



# Buckden CE Primary Academy Attendance Policy

2021

Reviewed August 2021 Post Covid-19

Please Note that this Attendance Guidance is the guidance issued by  
Cambridgeshire Local Authority

## **The First of this Guidance is taken directly from Cambridgeshire County Guidance on Attendance**

### **Returning to school after the lockdown**

The lockdown has been challenging for all families, with some having been affected more due to their own vulnerabilities and circumstances. Undoubtedly the experiences of lockdown may present challenges when preparing a child to return to school.

School staff have a wealth of experience in supporting transition, and will ensure that all pupils receive the most appropriate tailored support, in their return at the beginning of the new academic year.

Parents who have concerns regarding their situation and vulnerabilities need to contact the school and have a full and candid dialogue with the Headteacher who can then see exactly what provision needs to be put in place. The school may need to consider a risk assessment that may be necessary for the child returning to school.

The government expects parents to send their children to school full time. The Local Authority attendance team will continue to offer advice, and support schools to ensure that they adopt a supportive and nurturing approach in the first instance before any type of legal interventions are considered. However, on the occasion that it is clear that all possible interventions have been offered and there are no other reasonable grounds to explain the absence then the attendance team may become involved to ensure the child's attendance improves to a more suitable level.

### **Information about school attendance in Cambridgeshire**

If your child is registered at a school, he/she must by law attend that school regularly and punctually. Your child should only miss school if he/she is ill or unable to attend for some other unavoidable reason, including self-isolation as a consequence of COVID.

If your child is absent and school either does not receive an explanation from you, or considers the explanation unsatisfactory, it will record your child's absence as 'unauthorised'.

### **Key information**

A child becomes of compulsory school age when they reach the age of five and, where a parent has elected to register their child at school, they must start school in the term following their fifth birthday at the latest (although parents of many children choose to send them earlier). A child continues to be of compulsory school age until the last Friday in June in the school year that they reach the age of 16. After this age, the legal requirement to participate in education or training will fall to the young person.

Your child's school will authorise most absences for acceptable reasons:

- sickness
- unavoidable medical or dental appointments (if possible, arrange these for after school or during school holidays)
- days of religious observance
- requirements to self-isolate (as advised by Public Health Service England)

## Your rights and responsibilities

- You have a legal duty to ensure that your child receives an appropriate education.
- If your child is registered at a school, you must ensure that they attend.

## What you can do

Make sure your child arrives at school on time. This encourages habits of good timekeeping and lessens any possible classroom disruption. If your child arrives after the register has closed without a good reason, this will be recorded as an 'unauthorised' absence for that session.

If your child has to miss school, it is vital that you let the school know why, preferably on the first morning of the absence (your child's school will have an attendance policy explaining how this should be done).

If you know or think that your child is having difficulties attending school, you should contact the school. It is better to do this sooner rather than later, as most problems can be dealt with very quickly.

## Non-attendance and the law

All parents have a legal duty to ensure that their child receives an education suitable to his/her age, ability and aptitude and any special needs. Most parents fulfil their legal obligation by registering their child in a school.

- Children must legally be in education between the school term after their fifth birthday and the last Friday in June in the school year they turn 16.
- The Education and Skills Act 2008 increased the minimum age at which young people in England can leave learning. [Raising the participation age](#) means that young people must continue with some form of education or training until they are 18.

## School attendance order

If you don't register your child at a school or make suitable alternative education arrangements, we may issue a school attendance order. This order requires you to register your child at a named school.

## Non-attendance at school

Failure to ensure a child's regular attendance at school is a criminal offence. If with support from the school's attendance officer and/or the Local Authority, your child's attendance does not improve, the Local Authority will consider one of two actions:

- **Penalty Notice.** We can give each parent a fine of £60, which rises to £120 each if you do not pay within 21 days. If payment is not received within 28 days from the issue of the penalty notice, we may prosecute you for the offence of 'irregular attendance'. You could then be subject to a fine of up to £1,000 on conviction.
- **Prosecution in the Magistrates' court.** Both parents could get a fine of up to £2,500, a community order or a jail sentence up to three months each. The court may also give you a Parenting Order.

