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City Council



**Sheffield City Council**

**Exceptional Leave  
during Term Time  
Policy**

**October 2018**

## Introduction

- 1.1 This policy document has been developed to ensure that Children Young People and Families (CYPF) provides a clear statement of intent, expectation and consistent guidance in relation to the management of ALL term time leave of pupils who attend a school in Sheffield. It has been produced to ensure all decisions are within the national legislation.

Legally there is no entitlement for parents to take their child out of school during term time. Any application for leave must be in exceptional circumstances and the head teacher must be satisfied that the circumstances warrant the granting of leave.

- 1.2 Parents can be fined for taking their children out of school during term time without consent from the school.

- 1.3 This policy also responds to the updated guidance issued from Department for Education (DfE) which states:-

### Term-time leave

The [Education \(Pupil Registration\) \(England\) Regulations 2006](#)

Amendments to the 2006 regulations remove references to family holiday and extended leave as well as the statutory threshold of ten school days. **The amendments make clear that head teachers may not grant any leave of absence during term time unless there are exceptional circumstances.** Head teachers should determine the number of school days a child can be away from school if the leave is granted.

- 1.4 The Policy includes a number of guidance documents and templates to be used alongside this policy, to support schools in managing Exceptional Leave in Term Time and Children Missing from Education.

## 2. Rationale

- 2.1 This guidance is provided for parents/carers, schools, and governing bodies, on the process with regard to requesting, considering and the authorising of exceptional term time leave.

- 2.2 This guidance is provided for schools to manage and respond to situations where leave is not authorised or agreed and the procedures for the removal from school roll. This would include parents/carers who prevent their child from attending school regularly without a valid reason for the absence. Examples include: parents/carers who regularly take the extended weekend (Monday or Friday), advantage of last minute deals, or repeated visits abroad.

- 2.3 There may be exceptional circumstances where leave in school term time may be granted. This would be decided by the Head teacher on an individual basis for each request. There is strong evidence to indicate that significant absence from school during term time can have a negative impact upon a child's attainment and learning.

- 2.4 Research has shown that poor attendance impacts negatively on children's attainment. Children have to attend school for 190 days per year, this leaves 175 days (including weekends) free for families to take holidays.

### **3. Term time leave**

Sheffield Local Authority recognises the important link between regular attendance at school and the educational attainment of children.

- 3.1 Action **may be taken** by Sheffield Local Authority against parents/carers who fail to ensure that their child is properly educated. The action may result in a fine, or an appearance at court.
- 3.2 Parents and carers who regularly take their child out of school in term time may be prosecuted via the Magistrates Court.
- 3.3 Parents/carers are legally required to notify school of their intention to take leave in term time from the school at which their child is registered.
- 3.4 Head teachers of schools will consider all term time leave notifications. Each request for exceptional circumstances must be considered on its own merit and the impact upon the child's learning and wellbeing must be central to the decision made. However, a Head teacher may take into account previous leave requests and other factors related to the child when making their decision.
- 3.5 Parents/carers who do not notify school of term time leave and take their child on 'unauthorised leave', or fail to keep the school informed of changes to leave arrangements, may receive a fine, be prosecuted and/or the children may lose their place at their school.

### **4. Notifications of term time leave in exceptional circumstances**

- 4.1 Notifications for exceptional term time leave must be made at least 20 school days in advance of any arrangement being made. This will allow sufficient time for the notification to be considered by the school. The notification should be made in writing (letter or email) by the parent/carer using Appendix 1: Notification for Leave in term time form. One form per family per notification should be completed.
- 4.2 Schools should make arrangements to support parents/carers who have low literacy skills or for whom English is not their first language.
- 4.3 Term time leave notifications should include specific start and end dates, as this will formally constitute the leave period.
- 4.4 Parents/carers who are intending to travel abroad with their children during term time should not book travel prior to securing approval from the school.
- 4.5 Any changes to dates agreed by the school will require a re-submission for authorisation prior to departure.
- 4.6 The Head teacher's decision is final.

