

***REQUEST for LEAVE OF ABSENCE from THE WARRINER SCHOOL***

(holiday during term time)

To: The Headteacher

I request leave of absence be granted to:

\_\_\_\_\_ (name) \_\_\_\_\_ (tutor group)

From \_\_\_\_\_ to \_\_\_\_\_ dates)

Please give reason for holiday during term:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Name of parent/guardian \_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_

**Please note:**

1. Under the Education (Pupil Registration) Regulations 1995 absence for purpose of holiday is only authorised if requested is granted beforehand.
2. Failure to request leave or refusal to grant leave will mean that the absence is **unauthorised**.
3. When considering granting leave for holiday in term time, the school considers:
  - \*duration of the proposed trip                      \*whether the trip/event is rare
  - \*impact on the pupil's education                      \*pupil's attendance record
  - \*family circumstances
4. Under the above regulations, a maximum of 10 days may be authorised in any one school year unless in exceptional circumstances.
5. Please return this form to the Headteacher **at least 14 days before the planned holiday.**
6. For further information please read the notes on the reverse of this form.

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**FOR SCHOOL USE ONLY**

Leave –GRANTED/REFUSED \_\_\_\_\_ (Head of Year)

Comment: \*Attendance record from September to \_\_\_\_\_: \_\_\_\_\_

\*Absence authorised/unauthorised for \_\_\_\_\_ school days

\*Reply sent: \_\_\_\_\_

To: Tutor to Headteacher to General Office

Code: \_\_\_\_\_

## ***NOTICE CONCERNING THE TAKING OF NOTICE FAMILY HOLIDAYS DURING TERM TIME***

It is expected that any holidays would normally be arranged within the thirteen weeks of official school holiday in the academic year.

Should parents decide to arrange holidays outside this period – which should only be in exceptional circumstances – they must make a request for authorisation for this leave of absence **in advance** to the Headteacher. There is a request form for this purpose.

It is policy that exceptional circumstances are defined as: having a parent/career/guardian in the forces so leave must be taken within a fixed period; or where an employer will only allow leave to be taken in term time (in which case a letter to that effect will be required).

There is no ‘entitlement’ or ‘allowance’ as of right. **Any** absence from school is authorised solely by the Headteacher, at his/her discretion, within the framework of current legislation and LA policy:

**Legislation** which allows the Headteacher to authorise absence for holiday:

### **The Education (Pupil Registration) Regulations 1995**

- “8. (1) Leave of absence may only be granted by a person authorised in that behalf by the proprietor (Headteacher) of the school.
8. (2) Leave of absence shall not be granted to enable a pupil to undertake employment (whether paid or unpaid) during school hours except:-
- (a) employment for the purpose of taking part in a performance within the meaning of section 37 of the Children and Young Persons Act 1963 (c) under the authority of a licence granted by the local authority under that section; or
  - (b) employment abroad for purpose mentioned in section 25 of the Children and Young Persons Act 1933 (d) where a licence has been granted under that section by a justice of the peace.
8. (3) Subject to paragraph (4), on application made by a parent with whom the pupil normally resides, a pupil may be granted leave of absence from the school to enable him to go away on holiday.
8. (4) Save in exceptional circumstances, a pupil shall not in pursuance of paragraph (3) be granted more than ten days leave of absence in any school year”

### **LEA (Oxfordshire) Guidance: ‘Family Holidays and Extended Trips Abroad’**

In accordance with legislation cited above ‘there is discretionary power for leave to be granted for the purpose of a family holiday in term time. In either circumstances, the parent must make a case for leave. Parents are required to apply for permission in advance of the holiday. Retrospective approval may not be given. No parent can demand leave for a holiday as of right.

When leave of absence is granted, it is authorised. Where this is not so it is **unauthorised**.

**Unauthorised absences** are required to be notified through returns to the DfE and LA.

It is the legal responsibility of parents to ensure the child’s attendance (S.444 Education Act 1995). Failure to do so may result in prosecution: this could result in a conviction in the Magistrates Court (i.e. a criminal conviction) and a maximum fine of £1000 **per parent** in respect of **each** child. It is a ‘strict liability’ offence: ‘unauthorised’ absence is the basis of evidence for legal purposes.