



## Absence from School for Exceptional Circumstances Frequently Asked Questions

Legislation no longer allows Headteachers to authorise 10 days absence from school for a term time holiday. The information below is designed to help parents understand how and when leave of absence in exceptional circumstances may be granted.

1	<p><b>When did the guidance from the Government on absence from school come into force?</b></p> <p>This guidance has been in place since September 2013 following consultation with schools. Parents will have been informed of the school arrangements for granting absence through the school newsletter, and through the school website.</p>
2	<p><b>How do parents apply for leave of absence in exceptional circumstances?</b></p> <p>Parents need to fill in the Absence from School for Exceptional Circumstances Request Form which can be downloaded from the school website or obtained from the school reception. The form must be completed prior to the absence requested.</p>
3	<p><b>What are exceptional circumstances?</b></p> <p>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 looked after child, a housing crisis which prevents attendance.</p>
4	<p><b>Can parents ask for absence for exceptional circumstances to cover major family events?</b></p> <p>Each request will be considered under “Exceptional Circumstances” and the decision conveyed to parents. Decisions will depend on the date of the request, the overall % attendance of the child to date, the Key Stage of the child and the need to ensure examination periods/the education of the child are not disrupted.</p>
5	<p><b>Can leave of absence be granted for a family crisis, e.g. to visit a dying relative?</b></p> <p>Each request will be considered under “Exceptional Circumstances” and the decision conveyed to parents. One or two day’s absence from school to visit a dying relative will be recorded as a ‘C’. Parents will need to provide proof of the need to visit, and proof that the travel arrangements were made at short notice, and after the date of the request for absence in exceptional circumstances.</p>
6	<p><b>Some families go on a trip of a lifetime. Could this be an authorised absence?</b></p> <p>No, this would constitute a family holiday. There is no provision for Headteachers to authorise term time holidays. Therefore absences for a family trip will be unauthorised and families are advised they should take their trip in the school holidays.</p>
7	<p><b>A family from abroad, or who have a significant number of relatives abroad, may spend an extended period in another country. Could this be an authorised absence?</b></p> <p>The Government does not allow holidays in term time. Situations where a family is returning to</p>

	<p>visit relatives for a short period of time will be considered as a holiday. The school discourages families from taking trips during term time, as there are 13 weeks of school holiday where families may visit relatives abroad</p> <p>This also applies to families returning late after the summer break. Parents are expected to ensure that children return to school from visiting relatives abroad in time for the first day of term. Failure to return on the first day will result in a fixed penalty notice.</p>
8	<p><b>Could an absence to attend a religious observance or festival be an authorised absence?</b></p> <p>Absence that is due to religious observance will be authorised, the day will be marked as 'R' in the school register. Absence will only be authorised for days that are set apart by the religious body (not the parents). The school consults with religious bodies to verify dates of religious observance on an annual basis. Days absent either side of a religious holiday will not be authorised, if they are used to travel to family gatherings in order to celebrate the religious event. Should a student be absent immediately prior to, or after a religious holiday, the school will require a medical certificate in order for the absence to be authorised. Failure to provide a medical certificate will result in a fixed penalty notice.</p>
9	<p><b>What happens if a parent is a self-employed worker e.g. a farmer, is an employee with fixed holiday dates, or is on a holiday rota set by their employer?</b></p> <p>Some employment may make it difficult for families to spend time together in the six week summer holidays. However, there are other school breaks when such family time can be used. A decision by parents not to spend time together in the other school holiday times, i.e. Christmas or Easter break, because of poor weather (for example) will not be a reason for authorising absences during the warmer school terms. Families need to investigate alternative non- school times throughout the year to spend time together. The school notes that those parents who are self-employed are able to select when they take their annual leave, and reiterate that holidays must not be taken in term time.</p> <p>Legislation no longer allows Headteachers to authorise 10 days absence from school for a term time holiday, and all holidays taken in term time will result in a fixed penalty notice.</p>
10	<p><b>What if parents say their child is ill?</b></p> <p><b>Scenario 1: Parent applies for absence from school, school inform the parents that the absence is not authorised. Child is then absent and parent calls to say the child is ill</b> The school will mark the absence as unauthorised and refer to the Education Welfare Service for a penalty notice. Parents would then need to prove their child was ill. Should evidence be provided to support the absence the penalty notice would be withdrawn.</p> <p>Under scenario 1 the parent will be warned about consequences of unauthorised absence when they applied for the absence from school.</p> <p><b>Scenario 2: Parents do not apply for absence from school, i.e. no absence request form is received, the parent calls school to say the child is ill. The school are suspicious that the child is fit and well and is on holiday.</b> Under these circumstances a visit may be made to the family home and a card left asking the parents to contact school as soon as possible. If the family are on holiday they will not receive the card and will not call the school, until days later. A telephone call to a parent's mobile phone may also indicate they are abroad by the different dialing tone. School may also phone the parents place of work, to ascertain whether they are working or have taken annual leave. School will wait until the child returns to school and then refer to the Education Welfare Service for a penalty notice. Again the parent has the responsibility to prove their child was ill.</p> <p><b>Scenario 3: No absence request form received, parent calls school to say the child is ill. The school have no suspicions until the child returns to school where suspicions are then raised, i.e. child tanned and talking about their family holiday.</b></p>