## 5. Family Emergency - where school have not been notified of leave

5.1 There will be some occasions where it has not been possible for the parent/carer to notify school of exceptional term time leave.

Whilst emergency situations are often difficult, parents/carers are still required to contact the school at the earliest possible opportunity to inform of the absence and reasons for this.

5.2 Parents/carers taking their children out of school due to a family emergency are encouraged to consider:

- That they have considered the impact and appropriateness for their child ;
- Whether or not alternative care arrangements could be made for the child to remain in school, e.g. stay with an extended family member;
- That they have looked at limiting the amount of time absent from school.

5.3 Where parents/carers have not notified school of leave, the child is at risk of losing their place at the current school in accordance with Section 8(h)<sup>1</sup> . Parents may also receive a penalty fine.

## 6. Considering the exceptional term time leave notification

6.1 The school should consider the term time leave notification **and only respond to parents when this has been deemed exceptional**

6.2 The school will consider all notifications for term time leave in accordance with the current legislation and this guidance.

6.3 It is good practice for schools to meet or converse with parents/carers (wherever possible) to discuss any exceptional circumstances raised prior to making the decision.

The school will need to consider each notification on its own merits and whether there are exceptional circumstances for authorising the absence.

## 7. The decision and informing the parent/carer by the School

7.1 The school will reach a decision and inform parents in **accordance with their own school policy**.

7.2 Schools must ensure that appropriate arrangements are made to communicate the decision to families who have low levels of literacy or where English is not the first language.

A decision may result in the term time leave notification being (a) Authorised<sup>2</sup>, (b) Unauthorised<sup>3</sup> or (c) part Authorised and Unauthorised. For example, Mr X has requested 3 weeks term time leave for his child. The school acknowledges that the reason given is important but feels that 3 weeks is excessive and authorise 1 weeks leave, with the remaining 2 weeks being unauthorised.

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<sup>1</sup> The Education (Pupil Registration) (England) Regulations (2006)

<sup>2</sup> Authorised- where the school has agreed that the leave is granted

<sup>3</sup> Unauthorised- where the school does not agree that the leave request should be granted

## 8. Unauthorised leave Penalty Notice Fine

- 8.1 If parents/carers choose to take their children out of school during term time for 5 or more consecutive school days (spanning over holiday periods or weekends, would constitute consecutive school days) and this is not authorised by the School, at schools request the Local Authority will issue Fixed Penalty Notice of £60 (if paid in 21 days) or £120 (if paid between 21 and 28 days). Each parent/carer can be issued with a penalty notice, one per parent, issued separately. i.e. one fine per parent/carer per family, regardless of the number of children in the family.
- 8.2 The responsibility for requesting Penalty Notice Fines is with the school and will be issued when requested by the Head Teacher.

The School should provide the paperwork for pupils identified and this should include:

- Original notification for term time leave (appendix 1 form)
- Exceptional leave response (if leave granted)
- Appendix 10 evidence letter (if notification not received)
- Up to date attendance certificate – showing unauthorised absence
- BLUE Head teachers certificate – covering holiday period

## 9. Recording of Leave by the School

- 9.1 School attendance registers are legal documents and the information recorded in them can be used as evidence in legal proceedings. It is therefore important that the information contained is accurate and the correct absence code is used. All absences must be coded in accordance with Absence and Attendance Codes: Guidance for Schools and Local Authorities (DCSF, Jan 2009).
- If leave is not deemed exceptional then G code should be recorded and we would recommend that a penalty notice is requested
  - If the head teacher is not willing to request a penalty notice then we would suggest that H code should be recorded

