

Children, Family and Adult Services

Inclusion & Access

Information for Schools

Term Time Holidays

Frequently Asked Questions

1	<p>When should the new policy on term time holidays come into force?</p> <p>The policy would normally come into force from the date that the governing body approve it, or the date that parents are informed of the new policy. The governing body could agree another start date, for example after half term or at the start of the new academic year.</p> <p>The policy is on the agenda for all governing bodies in the summer term 2010, for consistency all schools should be implementing the new policy from September 2010 at the latest.</p>
2	<p>Some term time holidays have already been approved by the school. Do these still stand, or should they now be considered under the new policy?</p> <p>If a holiday has been approved by the school, for whatever reason, it should be honoured. Families will have made arrangements, and it would be unfair to expect them to rearrange things, especially as there could be a cost. At the time the family booked the holiday, they did so under the arrangements for term time holidays that were in force at the time. A decision should not be changed retrospectively.</p>
3	<p>Some families have already booked a holiday, but have not submitted a holiday form to the school. Should the application be considered under the old or the new policy?</p> <p>It would be fair to consider the application under the school's policy that was in force at the time that the holiday was booked. If a parent can show that the holiday was booked before the new policy came into force, then the application should be considered under your policy that you had in place at the time. You may want evidence of this, for example a copy of the booking confirmation or invoice. Parents will have made the booking based on their knowledge at the time of your policy and will have done so in good faith.</p>
4	<p>Can the policy be used to cover major family events e.g. significant anniversaries?</p> <p>The policy is intended to help Headteachers manage requests for term time holidays not other significant events. However if the family anniversary is also part of a holiday then the policy will apply.</p> <p>One day off to attend a family wedding could be recorded as a 'C' if it is reasonable to travel there and back in one day.</p>

5	<p>Can the policy be applied to a family crisis, e.g. to visit a dying relative?</p> <p>The policy is intended to help Headteachers manage requests for term time holidays not family crisis. However a term time holiday may be part of a longer trip to visit a dying relative and spend time with them. This should be discussed with the parents.</p> <p>One or two days off to visit a dying relative should be recorded as a 'C'.</p>
6	<p>Can sporting holidays e.g. skiing, be classed as a sporting holiday?</p> <p>A term time holiday is a holiday regardless of what the family intend to do on the holiday. There is no provision within the attendance codes to differentiate between types of holidays. Therefore these types of holidays should be dealt with in accordance to the new policy.</p>
7	<p>Some families go on a holiday of a lifetime. Can these be authorised?</p> <p>These holidays should be dealt with in accordance with the new policy and dealt with the same as any other request for a term time holiday.</p>
8	<p>A family from abroad, or who have a significant number of relatives abroad, may spend an extended period in another country. Can this be approved as a holiday?</p> <p>Situations where a family is returning to visit relatives for a short period of time should be managed using the new policy. Headteachers should discourage families from taking trips during term time.</p>
9	<p>Can an absence to attend a religious observance or festival be authorised as a term time holiday?</p> <p>Absence that is due to religious observance must be authorised, the day should be marked as 'R'. This code should only be used for days that are set apart by the religious body (not the parents).</p>
10	<p>What happens if a parent is a self employed worker e.g. a farmer, is an employee with fixed holiday dates, or is on a holiday rota set by their employer?</p> <p>Some employment may make it difficult for families to take their holidays in the six week summer holidays. However there are other school breaks when holidays can be taken. A decision by parents not to take a holiday for example in the Christmas or Easter breaks because of poor weather should not be a reason for authorising term time holidays. Therefore it would be advisable to discuss this with families and support them to investigate alternative non-school times throughout the year when they could take their holiday.</p> <p>The policy allows for Headteachers to authorise 10 days school absence for a term time holiday where evidence is provided by the employer that the parent cannot take their annual leave at any other time.</p> <p>Please remember that the circumstances that have been agreed under which a Headteacher will authorise a term time holiday are overridden by the circumstances when term time holiday absence will not be authorised.</p>
11	<p>What if parents say the child is ill?</p> <p>Scenario 1: Parent applies for term time holiday, holiday not authorised. Child is then absent and parent calls to say the child is ill</p> <p>School should mark the absence as unauthorised and refer to the Education Welfare Service for a penalty notice. Parents would then need to prove their child was ill, and if they can do this, the penalty notice would be withdrawn.</p> <p>Scenario 2: No holiday request form received, parent calls school to say the child is ill. The school are suspicious that the child has gone on holiday</p> <p>Under these circumstances a visit should be made to the family home straight</p>