	<p>School will refer to the Education Welfare Service for a penalty notice. Again the parent has the responsibility to prove their child was ill.</p> <p>Under scenario 2 and 3 the parent would have been warned by the school in the school newsletter and on the school website.</p>
11	<p><b>Which parent receives the fine?</b></p> <p>Where both parents, or those with day to day care and responsibility live together, school will provide a separate referral form for each parent involved in the absence from school and for each child of compulsory school age. Both parents will receive a fine for each of their children. <b>This will include parents who allow their child to go on holiday with another family member or friend of the family.</b></p>
12	<p><b>Who is fined when parents do not live together?</b></p> <p>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.</p> <p><b>Scenario 1: The absence request is an Exceptional Circumstance and may be authorised –</b> School will write to both parents (regardless of which parent applies) advising them of the decision.</p> <p><b>Scenario 2: The absence request is unauthorised as it is not an exceptional circumstance –</b> School will write to both parents (regardless of which parent applies) to advise that the absence will be <b>unauthorised</b>. A Penalty Notice referral will be made to the Education Welfare Service for the parent who applied for the absence (if the absence goes ahead).</p> <p><b>Separated parents –</b> The school will ensure only the parent taking the child out of school completes the ‘Absence from School Request Form’ as under normal circumstances only this parent should be fined. If an absence request form is submitted by the parent not involved with the absence, then this parent may be fined if the other parents contact details are unknown to the school.</p>
13	<p><b>How much is the fine?</b></p> <p>£60 per parent, per child, accruing up to 10 half day sessions of unauthorised absence. If the fine is not paid within 21 days it increases to £120 per parent per child. If not paid after 28 days then the fine will be withdrawn and the case for unauthorised school absence may be placed before the courts and a fine of up to £1,000 per parent may be enforced.</p>
14	<p><b>Does the Headteacher have any discretion when considering requests?</b></p> <p>The Government provides Headteachers with a clear framework under which their decisions can be made. The new legislation and the DfE guidance is clear that absence can only be granted in exceptional circumstances, and never retrospectively. The school will liaise with the Education Welfare Officer to discuss the absence request and for a joint decision to be made.</p>
15	<p><b>What methods are available for payment of the fixed penalty notice?</b></p> <p><b>BY POST:</b> Cheque or postal order made payable to London Borough of Barnet and posted to Finance Services, PO Box 49085, London N11 9AG (DO NOT send cash). The payment slip from the invoice should also be sent</p> <p><b>IN PERSON:</b> PayPoint; Take the barcoded invoice to participating outlets and you can pay in cash at <a href="http://www.paypoint.co.uk">www.paypoint.co.uk</a>.</p> <p><b>At the Post Office:</b> Take the barcoded invoice to any post office and hand it to counter clerk with payment</p>

	<p><b>Telephone or Internet banking:</b> For telephone/internet banking please quote Sort Code 60-23-36, Account Number 82622825 and quote your customer reference number</p> <ul style="list-style-type: none"> <li>• Over the telephone with a debit or credit card by ringing <b>0845 3563456</b>. This option is available 24/7. (Credit cards may incur a fee)</li> <li>• Via the Internet at <a href="http://www.barnet.gov.uk/citizen-home/council-and-democracy/pay-for-it-now.html">www.barnet.gov.uk/citizen-home/council-and-democracy/pay-for-it-now.html</a> with a debit or credit card. (Credit cards may incur a fee)</li> </ul> <p><b>The invoice number will be required for each method of payment.</b></p> <p>There is no provision to pay a penalty notice in instalments and parents should pay £60 in full within 21 days from the date of the letter. After 21 days the fine increases to £120 and this must be paid within 28 days to prevent further action being taken.</p>
16	<p><b>Does the absence policy impinge on the parents / young person's human rights?</b></p> <p>No, a parent does not have a right to authorise school absence. Legally only Headteachers can authorise the absence.</p>
17	<p><b>Who is considered to have parental responsibility?</b></p> <p>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. 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.</p>
18	<p><b>Can a fixed penalty notice be given for lateness to school?</b></p> <p>Yes, we are working with the Education Welfare team to issue fixed penalty notices to parents and carer's whose children are persistently late for school. The first penalty notice will be issued for the 6<sup>th</sup> time a child is late in a 4 week period, and this will be repeated for each and every subsequent 4 week period where a child is late. We have taken the decision to issue fixed penalty notices for lateness, as lateness is disruptive to education. Lateness after the close of the school register will be marked as unauthorised absence. Repeated unauthorised absence may result in a referral to the Education Welfare officer.</p>

### Guidance

DCSF Keeping Pupil registers 'Guidance on applying the Education Pupil Registration Regulations (2008)'

Absence and Attendance Codes 'Guidance for Schools and Local Authorities'  
January 2009

School attendance: Departmental advice for maintained schools, academies, independent schools and local authorities, October 2014

The above documents can be found at:

<http://www.education.gov.uk/search/results?q=guidance+on+applying+Education+Pupil+Registration+Regulations+2008>

### Useful Sites

Department for Education Website

<http://www.education.gov.uk/schools>