The offence will apply to each child individually. Both parents are liable for the offence. The Education Act considers each 'responsible adult' as a 'parent'. This includes a family friend or relative if the child lives with them and they provided day-to-day care.

## **Paying your penalty notice online**

If you have received a penalty notice for your child's non-attendance at school, you can pay it online.

### [Pay a penalty notice](#)

#### **Please note:**

- Timescales are from the date stated on your letter.
- Payment is the acceptance of liability.
- Pay online by credit or debit card. We do not accept payment by instalments.
- Ensure that payment made is for the correct amount.
- You must enter each penalty notice number individually if paying multiple penalty charges.
- You must provide an email address which we use to communicate with you. There is no right of appeal; any queries about this notice should be made to the Education Office whose details are on the penalty notice letter.

#### **The prosecution process**

Should Cambridgeshire County Council take legal action against you, we will serve you with a summons to appear before a Magistrates' court. You will receive a copy of a prosecution court statement produced by the Local Authority and possibly further statements from a member of school staff, and supporting documents ('exhibits').

- Should you fail to attend, the court may consider issuing a warrant for your arrest or hear the case in your absence.
- The case will be heard by the Magistrates. A court usher will be available to help you.
- The court clerk will read the charge. You will be asked to plead 'guilty' or 'not guilty'. Should you plead not guilty, the case will be adjourned to a future date. Should you plead guilty, the case will be heard immediately.
- The court will first hear the evidence from the prosecution.
- You or your legal representative will then be able to either make the case for the defence (if you have pleaded not guilty), or (if you have pleaded guilty) explain any reasons for your child's non-attendance.
- The Magistrates will then decide how they intend to deal with the case.

#### **Possible outcomes**

Should you have pleaded guilty' or be found guilty', the sentencing / disposal options available to the magistrates are:

- a fine of up to £2,500
- a Conditional Discharge – you will get a set amount of time in which to improve your child's attendance. Should you fail, the Council may bring a further prosecution against you and, if found guilty, you will be sentenced for both offences
- an Absolute Discharge – the case is proved but you will not be subject to a penalty, although you will receive a conviction

- a Deferred Sentence – a new court date will be arranged, during which time you will be expected to have taken steps to improve your child's school attendance. Sentence will be passed at this new hearing
- Imprisonment - only for the more serious (aggravated) offence but it can be for up to three months
- a Parenting Order – the Magistrates may order you to attend parenting classes

## Education Supervision Order

The court may also direct that the Council considers applying for an Education Supervision order. The Local Authority may also decide on this option as an alternative to prosecution. Applications for education supervision orders take place in the family court. If granted, you and your child will be directed by the court to co-operate with the Council to ensure that your child attends school regularly.

## What happens next?

Regardless of the outcome in court, you will continue to receive support from your school to ensure that your child attends school. Should your child return to school and attend regularly, no further legal action will be necessary.

## Who can help

You should contact the Attendance Officer within your child's school. If you feel that your child's educational needs are not being met, you can contact the schools Special Educational Needs Coordinator (SENCO). The Local Authority offers support to schools through consultations and best practice to support non-school attendance.

## Term time leave or holidays

Children of compulsory school age who are registered at a school must, by law, attend that school regularly.

- Regular attendance is the best way of ensuring that a child makes the most of the educational opportunities available to him or her.
- When a child is absent from school, he or she misses not only the teaching provided but is also less prepared for the lessons after his or her return.
- There are only 190 statutory school days in one year and 175 days (weekends and school holidays) available to use for holidays or leave. Therefore, every school day counts!

Details of Cambridgeshire schools' term and holiday dates are available on the [school term dates](#) page.

