



Children, Family and Adult Services

Achievement & Inclusion

Information for Schools

Absence from School for Exceptional Circumstances

Frequently Asked Questions

1	When should the new policy on absence from school come into force? This policy will be in place from 1 September 2013 following consultation with schools during the 2013 Summer term. Parents should have been informed of the details through a newsletter from their child's school and an article in 'Your East Riding' in September 2013. For those schools who have not implemented this policy, a copy of their school's Request for Absence from School policy should be forwarded to the Education Welfare Service by September 2013.
2	Some requests for absence have already been approved by the school. Do these still stand, or should they now be considered under the new policy? If an absence has been approved by the school, for whatever reason under an old policy, it should be honoured under those conditions. Families will have made arrangements, and it would be unfair to expect them to rearrange things, especially as there could be a cost involved. At the time the request for absence was made, they did so under the arrangements for term time holidays that were in force at the time. A decision should not be changed retrospectively that may be detrimental towards the family.
3	Should I consider a possible "Exceptional Circumstances" absence request prior to the implementation of the new policy? No – Any requests made prior to the new policy and parents being informed of the new criteria, the old policy should be adhered to. This will avoid inconsistency across the County.
4	Can the policy be used to cover major family events? The policy is intended to help Headteachers manage requests for absence from school. Each request will be considered under "Exceptional Circumstances" and the decision conveyed to parents. Please see the procedures for guidance on how to mark authorised absence under the policy.
5	Can the policy be applied to a family crisis, e.g. to visit a dying relative? The policy is intended to help Headteachers manage requests for term absence from school. Each request will be considered under "Exceptional Circumstances" and the decision conveyed to parents. One or two days absence from school to visit a dying relative should be recorded as a 'C'.

6	<p>Some families go on a trip of a lifetime. Could this be an authorised absence?</p> <p>These requests for absence should be dealt with in accordance with the new policy.</p> <p>No, this would constitute a family holiday. There is no longer a provision for Headteachers to authorise term time holidays. Therefore these absences should be unauthorised and families advised they should take their trip in the school holidays.</p>
7	<p>A family from abroad, or who have a significant number of relatives abroad, may spend an extended period in another country. Could this be an authorised absence?</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>
8	<p>Could an absence to attend a religious observance or festival be an authorised absence?</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>
9	<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 spend time together in the six week summer holidays. However there are other school breaks when such family time can be used. A decision by parents not to spend time together in the other school holiday times, ie Christmas or Easter break, because of poor weather (for example) should not be a reason for authorising absences during the warmer school terms. It would be advisable to for Headteachers to discuss this with families and support them to investigate alternative non-school times throughout the year. It is advisable for parents to discuss this with their child's school prior to making any arrangements for absence during school term times. Legislation no longer allows Headteachers to authorise 10 days absence from school for a term time holiday. Headteachers should bear in mind that those who are self employed are able to select when they take their annual leave.</p>
10	<p>What if parents say the child is ill?</p> <p>Scenario 1: Parent applies for absence from school that is 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. Should evidence be provided to support the absence the penalty notice would be withdrawn.</p> <p>Scenario 2: No absence request form received, parent calls school to say the child is ill. The school are suspicious that the child is fit and well.</p> <p>Under these circumstances a visit should be made to the family home straight 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. A telephone call to a parent's mobile phone may also indicate they are abroad by the different dialling tone. You may wish to consider contacting another family member from the child's contact list as this may provide some useful information. School should wait until the child returns to school and then refer to the Education Welfare Service for a penalty notice.</p>

