

## Leave of Absence Exceptional Circumstances



Child's name: \_\_\_\_\_ Tutor group: \_\_\_\_\_

First day of absence from school: \_\_\_\_\_

Last day of absence from school: \_\_\_\_\_

Total number of days absent: \_\_\_\_\_

**It is the school's policy not to authorise term time absence, other than in exceptional circumstance.**

**Please explain the reasons for this absence.**

We appreciate that some planned absences, such as medical appointments, cannot be avoided. There may also be other exceptional circumstances which require a planned term time absence. Whilst we try to operate a family friendly policy, it is important that parents ensure their children maintain a high attendance.

Parents should also give as much notice as possible for their child's planned absence. Failure to do so may result in the absence not being authorised.

**The DfE position on this matter is very clear and parents are reminded of the Education Act 1996 regulations which state:**

*'If your child is absent from school without authorisation, you will be committing an offence under the Education Act 1996. We may submit a request to Cornwall Council for a Penalty Notice to be issued, in accordance with Sections 444A and 444B of the said Act. Penalty Notices are issued per liable parent, per child and each carry a fine of £80 if paid within 21 days or £160 if paid after this but within 28 days.*

*If your child is further absent from school without authorisation within any 3-year period, you will be committing a further offence under the Education Act 1996. We may submit a request to Cornwall Council for a Penalty Notice to be issued, in accordance with Sections 444A and 444B of the said Act. Penalty Notices for a second offence are issued per liable parent, per child and each carry a fine of £160, payable within 28 days. Importantly, fines per parent will be capped to two fines within any three-year period. Once this limit has been reached, other action such as a parenting order or prosecution will be considered.*

*Failure to pay the Penalty Notice may also result in legal action. If you are prosecuted and attend court because your child has not been attending school, you*

could get a fine of up to £2,500. Cornwall Council may also apply for the costs incurred in taking the matter to Court, including legal costs.

Absence not authorised by the school may also result in a prosecution in the Magistrates' Court under Section 444(1) or Section 444(1A) of the Education Act 1996, leading to a fine of up to £2,500 and/or a custodial sentence. Again, Cornwall Council may also apply for the costs incurred in taking the matter to Court, including legal costs.

Money raised from fines is only used by the local authority to cover the costs of administering the system, and to fund attendance support. Any extra money is returned to the government.'

'Parent' as set out in Section 576 of the Education Act 1996, defines parent to include: natural parents, whether they are married or not; any person or body who has parental responsibility for a child (as defined by the Children Act 1989) and; any person who, although not a natural parent, has care of a child. Having care of a child means a person with whom a child lives and who looks after a child, irrespective of what their relationship is with said child.

I understand that if the absence request is unauthorised the school may request that Cornwall Council issue a Penalty Notice. I understand that a Penalty Notice is issued to **each** liable parent/carer of **each** child taken out of school and that this carries a fine of £80 if paid within 21 days, increasing to £160 if paid within 28 days (or £160 with no option to pay the lower amount if it is the 2<sup>nd</sup> penalty notice within a rolling 3-year period). I understand that if I do not pay the fine, it may result in legal action being taken against me. **I understand that parents have a duty to ensure their child's regular attendance at school and failure to do so is an offence under Section 444(1) and Section 444(1A) of the Education Act 1996.**

Parent / Carer signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Please e-mail this form to [attendance@richardlander.cornwall.sch.uk](mailto:attendance@richardlander.cornwall.sch.uk) If this is not possible, please ask your child to hand this form in. Please note, we aim to respond within 15 working day, however busier periods may take longer.**

*(Please ensure you give at least 15 school days' notice of the proposed absence)*

**Below to be completed by the school: FAO – Headteacher/Attendance Team**

% Current	% Last Year	Comments

**AUTHORISED:**

**UNAUTHORISED**

Request has been authorised for the following dates **only:**

\_\_\_ / \_\_\_ / \_\_\_\_\_ to \_\_\_ / \_\_\_ / \_\_\_\_\_

**Signed** ..... **Date** \_\_\_ / \_\_\_ / \_\_\_\_\_