## Key information

Prior to June 2013, the Education (Pupil Registration) (England) Regulations 2006 allowed for headteachers to grant leave of absence for term-time leave or family holiday in 'special circumstances' and for extended leave in exceptional circumstances.

Amendments to these regulations remove references to family holidays and extended leave. The amendments state 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.

## **Your rights and responsibilities**

- If your child is registered at a school, you must ensure that they attend regularly.
- The regulations make it clear that parents do not have any right or entitlement to take a child out of school for the purposes of a term time holiday.
- If parents take their child on holiday or leave in term time, this will be counted as an unauthorised absence. This is the same as truancy and you may be at risk of a penalty notice fine being issued.



## **Buckden CE Primary Academy Attendance Policy**

At Buckden CE Primary Academy, we know that regular attendance and arrival at school on time is very important. Not only is it a legal requirement, but children need to attend school regularly if they are to take full advantage of the opportunities available to them. In simple terms, absence is missed learning.

We expect all staff to be positive role models with regard to attendance and punctuality. Our attendance policy aims to:

- Emphasise the importance to parents and children of uninterrupted attendance and punctuality at every stage of a child's education, and reinforce that it is vital if children are to achieve their full potential.
- Reinforce the notion that every child has a right to access the education to which they are entitled and that parents are responsible in law for the regular and punctual attendance of their child.
- Create an ethos in which good attendance and punctuality are recognised as the norm and are seen to be valued by the school.
- Support all stakeholders in working in partnership (pupils, parents, staff and the Education Welfare Service) so that all pupils achieve as well as they can, unhindered by unnecessary absence.
- Support all children in achieving a minimum of 95% attendance, apart from those with chronic health issues.
- As a school, we seek to achieve overall attendance rates which are consistently higher than this figure.

### **Procedures and Practices**

#### **Registration**

Registration (electronic) takes place twice a day – at the start of the school day and after the lunch break.

#### **Lateness**

Any student arriving in school after registration has been taken will be recorded as 'L' (late). If they arrive after registration period has finished they will be recorded as 'U' (unauthorised absence).

At Buckden, registration periods are as follows:

For Key Stage 1 – 8.40am, and registers are closed at 9:00.

Any child who arrives after 9.00am will be categorised as U (unauthorised absence).

For Key Stage 2 – 8:40am, and registers close at 9:00am. Any child who arrives after 9.00am will be categorised as U (unauthorised absence).

At Buckden, we believe that late arrival at the beginning of the day can be particularly damaging to a child's academic and social progress as they can miss out on important whole class input.

Parents and Carers should be aware that the Local Authority may issue a Penalty Notice fine for repeated unauthorised absence due to lateness in the same manner as they would for general unauthorised absences from school.

## **Absences**

Absences from school will be either Authorised or Unauthorised depending upon circumstance.

Authorised absences are where a pupil has been absent and a satisfactory and legal reason has been communicated to the school. Reasons for authorised absence include: genuine illness, days of religious observance, unavoidable medical appointments, exceptional circumstances (i.e. bereavement/funeral) or traveller children going 'on the road'.

As a school, we expect authorised absences to be kept to a minimum and therefore routine medical and dental appointments should be arranged out of school hours or during school holidays, wherever possible. Where absence through illness has led to attendance of below 95%, parents/carers will be expected to provide evidence of illness and/or appointments.

Unauthorised absences are when no acceptable explanation is provided by parents/carers or the reason provided is not deemed as acceptable by the school. Examples of these may be lateness after the end of registration, attending a birthday celebration, minding a house, caring for a sibling, shopping, lack of childcare, visiting relatives, Weddings/Christenings or going on holiday.

The school, using Local Authority and DfE guidelines, makes the final decision about whether or not any absence is seen as authorised or unauthorised. Parents who wish to request absence may do so by completing an Exceptional Leave of Absence request form (available on the school website and from the school office) and returning it to the school before the absence occurs. Authorisation cannot be granted retrospectively.

