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Dear Parents / Carers

## Holidays during term time

The law states that for your child to be considered to attend school regularly they must be at school every day they are required to be there by the head teacher. This was confirmed in a Supreme Court ruling in 2017.

Therefore, you must get permission from the head teacher if you want to take your child out of school during term time.

You can only do this if you make an application to the head teacher in advance (as a parent the child normally lives with). The head teacher will then decide whether to agree the leave of absence and whether this is marked as authorised or unauthorised in the attendance register.

Please note that head teachers are only permitted to agree a leave of absence in term time for exceptional circumstances.

If an absence is authorised by the head teacher, they have the discretion to determine how many days your child can be away from school.

## Fines and prosecution

You can be fined for taking your child on holiday during term time without the Head Teacher's permission.

The threshold for Penalty Notice fines is **5 days / 10 sessions of unauthorised absence over a 10-school week period**. When a school becomes aware that a child absence has met the threshold, they must consider whether a penalty notice should be issued.

Penalty notices are set at £160 (per child, per parent) and must be paid within the statutory 28-day deadline.

The first Penalty notice fine issued to a parent is reduced to £80 if it is paid in full, within 21 days of issue. All fines must be paid within 28 days of issue otherwise parents may be prosecuted in court.

A second fine issued to a parent/carer for a child who is absent from school without authorisation is fixed at £160, with no option to pay at a reduced rate if the fine is paid within the first 21 days.

Parents/Carers can only receive a maximum of two fines for any individual child over a three-year rolling period for an unauthorised absence from school.

A third request for a fine within a three-year rolling period would result in the matter being referred directly to the Magistrates court.

If a parent/carer is prosecuted at court, they could receive a fine of up to £2,500, a community order or a jail sentence of up to three months. The court could also give you a [Parenting Order](#).

Parents who decide not to pay a fine and contest the matter in court should seek independent legal advice before doing so.

***'Learning Together & Making a Difference'***

# Request For Withdrawal From Learning – Term Time Absence



Pupil's name: \_\_\_\_\_

Class: \_\_\_\_\_

Home address: \_\_\_\_\_

I wish to apply for my child to be absent from school during the following dates:

Date of last day at school: \_\_\_\_\_

Date of return to school: \_\_\_\_\_

Total number of school days missed: \_\_\_\_\_

Please explain the exceptional circumstances that make it necessary for your child to be absent in term time:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

I have enclosed a copy of a relevant document to support my request, e.g. a special invitation letter.

*I make application for my child named above to have authorised absence from school for the reasons stated. I understand that if this is not agreed then any absence will be treated as unauthorised and may lead to the issue of a Penalty Notice and/or prosecution under 444 of the Education Act 1996. I understand that holidays will not be authorised.*

*There will be circumstances where it is considered that a Penalty Notice is not appropriate. This may be due to a variety of reasons, including, but not limited to: (a) repeated offences indicating that Penalty Notices are not bringing about a change in behaviour, for example, repeated unauthorised term time leave; (b) the high level of unauthorised absence, including extended unauthorised term time leave cases; and (c) the complex or long standing nature of the particular case. In such cases, the Education and Attendance Team may consider instigating a prosecution under Section 444(1) or 444(1A) of the Education Act 1996 as an alternative to a Penalty Notice.*

Name of Parent/Carer making application: \_\_\_\_\_

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

Email address parent/carers: \_\_\_\_\_

Email address parent/carers: \_\_\_\_\_

**Please return completed application form to your child's school giving at least 4 weeks' notice of intended absence with both parents/carers email address**

For school use:	
Date received:	
Approved (Y/N):	
Reason for decision:	
Headteacher signature:	
Date:	