| CODE     | Description   | Category  |
|----------|---|---|
| B        | Educated off site (NOT Dual registration)                                   | Authorised<br>(Attending approved educational activity) |
| C        | Other Authorised Circumstances (not covered by another code or description) | Authorised  |
| E        | Excluded (No alternative provision made)                                    | Authorised  |
| <b>G</b> | <b>Family Holiday (NOT Agreed or days in excess of agreement)</b>           | <b>Unauthorised</b>                                     |
| <b>H</b> | <b>Family Holiday (Agreed) exceptional circumstances only</b>               | <b>Authorised</b>                                       |
| I        | Illness (NOT medical or dental etc. appointments)                           | Authorised  |
| J        | Interview   | Authorised<br>(Attending approved educational activity) |
| M        | Medical/Dental appointments   | Authorised  |
| N        | No reason yet provided for absence  | Unauthorised  |
| O        | Unauthorised absence - not covered by any other code/description)           | Unauthorised  |

|   |  |   |
|---|--|---|
| P | Approved sporting activity   | Authorised<br>(Attending approved educational activity) |
| R | Religious observance   | Authorised  |
| S | Study leave - Study leave should be used sparingly and only for Year 11 pupils during mock and public examinations | Authorised  |
| T | Traveller Absence  | Authorised  |
| V | Educational visit or trip  | Authorised<br>(Attending approved educational activity) |
| W | Work experience - Work experience under section 560 of the Education Act 1996.                                     | Authorised<br>(Attending approved educational activity) |
| D | Dual registration i.e. pupil attending another establishment – indicates dual registration not attendance          | Attending approved educational activity                 |

9.2 Schools may use the code 'D' (dual registered) where they are able to demonstrate that a child will receive suitable education in another education establishment (in the UK or abroad) for a temporary basis. For example, a parent is required to travel abroad due to the nature of their work and they get their child registered at another school for the duration of their visit. The main school is required to ensure that it accurately monitors and records the attendance of the child at the dual registered base.

## 10. Process for removing a child's details from the school roll

10.1 A child's name can only be removed from school roll if one of the conditions prescribed in the Education (Pupil Registration Regulations) (England) 2006; Section 8(1) is satisfied.

10.1 Section 8(1)(f)<sup>4</sup> would apply if the child has failed to attend school within 10 school days immediately following the expiry of the period for which leave was granted ('authorised absence'). Section 8(1)(h)<sup>5</sup> would apply if the child had been continuously absent from school for a period not less than 20 school days and at no time was that period authorised by the school (unauthorised absence).

10.2 In **addition to the above 8(1) f/h**, the school and CYPF must **also** demonstrate that they have satisfied the following two conditions:

- That the Head teacher does not have reasonable grounds to believe that the child is unable to attend the school by reason of sickness or any unavoidable cause<sup>6</sup>; and
- That both the Head teacher and the local authority have failed, after reasonable enquiry, to ascertain where the pupil is<sup>7</sup>.

<sup>4</sup> The Education (Pupil Registration) (England) Regulations 2006, Regulation 8(1)(f)

<sup>5</sup> The Education (Pupil Registration) (England) Regulations 2006, Regulation 8(1)(h)

<sup>6</sup> Unavoidable is defined as 'something beyond the control of the individual'. Not being able to get return tickets to the UK because of poor planning would not normally be considered unavoidable.

<sup>7</sup> In order to 'ascertain where the pupil is' a school must be able to confirm an exact address (e.g. house number or name, street, area, and country). Simply being told that the child is 'still in America' would not count as ascertaining where the pupil is.