## **Unauthorised term time leave (including Holidays)**

Penalty notice: In accordance with the Cambridgeshire County Council attendance code of conduct, any parent who takes a child out of school for term time leave of more than 6 consecutive sessions over an 8 week period, not authorised by the school (under the 'exceptional circumstances' rule), may receive a Penalty Notice. Such cases will have to be supported by evidence, from the school, of previous unauthorised term time leave (more than 6 consecutive sessions over an 8 week period) taken in the last 3 years and evidence of parents being warned about a potential Penalty Notice.

## **Notifying the school about a child's absence**

Parents/Carers must contact the school before 09.00am each day of absence either by phone on 01480 810241 ext 1 or email [sickness@buckdenacademy.org](mailto:sickness@buckdenacademy.org). The office will log and record the reason for absence, to be kept by the school as written evidence which may be required by the Local Authority when monitoring attendance. If no explanation is provided, the absence will be recorded as unauthorised. Prior notice should be given of unavoidable medical appointments.

## **First day Contact**

Where a child is absent from school and we have not received any verbal or written communication from the parent, we initiate a first day contact process. Members of the office check all the registers on a daily basis to identify those pupils who are absent. If the school is unaware why a child is absent, we will contact the parent by telephone to check the reasons for the child's absence. If contact cannot be made, we will then initiate steps within our Safeguarding policy for a missing child.



## **Illness**

When children have an illness that means that they will be away from school long term, we will do what we can to send material home, so that they can keep up with their school work.

If the absence is likely to continue for an extended period, or be a repetitive absence, the school will contact appropriate support services to see if arrangements can be made to provide tuition outside school.

## **Term-Time holidays**

Parents do not have any right or entitlement to expect leave to be given for holidays during term time. At Buckden CE Primary Academy, we strongly discourage such holidays as learning and progress is disrupted and the lost time is detrimental to the educational progress of the child.

Amendments to the Education (Pupil Registration) Regulations 2006 and September 2013 make clear that Head teachers may not authorise holidays (or other Leave of Absence) in term time unless there are very exceptional circumstances. The school upholds these regulations and will work closely with the Local Authority (LA) to ensure that they are upheld.

Requests for long-term leave can only be granted in 'exceptional circumstances and decisions are made on a case-by-case basis. No term-time leave will be granted, or deemed granted, without a formal request on the appropriate form (available on the school's website and from the school) being made and a written response given. Leave of absence will not be granted if it coincides with formal assessments and tests for pupils (SATs). The school will not authorise any holidays retrospectively and may follow up any reported illness that we feel may have been a term-time holiday. The cheaper cost of holidays and travel during term-time will not be regarded as an 'Exceptional circumstance'.

## **Extended periods of absence**

Families considering going away for an extended period for reasons connected with their work or family should discuss matters with the Headteacher at an early stage of planning. Pupil places cannot usually be held open for more than six weeks and may be taken by others on the waiting list.

## **Addressing Attendance Concerns**

At Buckden CE Primary Academy, our expectation is that a child's attendance be 100% unless there are exceptional or unavoidable reasons for absence, apart from those with chronic health issues. Since we are a Primary school, we rely on parents/carers to ensure that their child attends school regularly and punctually and therefore, where there are concerns regarding attendance, parents/carers are always informed of our concerns. As part of addressing issues of concern, opportunities are provided for the parent/carer to discuss the reason for absence and support can/will be offered by the school with the aim of improving attendance. When a child's attendance record does not improve over a period of time, then, as a school, we have a responsibility to make a referral to the Educational Welfare Service.

## **Monitoring Attendance**

The Attendance Officer monitors pupil absence on a daily basis and reports to SLT as a standing agenda item. Along with other Cambridgeshire schools, the Local Authority's 'Three Letter System' is used to manage attendance. Each letter is sent after an 8 week monitoring period.

