



22 November 2013

Dear Parents/Carers

TERM TIME LEAVE OF ABSENCE

Please find below some important information for parents/carers from Warwickshire County Council's Compliance and Enforcement Service regarding new regulations about term time leave of absence.

The Government has introduced some significant changes to attendance regulations for pupils at school from September 2013, some of which you need to be aware. The most important of these is in relation to term time leave of absence.

Amendments have been made to the 2006 regulations in the Education (Pupil Registration) (England) (Amendment) Regulations 2013. These amendments, as described below, came into force on 1 September 2013.

The Education (Pupil Registration) (England) Regulations 2006 have allowed headteachers to grant leave of absence for the purpose of holiday during term time in "special circumstances" of up to ten school days leave per year. Headteachers can also grant extended leave for more than ten school days in "exceptional circumstances".

Amendments to the 2006 regulations remove references to "holiday" and "extended leave" as well as the statutory threshold of ten school days. The amendments make clear that headteachers may not grant any leave of absence during term time unless there are **exceptional circumstances**. Headteachers should determine the number of school days a child can be away from school if the leave is granted.

The government has not defined the 'exceptional circumstances' referred to in the 2013 regulations. It is for the headteacher to decide what he/she views as exceptional circumstances.

Parents are therefore asked to respect these new regulations under which we must now work, and that if there is a need to take a child out of school during term time, it must be made very clear in the request how the circumstances are exceptional.

Each application for a leave of absence will be considered on a case by case basis and on its own merits.

Applications for leave of absence which are made in advance and refused will result in an absence being unauthorised which may result in legal action against the parent, by Fixed Penalty Notice, if the child is absent from school during that period.

If a Fixed Penalty Notice is issued and is not paid within the timeframe set out in that notice, the matter will be referred to Warwickshire County Council's Legal Services to consider instigating criminal prosecution proceedings under S444 of Education Act 1996.

The school's attendance policy will be updated to reflect the change in legislation.

Yours sincerely

Annette Delaney
Headteacher