- 10.3 Schools should not wait for the expiry of the periods specified above, prior to making enquiries. Enquiries should start on the first day of absence or first day immediately commencing the period for which the child was expected to return to school.
- 10.4 Schools must forward a completed Children Missing from Education (CME) Checklist (Appendix 5) and Pupil Deregistration Request (Appendix 6) to the CME team for all children, who they feel meet one of the legal requirements for deregistration.
- 10.5 The CME team will provide written confirmation (within 10 school days) to the school confirming the date the child can be removed. If a child cannot be removed the CME team will provide the school with an explanation.
- 10.6 The responsibility for the child transfers from the school to the CME Team from the date of the deregistration letter.
- 10.7 Schools must send an electronic Common Transfer File (CTF) to the School to Schools website for all children who have left their school<sup>8</sup>. The electronic transfer of data is a legal requirement under the Education (Pupil Information) Regulations 2005, as amended.
- 10.8 Exceptions to the normal rules regarding deregistration include:
- Children at a Special School who cannot be removed without the approval of the Special Educational Needs Department<sup>9</sup>
  - Children who are detained as part of a Court Order who cannot be removed if the period of the Order is less than 4 months<sup>10</sup>.
- 10.9 Legal action can still be pursued against a parent/carer following deregistration from a school. This is because the period of complaint would be taken from the time the child was on roll at the school.
- 10.10 Parents/carers of a child who has legally been removed from the school register will be required to reapply for a school place. There is no guarantee that a child will be able to secure a place at the school from which they have been removed.

## **11. Sheffield Local Authority and Schools process for dealing with unauthorised absence**

- 11.1 When a Head teacher does not authorise a leave request on legitimate grounds, it sends a clear message to the parent/carer that the school does not agree with the reasons provided by the parent/carer for the request for term time leave. If the parent/carer still takes their child on holiday in school term time the following may apply:
- Issuing a Fixed Penalty Notice
  - Prosecution for non-payment of the fixed penalty
- 11.2 If Parents/Carers are found guilty of an offence, when prosecuted by magistrates Court, they can be sentenced to a fine, or a community penalty.

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<sup>8</sup> Where a child has left the UK the CTF file destination code will be 'MMMMMMM' (7 M's). Where a child's whereabouts remain unknown/lost the CTF file destination code will be 'XXXXXXX' (7X's)

<sup>9</sup> The Education (Pupil Registration) (England) Regulations 2006, Regulation 8(2)

<sup>10</sup> The Education (Pupil Registration) (England) Regulations 2006, Regulation 8(1)(i)

## 12. Communicating the policy to Parents/Carers

12.1 Term time leave policy should be communicated to parents/carers regularly. It is considered good practice for schools to:

- refer to the policy in the schools attendance and behaviour policy
- promote the policy on the attendance board and in the school newsletter
- provide a leaflet on leave during term time for parents/carer of key points. The leaflet may be translated into community languages where possible
- promote the policy at parents evening and school events for new starters
- make reference to the policy in home/school agreements.

## 13. Return to the UK, where a child does not have a school place

13.1 If a child and their family return to the UK the parent/carer will need to re-apply for a school place. Parents/carers requiring a school place must contact the Children Missing Education (CME) team on 0114 2736462.

13.2 The CME team can provide support to parents/carers to secure school places and other forms of education provision.

|   |  |
|---|--|
| <b>Name of Pupil</b><br><br><b>Siblings in this or other schools</b><br>(name, dob, name of school)<br><br><b>Current address:</b>  | <b>Name of Parents/Carers 1:</b> (please ensure school have correct details for all parent/carers)<br><br><b>Parent/Carer 1 DoB:</b><br><br><b>Name of Parent/carer 2:</b><br><br><b>Parent/carer 2 DoB:</b> |
| <b>Dates of leave. From</b>   | <b>To</b>  |
| <b>Notifications for leave during term time should be authorised by the head teacher if the reason is considered to be an exceptional circumstance.</b><br><br><b>Reason for leave:</b><br><br><b>Do you consider there to be exceptional circumstances (please indicate)?</b><br><br><b>Yes</b><br>(please attach additional information/evidence to support your circumstances)<br><br><b>No</b><br><br><b>Where will you be staying during the leave period? Please provide the full address and Emergency Contact Details (UK and Abroad)</b><br><b>UK:</b> |  |

