



The Shared Learning Trust

THE LINDEN  
ACADEMY

### **Term Time Absence Policy**

The Education Regulations 2006 have been amended and come into force from 1<sup>st</sup> September 2013. The amendments remove references to 'holiday' from school and extended leave of absence as well as the statutory threshold of ten school days. **The Principal may not grant any leave of absence during term time unless there are exceptional circumstances.** The fundamental principles for defining 'exceptional' are where requests are rare, significant, unavoidable and short.

Requests for leave of absence should not normally be granted for the purposes of a holiday. The law does not give any entitlement to parents to take their child on holiday during term time. Head Teachers/Principals have the discretion to authorise leave of absence in **exceptional** circumstances and it is only for the Head Teacher/Principal to determine what is truly exceptional. School days are precious; children only attend school 170 out of 365 days. There are 195 days in a year which parents can use for any activities other than school.

#### **Leave of absence will not be authorised in the following circumstances:**

- ❖ Pupil's attendance is less than 97% in the previous 12 months
- ❖ During SATs or other public examinations
- ❖ At the beginning of an academic year
- ❖ Retrospectively
- ❖ If there are any other academic concerns such as poor punctuality, pupils ability to catch up on work missed etc.
- ❖ If leave of absence has already been taken in the same school year

#### **We will also take into account the following:**

- ❖ The pupil's general absence/attendance record including unauthorised absence
- ❖ Proximity of SATs/Testing
- ❖ Amount of time requested
- ❖ Age of the pupil
- ❖ Length of the proposed leave
- ❖ Pupil's ability to catch up on the work
- ❖ Pupil's educational needs
- ❖ General welfare of the pupil
- ❖ Circumstances to the request
- ❖ Purpose of the leave
- ❖ Frequency of the activity
- ❖ When the request was made

### **Applications for Leave of Absence**

Requests must be made in advance or the absence cannot legally be authorised. All requests must be made at least two weeks in advance to the Principal, by completing the school application form (available via the website or hard copy from the school office). A parent/carer MUST make any application, even though the pupil may not be taking the proposed leave with them. Once completed and submitted, parents/carers will receive a written response confirming if the request has been authorised or not.

**If leave is granted and you are travelling abroad, you will need to supply confirmation of your return flight tickets by bringing in a copy of the tickets for school to copy.**

Medical evidence in writing, signed by a medical practitioner, will be required for any period of reported "sickness" absence either immediately before or immediately after a school holiday period. The school also reserves the right to conduct a home visit on such occasions if it is deemed necessary.

### **Unauthorised Absence**

If you take your child out of school without the school's prior authorisation, the absence will be recorded as unauthorised and noted in your child's school records. Leave of absence can only be authorised by the Principal.

**Where a parent/carer has taken their child on leave of absence during term time for 5 consecutive school days or more, without the Principal's prior authorisation, Luton Local Authority will issue a Penalty Notice. In these circumstances, a warning will not be given.**

Penalty Notices are per parent, per child as appropriate, so if there are two parents both will need to pay the fine. From 1/9/13 Penalty Notices will need to be paid within 21 days at £60 or £120 within 28 days. Unpaid Penalty Notices will result in prosecution in the magistrate's court.

**Please note that the school makes the decision as to whether the request for leave should be granted or not, but the Local Authority makes the decision to impose any penalties.**

### **Failure to Return on Expected Date**

If there is a reason which delays a pupil in returning to school, the parent/carer must inform the school immediately. The school will require evidence of this issue and will then decide whether the absence will be authorised. For any travel arrangements outside of the UK we require proof of return flights, prior to the leave being taken as this may prevent absence being recorded as unauthorised if you are unable to return on the specified date.

Each case will be assessed individually and medical evidence from abroad will not be accepted routinely as evidence that a pupil was unable to attend school.

### **Roll Removal**

A pupil can be removed from roll in either of these circumstances:

- ❖ If you take your child on leave of absence which has been authorised by the school but your child fails to return on the agreed date, any extra time absent from school will be recorded as

unauthorised. If your child fails to return within 10 days of the expected date of return then the school may remove your child from the school roll and notify the Local Authority accordingly

- ❖ Or, if your child has 20 continuous days unauthorised absence