Sandwell Metropolitan Borough Council

Attendance & Prosecution Service

Leave of Absence Request Form

See Leave of Absence Request – Guidance Notes attached
****ALL sections MUST be fully completed in CAPITAL LETTERS****
*****If 'None' write 'None'*****
******One Application Per Child******

School		Class	
Child's Full Name		Date of Birth	/ /
Address		Post Code	
		Landline Tel. No.	
		Mobile Tel. No.	

I would like to request a Leave of Absence for the above-named child: (One Application Form per Child)

First day of Absence from school	/ /	Returning to school on	/ /
Number of school days' absent	day(s)		

Head teachers can only Authorise a Leave of Absence if they consider that the detail and information **you provide** constitutes an **"exceptional circumstance".** You **MUST** provide **all the details and information** you would want the Head teacher to consider in deciding if your request can be granted.

(please attach any further detail)

By signing this application, I understand and agree the following:

1. That I have read the Leave of Absence Request - Guidance Notes.
2. That I am a Parent/Carer with whom the child 'normally resides'.
3. That I understand it is the Head teacher's decision as to what is and what is not an "exceptional circumstance".
4. That I will ask for and know the Head teacher's decision **before** my child is absent.
5. That if I take my child on an Unauthorised Leave of Absence the school can request that I and any other Parents/Carers of my child are issued with a Penalty Notice. (a fine of up to £120 in respect of each child and each Parent/Carer,) and/or be subject to further legal proceedings in the Magistrates Court)

Parent/Carer Applicant PRINT NAME		Date of Birth of Applicant	/ /
Relationship to child			
Parent/Carer Applicant SIGNATURE		Date of Application	/ /

You must enter the Names / Dates of Birth and Address details of every **ADDITIONAL** adult who holds Parental Responsibility and /or Care of your child.

Parent/Carer's Full Name		Date of Birth	/ /
Relationship to child			
Address (if different from child's home address)		Post Code	

Parent/Carer's Full Name		Date of Birth	/ /
Relationship to child			
Address (if different from child's home address)		Post Code	

For School Use Only

Request Form Complete and Received	Date	/ /	School Staff	
Head Teacher's review	Date	/ /	Outcome	Agreed / Rejected
Applicant advised of outcome	Date	/ /		

How applicant was advised of outcome (i.e. verbally, by letter, by telephone) School staff may need to provide evidence of the above should Court proceedings follow.	

Schools Request for Penalty Notice

I have read the Leave of Absence Request - Guidance Notes and understand that once requested and issued a Penalty Notice cannot be withdrawn other than in the circumstances detailed.			Yes	No
Agreed by Head Teacher	Date	/ /		
Referral to Attendance & Prosecution Service	Date	/ /		

Name		Position in school	

Have you attached a copy of the student's Attendance Summary/Certificate?	Yes	No
Have you attached a copy of the rejection letter sent to Parents/Carers?	Yes	No

Note

You do not need to complete a Request for Support Form if all the above details are provided. A Leave of Absence Referral can be accepted when you WEBXCHANGE together a fully completed Leave of Absence Request Form, a copy of the schools rejection letter to parents/carers (or confirm agreement to provide a Section 9 Witness Statement) and the student's Attendance Summary/Certificate.

Leave of Absence Request – Guidance Notes

Section 1 For Parents/Carers • **Section 2** For Schools • **Section 3** Penalty Notices

Section 1

For Parents/Carers

Under the Education (Pupil Registration) (Amendment) Regulations 2013 absence **may not** be Authorised unless:

(a) An application has been made in advance to the Head teacher by a Parent/Carer with whom the pupil normally resides (lives with most of the time); and
(b) The Head teacher, or a person Authorised by them, considers that Leave of Absence should be granted due to the exceptional circumstances relating to that application.

It is only a Parent "with whom the child normally resides" (lives with most of the time) that can apply for a Leave of Absence for their child. A Parent/Carer who does not live with the child cannot apply for a Leave of Absence. Any application they might make should be rejected by the school.

Parents/Carers should ensure that any Leave of Absence application is made in advance of any Leave of Absence to be taken. (Schools may have specific timescales for processing Leave of Absence applications. Parents/Carers should make sure they know what these are. Different schools may have different timescales.)

Parents/Carers should ensure that they know if their Leave of Absence application has been Authorised by the Head teacher before planning, booking or paying for anything in relation to that Leave of Absence application.

Parents/Carers should ensure they provide the Head teacher with all the detail and information they would want the Head teacher to know in deciding if a Leave of Absence can be Authorised.

Head teachers can only Authorise a Leave of Absence if they consider that the detail and information provided by a Parent/Carer in the application can be considered as an "exceptional circumstance".

It is at the Head teacher's discretion to decide if the detail and information provided by a Parent/Carer can be considered as an "exceptional circumstance" and agree if any Leave of Absence can be Authorised.

Disagreements between Parents/Carers and schools in relation to what is and is not an "exceptional circumstance" cannot be considered by the Attendance & Prosecution Service.

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Section 2

For Schools

Schools should consider having a clear, detailed and published policy or process that Parents/Carers should follow in applying for any Leave of Absence at their school.

Schools should decide on the format of their Leave of Absence Application Form.
(The Attendance & Prosecution Service provide a template document for consideration)

Schools should decide on the timescales for accepting, processing and responding to any Leave of Absence applications received.

Such a timescale would need to consider how the school might inform the Parents/Carer of the outcome of the Head teachers decision so that it is received by them before any planned Leave of Absence starts.

Schools should decide that if any late or incomplete application is received if they will process this or if the Leave of Absence application cannot be considered and the Absence recorded as Unauthorised.

Schools should decide how they will advise Parents/Carers of the Head teachers decision and if the Absence is to be Authorised or not.

Schools should mark all Absences in accordance with the Pupil Registration Regulations.

Schools can Request that a Penalty Notice be issued to Parents/Carers should any Unauthorised Leave of Absence be taken. (Such a request should be made within 5 school days of the child's return to school after the Leave of Absence is taken)

The Attendance & Prosecution Service cannot issue a Leave of Absence Penalty Notices unless a Request is made by the Head teacher to do so, that the school can provide the required information and detail that allows for the Penalty Notice to be issued in accordance with the Penalty Notice Code of Conduct. http://www.sandwell.gov.uk/downloads/download/1990/penalty_notice_code_of_conduct

Section 3

Penalty Notices

If a Leave of Absence is not Authorised and the child is then absent from school, the Head teacher can request that the Attendance & Prosecution Service issue Parents/Carers with Penalty Notices.

The Attendance & Prosecution Service can only issue Penalty Notices for Leave of Absence following receipt of a request to do so by the school.

Penalty Notices are issued based on the information and detail provided by the school and in accordance with the Penalty Notice Code of Conduct http://www.sandwell.gov.uk/downloads/download/1990/penalty_notice_code_of_conduct

Once issued a Penalty Notice cannot be 'withdrawn' unless it meets the criteria detailed in Section 4 of the Code of Conduct (see below):

A penalty notice may be withdrawn if the local authority determines that:

a) It ought not to have been issued, or issued to the person named as the recipient.
b) The notice contains material errors, e.g. sent to the wrong address.
c) Where the issuer did not comply with this code of conduct
d) Where after the expiry of 28 days the penalty notice is unpaid and the local authority has not started legal proceedings, or wishes to take such action under section 444.

Unpaid Penalty Notices can result in Parents/Carers being put before the Magistrates Court and fined up to £1,000 per Parent/Carer per child plus Court costs.