

# Request for withdrawal from learning during term-time

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## What are my rights?

From 1<sup>st</sup> September 2013 new guidance issued by the Department for Education (DfE) will apply to **all** requested absences in term-time. An absence during term-time, including family holidays, is not a right.

Any absence from school disrupts a child's learning. In addition, children returning from a term-time absence generally require additional time from teachers to catch up on the teaching they have missed. This can have an impact on the education of other pupils in their class.

Therefore, the DfE only allows a Head teacher the discretion to authorise an absence if they believe that there are **exceptional circumstances**.

## What are exceptional circumstances?

These have not been specifically defined by the DfE; it is therefore each individual head teacher's discretion that will determine this.

Only a Head teacher can make that decision based on the information provided to them by you. The decision cannot be made or changed by the Local Authority.

## What circumstances are not exceptional?

These include:-

- a) the availability of cheap holidays;
- b) an absence or holiday paid for, or booked, by someone else
- c) an overlap with beginning/end of term.
- d) a mix-up in term dates

***(this list is not exhaustive)***

## How do I request an absence?

The school will provide you with an absence request form which you should complete and return at least 14 days before the proposed absence.

The Head teacher will then make the decision whether the absence is considered to be an exceptional circumstance. If it is considered not to be an exceptional circumstance it will be unauthorised.

That decision will be relayed to you by the school.

If the absence *has* been authorised, because of exceptional circumstances, you must ensure you return on the date you have specified. The absence will then be recorded as an authorised absence and coded accordingly.

## What if my request is not authorised?

If you feel you have *exceptional* circumstances, have you ensured that the school are fully aware of these?

Have you supplied all information and any supporting documentation?

If an absence has been unauthorised by the Head teacher, the Local Authority cannot override their decision.

Therefore, if you have any queries in relation to why your absence was unauthorised you must refer these to the Head teacher, not the issuing authority.

## What if the unauthorised absence is taken?

The school may request the local authority to issue a Penalty Notice. This is a fine of £120 per parent for each child – the fine is reduced to £60 if paid within 21 days. If the fine is unpaid court action can follow.

## Legislation

This leaflet reflects the guidelines for the issue of Penalty Notices as set out in the DfE guidance on Parental responsibility measures for school attendance and behaviour 2013 summarising the Anti-social Behaviour Act 2003 and subsequent amendments.