral arrangements and taking into account the distance to be travelled).
- Bereavement of a close family member, but for the funeral service only, not extended leave.

- Time off relating to Child Entertainment performance, subject to a license being issued by Education Social Work Service.
- Families may need time together to recover from trauma or crisis.
- Family wedding/civil partnership taking part on school day – not travelling to a wedding unless it is abroad.
- Family crisis.
- Examination off site.
- Visit to a new school.
- Family re-location visit.
- Other compassionate grounds.

3. Other absence from School will be authorised if it is for the following reasons:

- Genuine illness.
- Unavoidable medical/dental appointments (but try to make these after school if at all possible).
- Days of religious observance.
- Seeing a parent who is on their only leave from the Armed Forces.
- External examinations.
- When Traveller children go on the road with their parents where the school is informed beforehand.

4. Absence that is not acceptable

- For any type of shopping.
- Looking after brothers, sisters or unwell parents.
- Birthdays.
- Resting after a late night.
- Relatives visits or visiting relatives.
- If an event can reasonably be scheduled outside of term time, then it would not be normal to authorise absence.
- Absence during term time for holidays/vacations that is not considered an exceptional circumstance.

5. Other information:

Absences to visit family members are not normally granted during term time if they could be scheduled for holiday periods or outside school hours. Children may however need time to visit seriously ill relatives.

The School will take into consideration the needs of the families for service personnel if they are returning from long operational tours that prevent contact during scheduled holiday time.

The School has a duty to make reasonable adjustments of students with special educational needs or disabilities.

The financial factor when a parent claims that they are unable to afford a holiday during school holidays when prices may be significantly higher than in term time, does not constitute an exceptional circumstance.

Seasonal workers requesting time off due to work restrictions will be required to provide proof.

6. Times when it is inadvisable to take time off School

- Where a pupil's attendance rate is already below 90% or will fall to or below that level as a result of taking holiday leave.
- When a pupil has just started at the School. This is very important as your child needs to settle into their new environment as quickly as possible.
- During the month of September, this is an important time for children to get used to their new class.
- Before and during assessment periods such as SATs or the internal assessment weeks that we have towards the end of each term.

7. Warning

- If you take your child out of school without permission, you will be committing an offence under the Education Act 1996. We may refer the matter to the Education Welfare Service who may decide to prosecute. A conviction may result in a fine of up to £2,500, a prison sentence of up to three months or both. Alternatively, a penalty notice may be issued under Section 444A and 444B of the Education Act 1996. This carries a fine of £60 if paid within 28 days or £120 if paid after this but within 42 days. Failure to pay the penalty notice may result in Court action.