



## **Education Welfare Service**

### **FAMILY HOLIDAYS IN TERM TIME**

### **ADVICE AND GUIDANCE FOR SCHOOLS**

**For more information please contact:**

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## **FAMILY HOLIDAYS DURING TERM TIME**

The Education (Pupil Registration) (England) Regulations 2006 set out the circumstances in which schools may grant a pupil leave of absence.

The regulation on leave of absence applies to all special schools and maintained schools. Schools have a discretionary power to grant a pupil time off school during the term and a number of examples are listed in the regulations. However, schools are not restricted to granting time off in those circumstances; they can also do so if they believe there are extenuating or compassionate reasons that justify the leave. For example, children who fall within the groups at particular risk may have needs that require the school to grant time off.

All applications for leave of absence must be made in advance by the parent(s), carer (s) or corporate parent that the pupil normally resides with.

With the exceptions of family holidays and employment, schools' discretion around leave of absence is far-reaching. They are able to refuse the whole period requested by a pupil's parents, grant part of the period and refuse the remainder, or grant the whole of the period requested. Any leave of absence granted by a school must be recorded as authorised using the appropriate national code. Periods that are refused must be recorded as unauthorised.

All requests should be treated on a case by case basis within the school's published attendance policies which should give it the flexibility to respond to difficult circumstances whilst discouraging unnecessary absence. We recommend policies that, for example, neither ban all term-time holidays nor bestow a right to all families to time off for family holidays.

The issues that schools should take into account when considering a request for leave of absence include:

- the amount of time requested;
- age of the pupil;
- the pupil's general absence/attendance record;
- proximity of SATs and public examinations;
- length of the proposed leave;
- pupil's ability to catch up the work;
- pupil's educational needs;
- general welfare of the pupil;
- circumstances of the request,
- purpose of the leave;
- frequency of the activity; and
- when the request was made.

It is good practice for schools to respond to all requests for a leave of absence in writing giving the reasons for the decision. It is particularly important that letters approving a request clearly state:

- the expected date of return;
- that the parents are expected to contact the school if anything delays the pupil returning to school when expected; and
- what action will be taken if the pupil fails to return when expected.

Similarly, a letter refusing a request should explain the reasons for the refusal and what action will be taken if the parents ignore the refusal and keep their child away.

Time off school for **family holidays** is not a right. Schools have discretion to allow up to 10 days absence in a school year for a family holiday if they believe that the circumstances warrant it:

- a. Schools may agree up to 10 days “holiday leave” in special circumstances such as:
  - for service personnel and other employees who are prevented from taking holidays outside term-time if the holiday will have minimal disruption to the pupil’s education; and
  - when a family needs to spend time together to support each other during or after a crisis.
- b. The LA recommend that Holidays which are taken for the following reasons should not be authorised:
  - availability of cheap holidays;
  - availability of the desired accommodation;
  - poor weather experienced in school holiday periods; and
  - overlap with beginning or end of term.
- c. Whilst the application must be made by the parent(s) that the child normally resides with, there is no restriction on who the holiday is taken with. This is a matter for the parent(s) not the school.
- d. If the local code of practice allows, parents can be given a penalty notice or prosecuted for periods of unauthorised holidays.

In exceptional circumstances, schools can approve more than 10 days holiday leave - called **extended leave of absence** or **extended holidays**. However, it is worth discussing with parents whether their plans could be changed to overlap with school holidays and thereby reduce the effect on their child’s education.



### Children and Young People's Directorate

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#### **REQUEST TO TAKE A SCHOOL CHILD ON HOLIDAY DURING TERM TIME**

#### **PLEASE REMEMBER**

Absence from school can seriously disrupt your child's continuity of learning. Not only do they miss the teaching provided on the days they are away; they are also less well prepared for lessons upon their return. There is a consequent risk of underachievement, which together we must seek to avoid.

I would like to take my son/daughter ..... on holiday  
from .....to .....

This holiday must be in term time because: .....  
.....  
.....

Signed .....(Parent/Guardian) Date of Birth .....

Relationship to Child .....

Authorised by .....(Headteacher) Date: .....

**This form must be completed and returned to the child's school no less than 2 weeks before the planned absence.**

Dear parent / guardian,

Re: ..... (Child's name)

Current Attendance %
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Further to your recent request for leave of absence.

**Leave of absence authorised** between .....and .....  
Please ensure that your child returns to school promptly following your holiday as failure to do so can result in their removal from school roll.

**Leave of absence refused.** Any absence from school between ..... and ..... will be marked as unauthorised and referred to the Education Welfare Service who may issue a Penalty Notice of up to £100 (Section 444(A) of the Education Act 1996).

Signed : ..... (Headteacher) Date: .....