|   |                                    |      |
|---|------------------------------------|------|
| <b>Abroad:</b>  |                                    |      |
| <ul style="list-style-type: none"> <li>• I confirm that the information on this form is true</li> <li>• I agree to keep the school informed of any changes to my travel arrangements or if my child is unable to return to school on to due date</li> <li>• I am aware that if my child does not return to school by the date provided that he/she is at risk of losing their place at this school</li> <li>• I am aware that I may be fined and/or prosecuted for any time which my child is absent from school that has not been authorised by the Head teacher.</li> </ul> |                                    |      |
| Signed by parent/carer  | Print name & relationship to child | Date |
| <b>For school use only</b>  | Date request received     /     /  |      |
| Has the notification been considered by the Head teacher? Y/N<br>Has the notification been discussed with the parent/carer? Y/N Date: .....   |                                    |      |
| No of days Authorised ..... No of days Unauthorised .....   |                                    |      |
| Date of decision letter sent to parent/carer (only if leave is to be granted) :   |                                    |      |
| If unauthorised leave is taken and this case complies with Penalty Notice criteria please forward to CILS along with Pupil/student attendance register.   |                                    |      |
| Name of school  | Head teacher's signature           | Date |

*Appendix 1*

### **Notification of Term Time Leave (one form per family)**

Before completing this form please ensure you have understood schools policy for term time leave

School Decision Letter (template)

SCHOOL NAME

Date:

Name:

Address:

Reference:

To the Parent/Carer of .....

On the ..... (date) you requested that the school consider term time leave for your child(ren) ..... (name, DOB). You said that you wanted to go to ..... (place) for ..... (reason). You said that you would be away from school from ..... (date) to .....(date). This equates to ..... school days

The Head teacher has considered your request and has reached the following decision:

- School days will be agreed by the school
 School days will not be agreed by the school

The reasons for the Head teacher's decision are given below.

[Empty rectangular box for reasons]

We expect your child to return to school on ..... (date). If your child is unable to return on this date please let us know, as failure to do so may result in your child losing their place at this school. This will mean you will have to re-apply for a place at this school. You may also risk being fined or prosecuted by Sheffield City Council if your child is absent from school without the Head teacher's permission.

Signed on behalf of the School: .....

Printed Name: .....



## School letter to parent, informing parent/carer of possible risk of losing school place (template)

### NAME OF SCHOOL

Date:

Name:

Address:

Reference:

To the Parent/Carer of .....

Your child was due to return to school on .....(date). We have made enquiries and have been unable to confirm that your child is absent because of sickness or other another unavoidable circumstances.

As we are unable to confirm where your child is or a return date, I am writing to let you know that I will be requesting that your child is removed from the school roll. I will be informing the Children Missing from Education Team who may make enquiries with the Police, Social Care and Child Benefits.

**It is important that you contact ..... (name) the School (telephone number) as soon as you receive this letter. I will continue to make enquiries to find out where your child is.**

Yours sincerely

Head Teacher

Cc: CME Team, Floor 5, Moorfoot Building, Sheffield City Council

## School letter to parent informing them of loss of school place (template)

### NAME OF SCHOOL

Date:

Name:

Address:

Reference:

To the Parent/Carer of .....

I am writing to let you know that ..... (child's name) has been removed from the register of this school on ..... (date). If you would like your child to attend this school you will have to re-apply for a place.

Please contact the Children Missing Education (CME) team on 0114 2736462, who will be able to help you find a school place.

Yours sincerely

Head Teacher

*Cc: CME Team, Howden House, Floor 3, Sheffield, S1 2SH*

## School Checklist to Locate Missing/Lost Pupils

Please complete fully and include 'no response' where appropriate, as this form will be required if a Child Protection investigation is undertaken

