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ST JOHN'S & KING RICHARD  
SCHOOLS FEDERATION

## ATTENDANCE- Appendix B

### Term time pupil leave

Attendance regulations in England changed w.e.f. Sept 13 removing the former notional limit of 10 days that head teachers could authorize for children to be absent from school during term time for family holidays.<sup>1</sup> All term time pupil leave applications in England have to now be on 'exceptional grounds' in line with the regulations.

Existing MOD Schools guidance, together with JSP 342, had effectively created a "10 + 10" policy, i.e. the potential for up to 10 days of term time pupil leave to be authorised by the head teacher for family holidays as well as up to 10 days of term time leave to coincide with parental POL<sup>2</sup>.

The MOD Schools position is that from December 2013 there are no grounds for parents to apply for term time for their child/ren for family holidays. There are two grounds on which parents can apply for term time pupil leave which are:

- a) For exceptions circumstance. By definition this is decided upon by the head teacher on a case by case basis and application form is at Annex A. Examples of 'exceptional' would include bereavement or serious illness of relatives, medical needs where treatment is required in the UK by the child's primary care giver etc.
- b) to link with Post Operational Leave with a maximum of 10 days. The application form for requests linked to POL is at Annex B.
  - Please note there are no grounds for parents to apply for term time leave for their child/ren to coincide with either pre tour leave or for "R and R"

### Post Operational Leave

It is recognised that families face unique circumstances in a military community given operational tours. The entitlement to and granting of POL, for service personnel, is covered by JSP 760 Chapter 3 with MOD Schools acknowledging that section 3.004 requires POL to be taken '*as soon as possible and at the latest within one month, after a Service person's return from qualifying Operations or Deployments*'. POL therefore does frequently coincide with academic terms.

POL is for serving personnel and is a valuable part of the staged process of returning from operational tours. However, it is important that parents understand the potential detrimental effect on a child's education by them missing school. The application form makes note of that fact. The granting of POL to a serving parent is a separate issue to the authorisation, from a head teacher, for a child to be absent from school.

It is essential to highlight that families can and do enjoy the POL of the serving parent without going away and without therefore requesting that their child is absent from school during term time.

### Attendance data

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<sup>1</sup> Contained within the 'Education (Pupil Registration) (England) (Amendment) Regulations 2013', which is available online through the DfEsite.

<sup>2</sup> Post operational leave (POL) has historically been referred to as post operational tour leave or POTL

Through defining any term time leave as being 'exceptional' the England regulations intend that such leave will be infrequent. Given the MOD Schools pupil profile MOD schools may experience the majority of pupils simultaneously having a parent deployed on an operational tour and therefore a potential high number of requests for absence linked to POL.

MOD schools therefore can experience a significant impact of term time leave for pupils following an operational deployment. Attendance data reflects that. It is expected that this dynamic is understood, i.e. by MOD Schools and Ofsted.

To enable transparency in the data MOD Schools attendance data will now be expressed through two figures being;

1. one overall school attendance figure and
2. an additional school attendance figure which is 'attendance minus code H and minus code G'. (For information MOD Schools uses national attendance codes. As a result the only relevant code to record absence agreed to by the head teacher when linked to POL is code H. Code G is when a child is absent without that being agreed by the head teacher and without that child having been ill).

### **Non compliance**

Unfortunately there will be occasions when term time leave has been applied for by a parent, not agreed to by the head teacher but then taken anyway. For the purposes of school data such absences should continue to be recorded as code G, defined as 'Unauthorised absence as pupil is on a family holiday, not agreed ...'

For information it is noted that in relation to the serving parent the current Standing Order notes that:

- ***Attendance at School***

78. In accordance with Section 7 of the Education Act 1996, the parent of every child of compulsory school age must ensure that their child receives appropriate full-time education suitable to his age, ability and aptitude, and to any special educational needs he/she may have (either by regular attendance at school or otherwise).

79. Parents should be aware that if the child is of compulsory school age and is a registered pupil at a school they have a duty to ensure that the child attends school regularly. If the child fails to attend school regularly, without lawful excuse, the Parent will be guilty of an offence and may face disciplinary action.

N.B. In England there is a legal power for head teachers to issue penalty fines to parents who do not comply. That power does not exist overseas. However, the above instruction does outline potential action within the context of disciplinary action for the serving parent to be decided upon by the appropriate unit.

### **Application Process for term time pupil leave**

The application process requires parents to submit their application to the head teacher, who has the sole authority to approve term time pupil leave.

When deciding whether to authorise such requests, head teachers will take into account a range of issues, for example the individual pupils' previous attendance record as well as their age and stage within the academic cycle.

Annex A – for exceptional circumstances

Annex B – for term time leave linked to a period of POL and therefore requires the prior signature by a Unit representative, signing that the parent is entitled to apply for term time pupil leave. N.B. Any authorization for term time pupil leave remains the sole responsibility of the Principal.

**King Richard School is an MOD school which is part of the Directorate Children & Young People (DCYP)**