Letter 1: Notifies parents when attendance drops below 95% and that a further period (4 weeks) of monitoring will continue with view of improvement.

Letter 2: Usually follows letter 1 if no improvement but is also sent when attendance drops below 93%. Parents will be required to attend an attendance meeting to discuss any issues and set targets for improvement over a further 4 week period.

Letter 3: Typically sent if no improvement following letter 2, but also when attendance drops below 91%. It informs parents that if attendance fails to improve in a further 4 week period, the child's attendance will be referred to the EWO.

The Attendance Officer will also regularly monitor attendance for patterns of absence and lateness. Pupils with attendance or lateness concerns will be reviewed regularly. These concerns will also be shared with the EWO and the Local Authority, who may decide to take actions against parents.

### **Education Welfare Officer**

The local authority (Cambridgeshire County Council) holds the statutory responsibility for school attendance for pupils in all Cambridgeshire schools. Education Welfare Officers act on behalf of the LA to promote attendance and, in partnership with schools, enforce attendance through the use of legal sanctions when necessary. The Education Welfare Officer makes regular visits to the school to check and monitor attendance.

The Education Welfare Officer (EWO) will;

- Write to parents requesting their attendance at planning meetings, parenting contract meetings and Police and Criminal Evidence (PACE) meetings as appropriate.
- Carry out home visits when appropriate.
- Carry out assessments and broker supportive interventions from a range of external agencies such as the locality team (family work, youth support) when necessary.
- Request the imposition of legal sanctions such as penalty notices, parent contracts, education attendance orders and fines.

Agreed: 3rd December 2018

Reviewed: December 2019

To be ratified October 2021

## **Appendices**

Appendix 1 - School Register codes

Appendix 2 - Information about Term Time Holidays

Appendix 3 – Copies of Letter 1; Letter 2; Letter 3 (LA's 3 letter system)

Appendix 4 – Exceptional Leave of Absence Request Form

### **Appendix 1 – School Register codes**

The DfE offers a comprehensive set of register codes which all schools are required to use.

These codes are as follows:

/ \ - Present am/pm

B - Educated off site - Approved Educational Activity.

C - Other authorised circumstances (including public performances licensed by the local authority, family bereavements, exceptional special occasions) - Authorised Absence.

D - Dual registration (i.e. pupil attending other establishment) - Approved Educational Activity.

E - Excluded (no alternative provision made) - Authorised Absence.

G - Family holiday (not agreed or days in excess of agreement) - Unauthorised Absence.

I - Illness (not medical/dental appointments) - Authorised Absence.

J - Interview - Approved Educational Activity.

L - Late (before registers close) - Present.

M - Medical/Dental appointments - Authorised Absence.

N - No reason yet provided for absence - Unauthorised Absence.

O - Unauthorised Absence.

P - Approved Sporting Activity - Approved Educational Activity.

R - Religious Observance - Authorised Absence.

S - Study Leave - Authorised Absence.

T - Traveller child travelling - Authorised Absence.

U - Late after registers close without an acceptable explanation – Unauthorised Absence

V - Educational visit or trip - Approved Educational Activity.

X - Non-compulsory school age absence - not counted in possible attendances.

Y - Enforced closure – not counted in possible attendances.

Z - Pupil not yet on roll - not counted in possible attendances.

# - School closed – not counted in possible attendance.

Class teachers are only required to use a limited number of the codes. The Attendance Officer should be consulted before entering codes that are different to those on the default settings via the electronic registration system.

## **Appendix 2 - Information about Term Time Holidays**

The following information has been taken directly from the Cambridgeshire County Council website:

### **Term time holidays**

Children of school age who are registered at a school must, by law, attend that school regularly.

Regular attendance is the best way of ensuring that a child makes the most of the educational opportunities which are available to him or her.

When a child is absent from school, he or she misses not only the teaching provided but is also less prepared for the lessons after his or her return.