**Name of Child:**

**DOB:**

**School:**

| School Action  | Details               | Outcome including date completed        |
|--|-----------------------|---|
| Telephone calls made to parent/carers  | Mobile:<br>Landline:  |   |
| Telephone calls to emergency contact numbers   | Name & tel number     |   |
| Email to parent  | Email address:        |   |
| Letters sent to last known address   |                       |   |
| Enquiries made with school which siblings attend   | Sibling name & School |   |
| Has the child has moved to another part of the UK and address is known, please contact CME team (0114 2736462) and request 'safe and well visit' | Date requested:       | Date response received:<br><br>Outcome: |
| Enquiries made with agencies with known involvement  |                       |   |
| Home visited completed<br><br>(Min of 3 non-contact visits to be made). Schools may request this from their local MAST team                      |                       |   |
| Enquiry made with neighbours   |                       |   |
| Any other enquiries undertaken   |                       |   |

**All completed checklists need to be accompanied with a 'Request to Remove Child from School Roll' and sent to the CME team to enable deregistration to occur**

CME Team, Howden House, Floor 3, Sheffield, S1 2SH

## Request To Remove Child From School Roll

*Information provided may be shared with fellow professionals under Schedule 2 of the Data Protection Act 1998*

### Details of Pupil to be removed?

|  |  |                                    |  |
|--|--|------------------------------------|--|
| First name   |  | Surname                            |  |
| Date of birth  |  | UPN                                |  |
| Current Address  |  | GP name & address                  |  |
| Brief description of why you feel this child should be removed?  |  |                                    |  |
| Do you have any concerns or worries about this child's safety or believe this child is at risk of significant or immediate harm? Please explain: |  |                                    |  |
| Have you informed anyone about your concerns or worries, If so who?  |  |                                    |  |
| Where do you think this child is now living?   |  |                                    |  |
| Is a current FCAF Available? YES / NO  |  | Date of last attendance at school? |  |
| Who else is involved with the child or family? Name, Agency, contact details   |  |                                    |  |

### Details of Family members

| Name of siblings              | DOB | School attending |
|-------------------------------|-----|------------------|
|                               |     |                  |
| Parent/carer name & DOB       |     |                  |
| Details of Emergency contacts |     |                  |

I believe that the child is missing and cannot be found after making reasonable enquires. I am therefore requesting that the child name is removed from the school roll.

Signed school:

Date:

**Return the above to: Children Missing from Education Team, Floor 3 Howden House, 1 Union Street, Sheffield S1 2SH Tel: 0114 2736462 Fax: 0114 2735470. You will receive a confirmation letter relating to the request of deregistration within 10 school days**

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## Unauthorised Leave in Term Time Request for issue of a Penalty Notice

### Commissioning Inclusion and Learning Service

Moorfoot building, Sheffield, S1 4PL

|                |                        |
|----------------|------------------------|
| Name of Child: | Date of Birth:         |
| Address:       | Siblings (School/DoB): |
| Postcode:      |                        |

**Name of each person who has day to day care of the child and you would like to request a Fixed Penalty Notice to be issued.**

NB: these will be the individuals who will receive a fine.

| First Name | Surname | Relationship to Child | Date of Birth | Address if different from above |
|------------|---------|-----------------------|---------------|---------------------------------|
|            |         |                       |               |                                 |
|            |         |                       |               |                                 |

|                       |                                    |
|-----------------------|------------------------------------|
| School Name:          | School Address and contact number: |
| Referrer Name:        |                                    |
| Name of Head teacher: |                                    |
| Date:                 |                                    |

Any comments in addition to appendix 10 letter:

**Week Beginning to week ending of Leave**      Date From:      Date To:

**(Note: 10 sessions per week)**

**Please ensure the following relevant documents are attached otherwise requests will be rejected:**

- Head Teacher's Certificate (Blue)
- Pupil registration Certificate
- Original notification for term time leave (appendix 1 form)
- Exceptional leave response (if leave granted)
- Appendix 10 evidence letter (if notification not received)

Child ONE ID:

Office Use ONLY:

**Practice Guidance for Schools**  
**Unauthorised leave of absence in term time**

**Why should we do it?**

1. To approve attendance and attainment
2. Government guidance from September 2013
3. Shows level of importance schools place on the education they are providing. Does it matter if a child is missing for a week or two?
4. Should provide consistent approach for families as all schools should be working to guidelines otherwise they risk undermining colleagues in other schools and promoting discontent between families and friends.

