

School Absence

Term Time Leave!



**London Borough
of Hounslow**

Term Time Leave!

There are 190 school days a year and the expectation of schools and the Local Authority is that children of statutory school age who are on a school roll, attend school every day the school is open.

That means there are 175 days remaining, for you to use for appointments, celebrations, birthday treats, events, and family holidays.

There may be some acceptable occasions where a child is not able to attend school, such as when they are too ill or has a medical appointment which cannot be held outside of school hours.

Taking a child out of school on Term Time Leave is not an acceptable reason to be absent from school. Parent/carer's do not have an automatic right to take their child out of school on Term Time Leave.

There is a clear statistical link between irregular school attendance and educational achievements. Absence from school has a disruptive effect on the pupil and the whole class. Each day a child is absent from school they miss out on the valuable education and planned teaching time, and their daily routine is disrupted. This may lead to a risk of falling behind academically, underachieving, and social isolation. Regular attendance is essential for pupils to get the most out of their school experience, including their attainment, wellbeing, and wider life chances. The pupils with the highest attainment at the end of key stage 2 and key stage 4 have higher rates of attendance over the key stage compared to those with the lowest attainment.

Regular school attendance is important for all aspects of a child's life not just because it is law. Parent /carer's, school staff, Local Authorities and all other services must work together to improve school attendance to reduce unauthorised absence to ensure that each child is getting the fulltime education to which they are entitled.

Warning

Regulations state that Headteacher's cannot grant a leave of absences to a pupil except where an application has been made in advance and the Headteacher considers there are exceptional circumstances relating to the application.

An exceptional circumstance is an unavoidable event, such as an emergency that can't normally be planned for in advance. 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.

Each application will be considered by the Headteacher on a case-by-case basis; however, the Local Authority strongly advise Headteacher's against authorising Term Time Leave as school absence must be kept to an absolute minimum.

The Headteacher will write to the parent/carer warning them that the leave has not been approved. All periods of leave that have not been agreed by the Headteacher and is still taken, will be shown as unauthorised absence and will affect your child's levels of attendance.

Where a child has failed to return to school on the agreed date, they may be at risk of being removed from the school roll. The parent/carer would need to reapply on their return. There is no guarantee that they will receive a place at the same school.

School's will refer all cases of unauthorised Term Time Leave to the School Attendance Support Service (SASS), where checks will be conducted to identify if there is a history/patterns of unauthorised leave. A Penalty Notice Warning Letter will be issued for a first period of unauthorised leave taken. The letter warns of the risk of being issued with Penalty Notices or prosecution if further unagreed leave/absence occurs. It is hoped that the warning will discourage any further periods of leave being taken and avoid the need for further action.

The Law

The Law states that all parent/carers have a legal responsibility to ensure that their child gets a full-time education that meets their needs (for example if they have a special educational need).

Children must receive an education whilst they are of statutory school age, between the school term after their 5th birthday, and the last Friday in June in the school term in which they turn 16 years old.

You can choose to teach them yourself (Elective Home Education EHE), or you can enrol your child at a school, either way guidance is very clear that every child is entitled to a fulltime education. You can be prosecuted for failing to ensure your child is receiving that education.

The word 'regular' in relation to school attendance, is in accordance with the rules applied by the school meaning a child is expected to attend every day the school is open unless leave of absence has been granted by the Headteacher.

All schools are required to have an Attendance Policy which is on their school website and clearly sets out the school expectations, processes, and the need to keep all absences to an absolute minimum.

Regular and punctual attendance at school is a legal requirement and is essential if pupils are to maximise their educational opportunities.

Schools are responsible for monitoring all absence, with particular focus given to pupils who are missing 10% or more of school, those are classified as persistent absentee's and those missing 50% or more of school are classified as severely absent. As defined by the Department for Education and Skills (DfE),

Penalty Notices

Penalty Notices are issued in line with the Education (Penalty Notices) (England) Regulations 2007 as amended, and reflect changes to the law introduced in 2024, set out in the DfE National Framework and the London Borough Local Code of Conduct. Penalty Notices are intended to prevent the need for court action.

A penalty notice can be issued to each parent liable for the offence or offences. They are issued to the parent/s who have allowed the absence (regardless of which parent has applied for a leave of absence).

Penalty Notices for a first offence are £160 per parent per child. Parents have 28 days to pay the full amount. If paid within 21 days, the fine is reduced to £80 per parent per child. Penalty Notices for a second offence are £160 per parent per child. Parents have 28 days to pay the full amount.

There is a national limit of 2 Penalty Notices that can be issued to a parent for the same child within a rolling 3-year period. Once 3 years has elapsed since the first penalty notice a further penalty notice can be issued if appropriate, but in most cases, it will not be the most effective tool for changing what may have now become an entrenched pattern of behaviour.

There is no right of appeal against a penalty notice.

In a case where the national threshold is met for a third time (or subsequent times) within those 3 years, alternative action will be considered. This will often include prosecution.

Under existing legislation parent/carers commit an offence where they have failed to ensure the regular attendance of their child/children, legal action will proceed under section 444(1) and (1A) of the Education Act 1996.

Where parent/carers are found guilty they will receive a criminal record, which must be declared to their employer as well as being at risk of receiving much higher fines, community orders, rehabilitation orders or probation. This may affect your current and future employment.

If you require advice, please contact

School Attendance Support Service

SASS Duty 0208583 2622

(08:30am – 4:30pm)

SASSDuty@hounslow.gov.uk

**Hounslow House
7 Bath Road
Hounslow
TW3 3EB**



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