There are only 190 statutory school days in one year and 175 days (weekends and school holidays) available to use for holidays. Therefore, every school day counts!

### **Key information**

Prior to June 2013, the Education (Pupil Registration) (England) Regulations 2006 allowed for headteachers to grant leave of absence for a term time family holiday in 'special circumstances' and for extended leave in exceptional circumstances.

Amendments to these regulations remove references to family holidays and extended leave. The amendments make it clear that headteachers may not grant any leave of absence during term time unless there are exceptional circumstances and that headteachers should determine the number of school days a child can be away from school if the leave is granted.

### **Your rights and responsibilities**

If your child is registered at school, you must ensure that s/he attends regularly. The regulations make it clear that parents, carers or relatives do not have any right or entitlement to take a child out of school for the purposes of a term time holiday.

If parents take their child on holiday in term time, without authorisation, this will be counted as unauthorised absence - this is the same as truancy and you may be at risk of a Penalty Notice being applied.

### **What you can do:**

- Look at the school's attendance policy for full information.
- Speak to the school direct if you feel you need to take your child out of school in exceptional circumstances.

### **Appendix 3 – Local Authority (LA) 3 letter system**

Letter 1

Date

Addressee

Address

Dear

Re: Child's Name Dob:

Following weekly monitoring of pupil attendance, I have noticed that Child's attendance over the 8 weekly monitoring period, has fallen to %, which is below the school's target of 95%. We understand that there may well be obvious reasons for absence, such as illness but we have a duty, in accordance with Local Authority guidance, to let you know that Child's attendance is now below the school's threshold.

The school and the Local Authority's focus on regular attendance extends beyond just the fact that it is a legal requirement, but also takes consideration of the impact on children's academic progress, and even their friendships, that issues with irregular attendance may cause.

I hope that by bringing this to your attention we can, together, support Child to ensure s/he gains the greatest benefit that s/he can from his/her education with regular school attendance.

Enclosed is the school's attendance leaflet along with Child's registration certificate. I will continue to monitor Child's attendance, but if there are any particular circumstances that the school may not be aware of which is having an influence on Child attending school regularly, please do not hesitate to contact me.

Yours sincerely,

Attendance Officer

Enc Record of attendance and School Attendance Leaflet

### **Appendix 3 – Local Authority (LA) 3 letter system**

Letter 2

Date

Addressee

Address

Dear

Re: Child's Name Dob:

I am writing to advise you that Child's school attendance has fallen to % and as a result we are becoming concerned that Child is missing a significant part of learning. I have enclosed a copy of Child's attendance record which shows an analysis of attendance, punctuality and whether the absence is authorised or unauthorised.

We would like you to attend a meeting with a member of the Attendance Team to discuss this matter further on Date at Time.

Should Child's attendance remain irregular; the Local Authority may be requested to take more formal action. This could result in a Penalty Notice and/or prosecution through the Magistrates court for failing to ensure regular school attendance of your child under Section 444 Education Act 1996, and a fine of up to £2500 and/or 3 months in prison.

For any further absences of illness, we will require evidence. Acceptable forms of evidence will be discussed at our meeting.

We look forward to meeting you to discuss any concerns you may have so we can continue to support Child in making good progress. I hope that we can work together to improve Child's attendance and therefore avoid the need for legal proceedings to be implemented.

If you have any queries please do not hesitate to contact me through the school office.

Yours sincerely,

Attendance Officer

cc EWO - Encs Record of Attendance School Attendance Leaflet

### **Appendix 3 – Local Authority (LA) 3 letter system**

Letter 3

Date

Addressee

First line of address

Town/City

Postcode

Dear

Re: Name of pupil Dob:

As you are aware, we have previously contacted you about Child's attendance. A review of attendance registers shows that Child has been absent from school for xxx sessions this year/over the previous xxx weeks. I enclose a record of «(forename)»'s attendance

As parent(s) it is your legal responsibility, as stated under Section 444 of the Education Act 1996, to ensure that your child attends the school at which they are registered, regularly and punctually.