**What school should do?**

1. Constantly advertise (use school website or newsletters) that Unauthorised Leave of Absence in Term-time is not appropriate and ensure parents clearly understand what to expect if they choose to take leave.
2. Ensure the response to ALL parents is consistent and clear
3. Ensure process and policy in place as this could result in legal proceedings which may have serious implications for parents
4. Ensure information given to school and parent is current and correct

**School process should include;**

Unauthorised Leave of Absence in Term-time request form which allows parent/carer to give details of request, this should be completed at least 20 school days in advance, of leave being taken. This form should have a paragraph which states the parent/carer maybe at risk of receiving a fine.

Meeting/conversing with parent/carers where possible

Response to parent/carers if authorised due to exceptional circumstances

Decision to allow Exceptional Circumstances should only be made by the Head teacher, the majority of request for Unauthorised Leave of Absence in Term-time should be forwarded to Commissioning Inclusion and Learning service (CILS) for a Penalty Fine.

**Before sending to CILS, check...**

1. Pupil is statutory school age (term after 5<sup>th</sup> birthday) – *a child reaches compulsory school age on or after their fifth birthday. If they turn 5 between 1<sup>st</sup> January and 31<sup>st</sup> March they are of compulsory school age on 31<sup>st</sup> March; if they turn 5 between 1<sup>st</sup> April and 31<sup>st</sup> August they are of compulsory school age on 31<sup>st</sup> August. If they turn 5 between 1<sup>st</sup> September and 31<sup>st</sup> December, then they are of compulsory school age on 31<sup>st</sup> December.*

*A child continues to be of compulsory school age until the last Friday of June in the school year that they reach sixteen.*

2. Check if period of leave is 5 or more consecutive school days. If taken either side of a weekend of holiday it would be added together.
3. Check paperwork is complete and correct

**Paperwork for CILS should include:**

**A- Completed term time leave Penalty Notice Request.**

Please complete for only one child in each family, usually the oldest.  
Ensure the details are correct and up to date. It **must** include the full names of persons to be fined.

Highlight which items of documentation are being submitted with the request

#### **B- School Notification Form** (where leave requested)

**This document should be the one provided by the Local Authority for consistency across the city. Requests for penalty notices will only be processed if submitted on this form.**

Please ensure details on the form are correct and complete with names of any siblings at other school and full names and Date of Birth (if school have this) of parent/carers to be fined (Mr and Mrs Brown is not acceptable)

Check if parents are both living at the address you have on your system. Where parents are separated or divorced it is advisable to fine the parent who is taking or allowing the child to be taken away.

Where there are two parents in the family, both should be fined.

Where a parent has a partner who lives with the family and has taken time away with them, they should be fined as they are accepting day-day care.

#### **C- Schools Response to Parents Request.**

See Sheffield City Council's codes of conduct for issuing Fixed Penalty Notices 7.2 School should state in their policy how they will respond to parents. **The Local Authority suggest that within schools policy it states that parents will only receive a response if the leave is granted.**

#### **D- Pupil Registration Certificate**

This must show that on the dates of the requested leave the pupil was coded with a 'G' in the register. Where leave was not requested but school can evidence that unauthorised leave was taken 'G' should be entered into the register and the supporting evidence provided with the request for a Penalty Fine

Where a pupil is returning to school mid-week please ensure you complete the full week attendance before printing the registration certificate, you must show the pupil has returned.

Please send a registration certificate with the pupil address on as this allows for further checks to be made before issue of the penalty fine.

Advice-when registration certificate is printed off if you highlight the weeks for leave taken this will help when completing the Head teacher's certificate.

#### **E- Head teachers certificate**

This is a **Legal Document** which is presented in court should the fine remain unpaid.