	<p>away and a calling card left asking the parents to contact school as soon as possible. If the family are on holiday they will not receive the card and will not call the school. School should wait until the child returns to school and then refer to the Education Welfare Service for a penalty notice. Again the parent has the responsibility to prove their child was ill.</p> <p>Scenario 3: No holiday request form received, parent calls school to say the child is ill. The school have no suspicions until the child returns to school with a tan, talking to their friends about their holiday</p> <p>School should refer to the Education Welfare Service for a penalty notice. Again the parent has the responsibility to prove their child was ill.</p> <p>Under scenario 1 the parent was warned about consequences of unauthorised term time holidays when they applied for the term time holiday.</p> <p>Under scenario 2 and 3 the parent would have been warned by the East Riding of Yorkshire Council's news articles, the leaflet sent home by school and the school newsletter.</p>
12	<p>Which parents receives the fine?</p> <p>When both parents live together schools should provide information on both parents on the penalty notice referral form (a separate form for each child). Both parents will be fined for each child.</p>
13	<p>What happens when the parents do not live together?</p> <p>The situation can become complicated when parents do not live together and both wish to take their child out of school at different times in the same academic year for a term time holiday.</p> <p>With the first term time holiday request (regardless of which parent applies) within the new policy the school will have written to both parents advising them of their decision, this letter should also advise that no further holiday absence will be authorised within that school year. If the other parent then takes the child on an unauthorised term time holiday you should refer this to the Education Welfare Service for a penalty notice for the parent who took the child out of school knowing the absences would be unauthorised.</p>
14	<p>How much is the fine?</p> <p>£50 per parent per child accruing 10 half day sessions of unauthorised holiday absence. If the fine is not paid following 28 days it increases to £100 per parent per child. If not paid after 42 days then the fine will be withdrawn and the case for unauthorised school absence will be placed before the courts and a fine of up to £1,000 per parent may be enforced.</p>
15	<p>Has the Headteacher got any discretion?</p> <p>The policy provides Headteachers with a clear framework under which to make their decisions.</p> <p>The allowance of 10 school days each academic year was intended to be used for exceptional circumstances and not to take advantage of cheap holidays. The new policy reflects the DCSFs guidance around when holidays could be considered, but makes things more specific. The Primary and Secondary Behaviour and Attendance Partnerships want the policy to give as much guidance as possible to ensure consistency.</p> <p>The policy will be reviewed by the partnerships annually and your feedback for this will be sought.</p>
16	<p>Do governing bodies need to adopt the policy?</p> <p>Because East Riding of Yorkshire schools have been identified by the DCSF as having a problem in relation to the amount of school time missed as a result of term time holidays we really do need to do something about it. It is therefore in</p>

	<p>each school's best interest to encourage their governing body to adopt the policy.</p> <p>The governing body usually delegates their power to the Headteacher whether to authorise absence or not, therefore the Headteacher has overall discretion.</p>
17	<p>Can governing bodies change the policy, take out bits they don't like and add in bits that they want to?</p> <p>It is strongly advised that the policy be adopted as it stands, this will ensure a consistent approach across the East Riding of Yorkshire and allow for a sound evaluation of its effect. The Primary and Secondary Behaviour and Attendance Partnerships will review the policy annually and make amendments. You will be consulted during any such review.</p> <p>We also do not want parents transferring their children as the school up the road will authorise their holiday.</p>
18	<p>What evidence is required for not being able to take holidays in school holidays?</p> <p>Employment: A letter from the employer (also refer to point 10, reference to self employed workers).</p> <p>Medical reasons: A support letter from a recognised medical professional.</p> <p>Emigration: There is no formal paperwork required to emigrate to a country within the European Union. The Headteacher could meet with the parents to discuss the parent's motivations and assess genuineness of application. USA/Canada/New Zealand, Australia etc. – fees, paperwork, copies of on line applications could be provided by parent.</p> <p>Wedding/Funeral: Case by case basis, Headteachers would need to meet with parents to ascertain genuineness of request.</p> <p>Please note that it is the parent's responsibility to provide evidence with their request.</p> <p>Please remember that the circumstances that have been agreed under which a Headteacher will authorise a term time holiday are overridden by the circumstances when term time holiday absence will not be authorised.</p>
19	<p>What payment methods are available for payment of the fines</p> <ul style="list-style-type: none"> • Cheque or postal order made payable to East Riding of Yorkshire Council and posted to PO Box 83, Beverley, East Riding of Yorkshire, HU17 9YR (cash should be sent by registered post). The payment slip from the invoice should also be sent • In person with the invoice number at any customer service centre • Over the telephone with a debit card to any customer service centre or direct to corporate billing. The invoice number will be required <p>There is no provision to pay a penalty notice in instalments.</p>
20	<p>Does the new term time holiday policy impinge on the parents / young persons human rights?</p> <p>No, a parent does not have a right to authorised school absence to take their child on a term time holiday, only Headteachers can legally do this.</p>

Guidance

DCSF Keeping Pupil registers 'Guidance on applying the Education Pupil Registration Regulations (2008)'

Absence and Attendance Codes 'Guidance for Schools and Local Authorities' (January 2009)

Both the above documents can be found at:

<http://www.teachernet.gov.uk/wholeschool/behaviour/attendance/pupilregis/>

Useful Sites

Teachernet

<http://www.teachernet.gov.uk/wholeschool/behaviour/attendance/>

Useful Contacts

Education Welfare Service

education.welfare@eastriding.gov.uk

(01482) 392146

Education Welfare Service, Room FF20, County Hall, Beverley, East Riding of Yorkshire, HU17 9BA

DCSF School Attendance Team

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