

Frequently Asked Questions about Leave of Absence Requests

What are exceptional circumstances?

Under the legislation, 'exceptional circumstances' are one-off events which are unavoidable. Examples may include: the death of a close relative; attendance at a funeral; respite care of a child looked after by the Local Authority; or a housing crisis which prevents attendance.

My child's attendance record is generally good, can I still be issued a fine for unauthorised holiday?

Yes.

Which parent receives the fine?

Both parents who live together and have day-to-day care (and also any absent parent who has frequent contact with the child and is named in the child's school records) may receive a fine for each of their children. This will include parents who allow their child to go on holiday with another family member or friend of the family.

Who is fined when parents do not live together?

The situation can become complicated where parents do not live together, and both wish to remove their child from school at separate times during the same academic year. Where parents are separated, if an absence request is submitted by the parent not involved with the absence, then both parents may be fined.

Who is considered to have parental responsibility?

The definition of a parent is anyone who has parental responsibility for the child and/or any adult with day-to-day care and responsibility (Section 576 Education Act 1996). This will include step-parents and cohabiters, partners of older pupils if the partner is over 18 years of age and they are living together, other relatives with residency orders.

What happens if I am a self-employed worker e.g. a Farmer, is an employee with fixed holiday dates, or is on a holiday rota set by my employer?

It is advisable for parents to discuss this with their child's school prior to making any arrangements for absence during school term times. Legislation no longer allows Headteachers to authorise absence from school for a term time holiday. If you are self-employed then you can select when you take your annual leave.

Could an absence to attend a religious observance or festival be an authorised absence?

Absence that is due to religious observance for an individual faith must be authorised by the school if the religious body in the UK deems the date of religious significance. UK Christian holidays have been set by the state. For other faiths, Headteachers will refer to the appropriate religious body in the UK to support them with making a decision.

We want to go on a trip of a lifetime. Could this be an authorised absence?

No, this would constitute a family holiday. The Headteacher cannot authorise term time holidays for even one day unless they accept the reason for leave of absence is exceptional.

I have a significant number of relatives abroad and may need to spend an extended period in another country. Could this be an authorised absence?

Headteachers are bound by law to discourage families from taking trips during term time, whatever the reason given.