



Gainsborough Primary and Nursery School

Belgrave Road, Crewe, Cheshire CW2 7NH

☎ 01270 685328

💻 www.gainsborough.cheshire.sch.uk

Head of School: Miss N Hough

September 2017

Dear Parent/Carer

'Exceptional Circumstances' Leave of Absence in term time.

I am writing to you as a result of recent, updated regulations concerning leave of absence during term time.

Amendments to The Education (Pupil Registration) (England) Regulations 2006, which took effect on 1 September 2013, made it clear that Head Teachers may not grant *any* leave of absence during term time unless there are exceptional circumstances. The amendments gave parents no entitlement to take their child out of school for a holiday during term time.

You will be aware that there was a High Court case last year which led to Cheshire East putting on hold the issuing of Fixed Penalty Notices until the conclusion of that case. Please note below, recent guidance from Cheshire East Education Welfare Service:-

"Fixed Penalty Notices for Unauthorised Holidays

Cheshire East put on hold the issuing of Fixed Penalty Notices in May 2106 due to the case of Isle of Wight v Platt, which was found in favour of the Isle of Wight Local Authority. As a result of this judgement, the policy will recommence on 1st September 2017. As from 1st September 2017 any request made for a holiday to be taken in the academic year 2017-18 or thereafter, which is not considered by the Head Teacher to be exceptional in circumstances, should be recorded as unauthorised, and a Fixed Penalty Notice will be issued by Cheshire East Local Authority.

The Local Authority will closely monitor this in schools, and will want to discuss why any leave has been authorised during term time."

Any leave of absence taken during September shall not be authorised by Gainsborough Primary & Nursery School due to the importance of the new academic year. The month of May is not authorised either, due to the children revising for and taking their Gainsborough annual tests or their Statutory Assessment Tests for the Government in years 2 and 6.

Applying for 'Exceptional Circumstances' Leave of Absence and Fixed Penalty Notices

The process for applying for 'Exceptional Leave of Absence' at Gainsborough Primary and Nursery School is to complete a request form (available from the school office) BEFORE the leave is taken, stating a reason for the absence. This will be considered by the Attendance Team and a decision will be sent to you.

Should the application be declined and parents choose to go ahead with the planned leave, once the child returns to school after the period of absence, the Local Authority will contact parents to issue a Penalty Notice for non-school attendance.

The Penalty Notice is currently £60 per parent, per child, payable within 21 days. Failure to pay within this period results in the penalty increasing to £120 per parent, per child and must be paid within a further 7 days (28 days in total from the issue of the penalty).

Unauthorised absences and unauthorised late marks (after close of registers):

Fixed Penalty Notices can also be issued for those children who have 10 or more *unauthorised* absences over 2 consecutive half terms. Unauthorised absence is coded in the register as "O" and is when no reason has been given for a child's absence, or school do not accept the explanation for the absence.

When a child arrives in school after the registers have closed at 9.00 am daily, it is coded as "U" which means that although the child is in school the register is still recorded with an unauthorised absence as they have arrived in school late after the registers have closed.

The Penalty Notice for 10 or more unauthorised absences ("O") and/or unauthorised after registration ("U") is also £60 per parent per child, payable within 21 days. Failure to pay within this period results in the penalty increasing to £120 per parent per child and must be paid within a further 7 days of the original penalty notice (ie within 28 days of the original penalty).

Non-payment of a Fixed Penalty Notice may result in prosecution in the Magistrates Court by the Local Authority and, if found guilty, will result in a criminal record.

If you wish to discuss any of the points in this letter, please do not hesitate to contact any member of the Attendance Team at school – Mrs Nurse – Deputy Head Teacher, Mrs Proctor – Attendance Lead, Mrs Harding – Attendance Administrator.

Yours sincerely



Head of Schools