	<p>Again the parent has the responsibility to prove their child was ill.</p> <p>Scenario 3: No absence request form received, parent calls school to say the child is ill. The school have no suspicions until the child returns to school where suspicions are then raised, ie child tanned and talking about their family 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 absence when they applied for the absence from school.</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> <p>Would schools please record and include with the penalty notice referral their attempts to contact the family and evidence obtained.</p>
11	<p>Which parent receives the fine?</p> <p>Where both parents, or those with day to day care and responsibility live together, schools should provide a separate referral form for each parent involved in the absence from school and for each child of compulsory school age. Both parents will receive a fine for each of their children. This will include parents who allow their child to go on holiday with another family member or friend of the family.</p>
12	<p>Who is fined when parents do not live together?</p> <p>The situation can become complicated where parents do not live together and both wish to remove their child from school at separate times during the same academic year.</p> <p>Scenario 1: The absence request is an Exceptional Circumstance and may be authorised – School must write to both parents (regardless of which parent applies) advising them of the decision.</p> <p>Scenario 2: The absence request is unauthorised as it is not an exceptional circumstance – School must write to both parents (regardless of which parent applies) to advise that the absence will be unauthorised. A referral must be made to the Education Welfare Service for the parent who applied for the absence.</p> <p>Separated parents - Headteachers should ensure only the parent taking the child out of school completes the 'Absence from School Request Form' as under normal circumstances only this parent should be fined. If an absence request form is submitted by the parent not involved with the absence, then this parent may be fined if the other parents contact details are unknown to the school.</p>
13	<p>How much is the fine?</p> <p>£60 per parent per child accruing 10 half day sessions of unauthorised absence. If the fine is not paid within 21 days it increases to £120 per parent per child. If not paid after 28 days then the fine will be withdrawn and the case for unauthorised school absence may be placed before the courts and a fine of up to £1,000 per parent may be enforced.</p>
14	<p>Does the Headteacher have any discretion when considering requests?</p> <p>The new policy provides Headteachers with a clear framework under which their decisions can be made.</p> <p>The new policy reflects new legislation (September 2013) and the DfE guidance. The Primary and Secondary Behaviour and Attendance Partnerships want the policy to include as much guidance as possible to ensure consistency across the County. The policy allows Headteachers to liaise with the Principal Education Welfare Officer to discuss the absence request and for a joint decision to be made. This will ensure consistency across the County.</p>

	The policy will be reviewed by the partnerships annually and your feedback will be sought.
15	<p>Do governing bodies need to adopt the policy?</p> <p>It is in each school's best interest to encourage their governing body to adopt the new policy. It has been placed on the agenda for all governing bodies to consider during the 2013 Autumn term.</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> <p>If the governing body does not adopt the policy then the school will need to have their own policy in place and a copy must be submitted to the Education Welfare Service. Without this the Education Welfare Service will not be in a position to accept a penalty notice referral.</p>
16	<p>Can governing bodies make any amendments to the policy?</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 or as legislation depicts and make any necessary amendments. You will be consulted during any such review.</p> <p>If the governing body does not adopt the policy then the school will need to have their own policy in place and a copy must be submitted to the Education Welfare Service. Without this the Education Welfare Service will not be in a position to accept a penalty notice referral.</p>
17	<p>What 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 or credit card by ringing 0845 1200 020 and selecting option 4. This option is available 24/7. • Via the Internet at www.eastriding.gov.uk with a debit or credit card. Select on-line payments and follow instructions on the screen. <p>The invoice number will be required for each method of payment.</p> <p>There is no provision to pay a penalty notice in instalments and parents should pay £60 in full within 21 days from the date of the letter. After 21 days the fine increases to £120 and this must be paid within 28 days to prevent further action being taken.</p>
18	<p>Does the new policy impinge on the parents / young persons human rights?</p> <p>No, a parent does not have a right to authorised school absence. Legally only Headteachers can authorise the absence.</p>
19	<p>Who is considered to have parental responsibility?</p> <p>The definition of a parent is anyone who has parental responsibility for the child and/or any adult with day to day care and responsibility. This will include step parents and cohabiters, partners of older pupils if the partner is over 18 years of age and they are living together, other relatives with residency orders.</p>
20	<p>Do I need to consult with a school where a sibling attends?</p> <p>Yes - If a child from your school has a sibling attending another East Riding school it is important to reach a decision with the other school as to whether the request is authorised or not. This will ensure consistency across the County and avoid different decisions for members of the same family. As some schools have elected to meet with parents prior to reaching a decision, the 5 days</p>

mentioned above is a discretionary period for Headteachers and it is not necessary to inform parents of the decision within this time frame.
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All these links will need checking before we issue

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.education.gov.uk/search/results?q=guidance+on+applying+Education+Pupil+Registration+Regulations+2008>

Useful Sites

Department for Education Website

<http://www.education.gov.uk/schools>

Useful Contacts

Education Welfare Service

education.welfare@eastriding.gov.uk

(01482) 392146

Education Welfare Service, Room AF38, County Hall, Beverley, East Riding of Yorkshire, HU17 9BA