With effect from September 2015 schools have been advised by the government's Department for Education (DfE) that the Persistent Absence (PA) threshold will be reduced to 10%. Until this date it has been 15%.

This means that if a child/young person has an overall attendance of 90% or less over a given period, they will be classified as a persistent absentee pupil.

I am therefore having to write to inform you that if attendance fails to improve during the next four weeks, the case may be referred to Cambridgeshire County Council for possible legal intervention.

If there are any particular circumstances that the school may not be aware of which is having an influence on Child attending school regularly, please do not hesitate to contact me. I hope that we can work together to improve Child's attendance and therefore avoid the need for legal proceedings to be implemented.

Yours sincerely

Headteacher/Attendance Officer

Cc EWO

Enc. Record of attendance & Attendance Leaflet

## **Appendix 4**

### **Exceptional Leave of Absence Application (please complete a separate form for each child)**

This form should be completed and signed by all parents/carers that hold parental responsibility. It should be returned to the Headteacher, at least 28 days before the absence commences. Amendments to the Education Regulations 2006 came into force on 1 September 2013. The amendments make it clear that Head Teachers will not grant any leave of absence during term time unless there are exceptional circumstances, which will not include reasons of cost or inconvenience (please see overleaf for guidance). This means very few requests for exceptional leave will now be authorised.

Applications to the Headteacher for a leave of absence will be considered individually, following guidelines as outlined in our Attendance Policy and by the Local Authority. The policy can be found on the school's website (for Local Authority's guidance see below), alternatively, please ask at the school office.

You should also be advised, if the absence is not authorised and you decide to still take your child out of school, you may be issued a Penalty Notice from the Local Authority, resulting in a £60 fine per parent/carer per child (if paid within 21 days, rising to £120 thereafter). This is not something that the school currently undertakes but persistent unauthorised absence will result in fining.

Requests for an exceptional leave of absence during term time will be returned to you by the Headteacher, and if your request is not authorised, you will be informed of the reason/s, it is advised, therefore, you give as much detail for the absence as possible.

#### **Absence from School for Exceptional Circumstances – A Guidance for Parents**

The information overleaf is designed to help parents understand how and when leave of absence in exceptional circumstances may be granted.

The decision to authorise absence is at the head teacher's discretion based on their assessment of the situation. Circumstances vary from school to school and so there can be no absolute rules on this subject. Term times are for education. This is the priority. Children and families have 175 days off school to spend time together, including weekends and school holidays. Headteachers will rightly prioritise attendance.

Generally, absences will not be granted during term time and will only be authorised by the headteacher in exceptional circumstances.

Penalty Notices for term time leave are issued based on information and referrals received from schools. The Local Authority cannot override the decision made by the Headteacher to unauthorise the absence. If you have any reasons to believe the Penalty Notice should not have been issued, please contact the school within 10 working days.

There is no statutory right of appeal against the issuing of a Penalty Notice.



## **Frequently Asked Questions**

### **What are exceptional circumstances?**

Exceptional circumstances are one off events which are unavoidable. Such as the death of a close relative, attendance at a funeral, respite care of a looked after child or a housing crisis which prevents attendance. Headteachers are bound by law to discourage any trips during term time.

### **I explained my exceptional circumstances to the school yet I was still issued with a PN fine. Can this be reviewed by the Council?**

No. Only the head teacher of a school can authorise any absence under exceptional circumstances. The County Council cannot override any decisions made by the head teacher. If a request is sent to the Council then a PN fine will be issued based on the information received.

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

The Cambridgeshire Penalty Notice Code of Conduct allows a Penalty Notice fine to be issued for holiday taken for 3 days or more. Which parent receives the fine? Where both parents 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 10 days absence from school for a term time holiday. If you are self-employed then you are able to select when you take your annual leave.

### **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, 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.