



EGTON CE PRIMARY SCHOOL
EGTON
WHITBY
NORTH YORKSHIRE
YO21 1UT

Tel: 01947 895369

E-mail: admin@egton.n-yorks.sch.uk

www.egtonceprimary.org

Head teacher: Mrs E. Orland B.Ed.Hons.

Friday 25th May 2017

Dear Parents/Carers,

Please find overleaf advice that we have received from North Yorkshire County Council following the recent resolution of the case in the high court, concerned with leave of absence during term time.

You will see that NYCC is resuming its original position on this subject which means that penalty notices will be issued for every case that meets the criteria for unauthorised leave of absence.

We do recognise the challenges that this presents to our families but this means as a school, as before, we are constrained to follow this policy and wanted to make you aware of the changes.

Yours sincerely,

Liz Orland
Headteacher

Roger Everitt
Chair of Governors

IMPORTANT RESUMPTION OF PENALTY NOTICES FOR LEAVE OF ABSENCE FROM SCHOOL DURING TERM TIME.

Penalty Notices will be issued for every case that meets the criteria of ten or more unauthorised sessions leave (1 day = 2 sessions) ,either in a block or over a four month period, taken without the permission of the school, and where the reason given does not meetthe criteria for exceptional circumstances.

Headteachers are not expected to class any term time holiday as exceptional. Therefore Headteachers will only be able to grant leave of absence in exceptional circumstances.

No parent/carer can demand leave of absence as of right.

The Education Regulations state that applications must be made in advance by a parent/carer with whom the child lives and can only be authorised by the school in exceptional circumstances. Each leave application is considered individually by the school taking into account any factors presented by the family. Application forms are available from school. The Headteacher will also welcome early discussion with you around potential applications.

The following are examples of the criteria for leave of absence which may be considered as 'exceptional';

- Service personnel returning from active duty
- Where leave is recommended as part of a parents' or child's rehabilitation from medical or emotional problems – evidence must be provided.
- When a family needs to spend time together to support each other during or after a crisis or bereavement.

This is not an exhaustive list and the Headteacher must consider the individual circumstancesof each case when making a decision on this matter. Leave is only acceptable against exceptional circumstances and should not be granted on the basis of attendance record, academic performance or the 'experience' offered by being out of school. Where a Headteacher feels that there may be exceptional circumstances which do not fit the criteria, they may refer to the local authority for advice. The decision remains the sole responsibility of the Headteacher taking into account advice received.

Where a child is taken out of school for the purpose of leave of absence in term time withoutthe permission of the school, the absence will be recorded as "unauthorised" and as such, may result in a Penalty Notice. Penalties are applied by the Local Authority and as such are not at the discretion of the Headteacher. If a Penalty Notice is not paid, the matter may be taken to prosecution in the Magistrates Court.