

Exceptional Circumstance Leave Request

NOTICE TO PARENTS /CARERS

The law does not grant parents an automatic right to take their child out of school during term time. Any absence from school will disrupt your child's learning. Although parents may consider that the absence may be educational, any child who is absent from school will miss out on their education and the opportunities that their classmates receive during the absence. Attendance is vital to both academic success and social development: lost education poses a potential risk of underachievement. This is something we all have a responsibility to avoid.

The Department for Education does not allow Headteachers to grant any leave of absence for children during term time unless there are exceptional circumstances. If you consider that your request for absence is **exceptional**, please complete the form attached to this notification. A response from the school will be sent to you as soon as possible. If leave is not authorised and you nevertheless withdraw your child from school, the absence will be recorded as unauthorised absence.

Term Time Absence for Service Children

There is additional guidance for term time absence for service children published by the Ministry of Defence:

[Term time absence for Service children - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

This sets out exceptional circumstances which includes:

- Preparing or returning from operational tours
- When shift patterns only allow leave to be taken during term time
- Injury/bereavement

If you feel that your exceptional circumstances leave request is covered by this guidance, please include a letter from your Unit Commanding Officer or Welfare staff confirming this.

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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.

All requests must be completed on this form; letters and emails will not be accepted. This form must be returned to the Attendance Office at least 15 school days before the start of the absence.

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Helston Community College **APPLICATION BY PARENT/CARER**

If you consider an absence during term time to be an exceptional circumstance, please complete this form and return it to the Attendance Office at least 15 school days before the date you wish your child's absence to begin.

Student Name: _____ DOB: _____ Tutor Group: _____

Home Address: _____

_____ Post Code: _____

Name of Parent/Carer completing this form: _____

First day of absence: _____ Date of return to school: _____

If leaving your home address before the first day of absence, please provide the date on which you will leave _____

Total number of school days missed: _____ days

Reason for absence (please provide all relevant details to explain your request along with any accompanying evidence as relevant):

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. I also understand that if my child is further absent from school without authorisation within any 3-year period, I will be committing a further offence under the Education Act 1996. Which may result in a further request to Cornwall Council for a Penalty Notice to be issued, in accordance with Sections 444A and 444B of the said Act. Penalty

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Notices for a second offence are issued per liable parent, per child and each carry a fine of £160, payable within 28 days. I understand that fines are per parent and will be capped to two fines within any three-year period. Once this limit has been reached, I understand that other action such as a parenting order or prosecution will be considered.

*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.***

Signed Dated

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

Below to be completed by the school:

FAO – Headteacher

% Current	% Last Year	Comments

Student Name: Tutor: Year:

AUTHORISED:

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

___ / ___ / ____ to ___ / ___ / ____

UNAUTHORISED:

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

___ / ___ / ____ to ___ / ___ / ____

Total days authorised	
Total days unauthorised	

Signed **Headteacher**

Date ___ / ___ / ___

Letter sent / Phone Call / other	Signed:	Date:
Action: PN Request on pupil return	Signed:	Date: