

LEAVE OF ABSENCE DURING TERM TIME -UPDATED INFORMATION FOR

PARENTS The Supreme Court recently reached a decision in the case of Platt v Isle of Wight Council which has clarified the law on unauthorised leave, including holidays, during term time. The parents of children of compulsory school age are required to ensure that they attend school on a regular basis. The Supreme Court has made clear that attending school 'regularly' means that the children must attend school on every day that they are required to do so. As such, the parents of any child who is absent from school without authorisation for any length of time are likely to be considered as committing an offence under s444 of the Education Act 1996. Head Teachers retain the ability to authorise leave in accordance with the Education (Pupil Registration) (England) Regulations 2006. When considering such requests for a leave of absence, the school are obliged to act within the law. Head Teachers may not grant any leave of absence during term time unless there are exceptional circumstances relating to the application. If the leave is granted, head teachers are able to determine the number of school days a child can be absent for. It is for the Head Teacher to decide what is 'exceptional' and it is at their discretion if the circumstances warrant the leave to be granted. The school can only consider Leave of Absence requests which are made by the 'resident' parent. Each application for a leave of absence will be considered on a case by case basis and on its own merits. Where applications for leave of absence are made in advance and refused, the child will be required to be in school on the dates set out in the application. If the child is absent during that period, it will be recorded as an unauthorised absence, which may result in legal action being taken against the parent(s), by way of a Fixed Penalty Notice. Failure to make an application for leave in advance can also result in a Fixed Penalty Notice being issued to the parent(s). All matters of unauthorised absence relating to a Leave of Absence will be referred to the Attendance, Compliance and Enforcement Service of Warwickshire County Council. It is important to note, Fixed Penalty Notices are issued to each parent of each absent child, (for example 2 children and 2 parents, means each parent will receive 2 invoices in the amount of £120 each, totalling £240 for both children, this is reduced to £60 per child if paid within 21 days). Where a Fixed Penalty Notice is not paid within the required timeframe as set out on the notice, the matter will be referred to Warwickshire County Council's Legal Services to consider instigating criminal proceedings under S444 Education Act 1996. Fixed Penalty Notices are issued in accordance with Warwickshire County Council's Code of Conduct for Penalty Notices.

Your child's progress academically as well as socially is our shared priority.

Attendance

Absences on the day due to illness or emergency appointments should be reported using the main school line on 01788 577914 and follow the instructions given. Emails can be sent in advance for future appointments or on the day to admin2590@we-learn.com. May we take this opportunity to remind parents that prior notification must be received for any planned absence during the school day. Where absences are known in advance, e.g. medical appointments, music/dance exams, these may be notified to the attendance officer before the day of absence. When pupils are absent and the school has not been informed the attendance officer will contact parents to establish reasons for absence. Please be aware that proof of appointments may be requested. Requests for absence due to exceptional circumstances must be made on the relevant school form and should be made in reasonable time for consideration by the appropriate member of staff. Decisions on authorisation will be given, usually by letter, but occasionally by e-mail or telephone. Where main school students are late into school or leave at any time during the school day they must sign the relevant signing in/out book. Registers are closed at 9.30am. If students are late up to 9.30am they will be coded with an authorised late mark providing they supply a valid reason for the late arrival; students arriving after 9.30am will receive an unauthorised late mark as will students who do not give a valid reason for lateness.

The Department for Education states the following in the Pupil Registration: Regulations and Guidance: Schools must take the attendance register at the start of the first session of each school day and once during the second session. On each occasion they must record whether every pupil is: • Present; • Attending an approved educational activity; • Absent; or, • Unable to attend due to exceptional circumstances (see following section on Leave of Absence) The school should follow up any absences to: • Ascertain the reason; • Ensure the proper safeguarding action is taken; • Identify whether the absence is approved or not; and, • Identify the correct code to use before entering it on to the school's electronic register, or management information system which is used to download data to the School Census. Students' attendance will be monitored for non-attendance and patterns of lateness. Our school's attendance target is 96%. If absence falls below 95% or a student is persistently late, parents may receive a letter to inform them of the level of attendance/lateness. Students' attendance below 90% is considered as persistent absence and parents may be invited to discuss any issues and solutions with the appropriate staff. In some cases levels of absence may be reported to Attendance Compliance and Enforcement Service (ACE) at Warwickshire County Council. The school's Attendance Policy is available on www.boughtonleigh-juniorschool.co.uk. Further information is also available on the Warwickshire County Council website www.warwickshire.gov.uk.