

# Questions

## Is my child entitled to time off school for family holidays?

No. Parents/Carers do not have the right for their child to have leave of absence for a holiday. The Headteacher has a discretionary power to grant leave under exceptional circumstances but is under no obligation to do so.

## Are parents responsible for their child's attendance at school?

Yes, by law, parents whose children are of compulsory school age (5 to 16) and registered at school, are responsible for ensuring that their children attend school regularly. If they fail to do this they may be guilty of an offence and can be issued a penalty notice or prosecuted under section 444 of the Education Act 1996.

## Where can I get further advice?

Always contact your child's school first, as they are the only authority with the discretionary power to grant the exceptional leave of absence in term time.

You can also contact the Local Authority's Attendance and Inclusion Officer through your child's school.

## What the regulations say:

The Education (Pupil Registration) (England) Regulations 2006 Amendments remove references to family holiday and extended leave, as well as the statutory threshold of ten school days. The amendments make clear that headteachers may not grant any leave of absence during term time, unless there are exceptional circumstances. Headteachers should determine the number of school days a child can be away from school if the leave is granted.

## Contacting us

If you require further information on Fixed Penalty Notices please contact us on:

Telephone: 0114 273 5609

Fax: 0114 205 3524

Email:

CYPDCentralLegalTeam@sheffield.gov.uk

[www.sheffield.gov.uk](http://www.sheffield.gov.uk)

Prevention and Early Intervention  
Sheffield City Council  
Children, Young People and Families  
(CYPF)  
Floor 7, Redvers House,  
Union Street,  
Sheffield, S1 2JQ



# Holidays in Term Time

## Information about Fixed Penalty Notices



# Why shouldn't I take my child on holiday in term time?

## Because your child may:

- Get behind in their school work
- Get lower results in tests, exams or Assignments, because of missed work
- Miss tests, exams or assignment deadlines
- Feel excluded from their group of friends on their return
- Not understand new work and lose self confidence

Any absence in term time destroys the continuity of your child's education and may reduce chances of success.

## Parents are expected to take their holidays when schools are closed.

If there is a reason why this is not possible, please contact your child's school and speak to the Headteacher.

**If you take your child on holiday in term time without their Head Teacher's authorisation, you may be issued with a **FIXED PENALTY NOTICE (a fine).****

## Information about Fixed Penalty Notices

### What is a Fixed Penalty Notice?

Education-related penalty notices were introduced by the Anti-social Behaviour Act 2003, which amended section 444 of the Education Act 1996. This allows Local Authorities the power to issue Fixed Penalty Notices to parents who fail to ensure their child's (of compulsory school age 5-16) regular attendance at school.

### In what circumstances will Fixed Penalty Notices be issued?

A Fixed Penalty Notice will be issued in 3 situations:

1. If a holiday is taken during term time without the authorisation of the Head Teacher, or his/her representative.
2. If a pupil has unauthorised absence from school and their parent/guardian fails to co-operate with school staff and the Local Authority's Attendance and Inclusion Officer, to improve the situation.
3. If a pupil has unauthorised absence following a warning letter.

### What are the Penalties?

If a Fixed Penalty Notice is issued, parents must pay £60 within 21 days, or £120 within 28 days. Failure to pay within 28 days will result in a summons to appear before the Magistrates Court, on the grounds that you have failed to secure your child's regular attendance at school.

A separate Fixed Penalty Notice will be issued to each parent for each child.

### Why has the government introduced this new legislation?

The message of this new legislation is that it is very important that every child attends school for as many days of the school year as possible. It is the responsibility of parents to ensure that their child does not take unnecessary time off school.

### What must I do?

Inform school staff when your child will be absent from school and give the reason. If there are exceptional circumstances where you feel there is no alternative than to take your child out of school in term time, you should complete an application form which is available from school, at least 4 weeks before the proposed start date of the holiday. The Headteacher will decide whether this can be authorised. Booking a holiday first is not an acceptable reason for authorisation.

### Can I get help if my child is not attending school regularly?

School staff will always offer support to pupils and parents. The Local Authority support schools, parents and pupils so that high levels of attendance can be achieved. The Local Authority's Attendance and Inclusion Officer can be contacted through your child's school.

Every school in Sheffield supports the message that school attendance is a high priority. We hope that all parents will help us to achieve even better attendance this year.