

Appendix 3



LEAVE OF ABSENCE / EXCEPTIONAL CIRCUMSTANCE LEAVE REQUEST FORM

The law does not grant parents an automatic right to take their child out of school during term time. Any absence from school will disrupt your child's learning. You may consider that a holiday will be educational, but your child will miss out on the teaching that their classmates will receive during your holiday. Attendance is vital to academic success and lost education poses a potential risk of underachievement. This is something we all have a responsibility to avoid.

The Department for Education no longer allows Headteachers to grant any leave of absence during term time unless there are exceptional circumstances. The DfE does not consider a need or desire for a holiday or other absence for the purpose of leisure and recreation to be an exceptional circumstance. If you consider that your request for absence is exceptional you will need to complete the form attached to this notification. A response will be sent to you as soon as possible. If leave is not authorised and you nevertheless withdraw your child from school, the absence will be recorded as unauthorised absence.

There is now a national threshold of 10 unauthorised session (equivalent to 5 school days) for when a penalty notice must be considered. Under the new rules, taking your child out of school for a one-week holiday will now mean that a penalty notice must be considered.

If your child is absent from school without authorisation, you will be committing an offence under the Education Act 1996. We may submit a request to Cornwall Council for a Penalty Notice to be issued, in accordance with Sections 444A and 444B of the said Act. Penalty Notices are issued per liable parent, per child and each carry a fine of £80 if paid within 21 days or £160 if paid after this but within 28 days. If your child is further absent from school without authorisation within any 3-year period, you will be committing a further offence under the Education Act 1996. We may submit a request to Cornwall Council for a Penalty Notice to be issued, in accordance with Sections 444A and 444B of the said Act. Penalty Notices for a second offence are issued per liable parent, per child and each carry a fine of £160, payable within 28 days. Importantly, fines per parent will be capped to two fines within any three-year period. Once this limit has been reached, other action such as a parenting order or prosecution will be considered. Failure to pay the Penalty Notice may also result in legal action. If you are prosecuted and attend court because your child has not been attending school, you could get a fine of up to £2,500. Cornwall Council may also apply for the costs incurred in taking the matter to Court, including legal costs. Absence not authorised by the school may also result in a prosecution in the Magistrates' Court under Section 444(1) or Section 444(1A) of the Education Act 1996, leading to a fine of up to £2,500 and/or a custodial sentence. Again, Cornwall Council may also apply for the costs incurred in taking the matter to Court, including legal costs. Money raised from fines is only used by the local authority to cover the costs of administering the system, and to fund attendance support. Any extra money is returned to the government.

'Parent' as set out in Section 576 of the Education Act 1996, defines parent to include: natural parents, whether they are married or not; any person or body who has parental responsibility for a child (as defined by the Children Act 1989) and; any person who, although not a natural parent, has care of a child. Having care of a child means a person with whom a child lives and who looks after a child, irrespective of what their relationship is with said child.

All requests must be completed on this form; letters will not be accepted. This form should be returned to the school office at least 15 school days before the start of the absence. I hope you will support our efforts in raising attendance and attainment at Crofty Education Trust.

APPLICATION BY PARENT/CARER

If you consider an absence during term time to be an exceptional circumstance, please complete this form and return it to the school office at least 15 school days before the date you wish to remove your child from school.

Student Name: _____ **DOB:** _____ - _____ **Class:** _____

Home Address: _____

Post Code: _____ **Name of Parent/Carer completing this form:** _____

First day of absence: _____ **Date of return to school:** _____

If leaving your home address before the first day of absence, please provide the date on which you will leave:

_____ **Total number of days missed:** _____ **days**

Reason for absence: _____

*I understand that if the absence request is unauthorised the school may request that Cornwall Council issue a Penalty Notice. I understand that a Penalty Notice is issued to **each** liable parent/carer of **each** child taken out of school and that this carries a fine of £80 if paid within 21 days, increasing to £160 if paid within 28 days (or £160 with no option to pay the lower amount if it is the 2nd penalty notice within a rolling 3-year period). I understand that if I do not pay the fine, it may result in legal action being taken against me. **I understand that parents have a duty to ensure their child's regular attendance at school and failure to do so is an offence under Section 444(1) and Section 444(1A) of the Education Act 1996.***

Please note we expect all parents with parental responsibility to sign.

Print NameSigned.....Date.....

Print NameSigned.....Date.....

(Please ensure you give at least 15 school days' notice of the proposed absence)

Below to be completed by the school: FAO – Headteacher

% current	% last year	Comments

Student Name:

AUTHORISED:

UNAUTHORISED:

Request has been authorised for the following dates **only:** ___ / ___ / ___ to ___ / ___ / ___

Letter sent / Phone Call / other	Signed:	Date:
Action: PN Request	Signed:	Date:

Signed **Headteacher** **Date** ___ / ___ / ___