Care should be taken when completing the certificate

The certificate should be printed on pale blue paper to aid identification

The certificate can only be signed by the Head teacher of the school

The certificate should show the attendance of the pupil for the complete weeks, (week beginning (Monday) to week ending (Friday) in which the leave was taken. *e.g. between the dates 06.10.14 – 17.10.14 if leave begins on Wednesday 9<sup>th</sup> Oct and ends on the following Wed 15<sup>th</sup> Oct, two weeks should have been affected, the certificate should show this.*

*Please note: 1 day = 2 sessions 1 week = 10 sessions*

|                             |    |    |  |  |  |  |
|-----------------------------|----|----|--|--|--|--|
| <b>Week<br/>beginning</b>   | 0  | 1  |  |  |  |  |
|                             | 6  | 3  |  |  |  |  |
|                             | ·  | ·  |  |  |  |  |
|                             | 1  | 1  |  |  |  |  |
|                             | 0  | 0  |  |  |  |  |
|                             | ·  | ·  |  |  |  |  |
|                             | 1  | 1  |  |  |  |  |
|                             | 4  | 4  |  |  |  |  |
| <b>Attendances possible</b> | 10 | 10 |  |  |  |  |
| <b>Attendances actual</b>   | 4  | 4  |  |  |  |  |

Total attendances possible = 20  
 Total attendances actual = 8  
 Total absences 12 all are unauthorised

**F- Evidence to prove leave taken** (if request not received)

This maybe a transcript of a telephone conversation with a parent signed and dated by the person who had the conversation.

Transcript of discussion in school with a parent or pupil signed and dated by the person who had the discussion.

Evidence of a home visit by a member of school staff, where information may have been collected

If school have reason to believe a child has been away but no request submitted or evidence gathered to confirm this is the case, school should use the template letter (appendix 10) provided by the Local Authority which gives parents chance to provide evidence of absence

Advice- If a parent refuses to pay a fine and is taken to court, the onus is on the parent to prove where the child was and why there were unable to attend school.

**Time limits affecting the process**

**All requests for 'Unauthorised Leave in Term Time – Request for issue of a Penalty Notice' should have been sent to CILS within 30 days of the pupils return to school, with the exception of leave requested for the end of an academic year. Where possible paperwork for leave requested for the end of the academic year eg 11/7/16 -22/7/16, should be submitted prior to the summer holiday in order for this to be processed. If this is not possible the Local Authority will process requests for leave taken in July if requests are submitted during the first 2 weeks of the new academic year.**

Requests received outside the period may not be processed, leading to further inconsistency in the delivery across schools in the city and causing ill feelings between school and parents who have been fined.

No further action can be taken where a fine has not been paid but the period of leave is more than 6 months previous to being taken to court.



**Appendix 9**  
**Cover Letter from LA – Rejected requests to issue Penalty Notice**

**Unauthorised leave in term time**

Please find enclosed unauthorised leave in term time requests that we have been unable to process, reasons for this are highlighted.

Reason request(s) may not be processed

- Paperwork submitted outside 30 day timeframe
- Paperwork incomplete/incorrect
- Head Teachers certificate incorrect
- Leave not reflected by G code in registration certificate
- Child under statutory school age
- Request made and processed on a sibling

You are able to resubmit the requests if the information can be corrected and is within the 30 day timeframe of the child returning to school.

Regards

Attendance and Inclusion Team (SWQ)  
Sheffield City Council

**Appendix 10**  
**Template Letter to parent (no request for leave made to school)**

Schools logo

Parent name and address

Dear parent/carer(s) of .....

RE: Child/ren's name

We have reason to believe that you have taken your child/ren out of school without agreement of the head teacher during the period ..... to ....  
Please could you provide evidence of the reasons for absence to school by ....., failure to do so may result in school referring the information to the Local Authority for a penalty notice to be issued for unauthorised leave in term time.