



**St Martin's Church of England
Primary Academy**

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Executive Headteacher:

Daniel Callaghan

9 September 2026

Applications for leave of absence including Family Holidays

Dear families

I am writing to make you aware of the regulations concerning applications for leave of absence from St Martin's CE Primary Academy for family holidays.

The Education (Pupil Registration) (England) (Amendment) Regulations 2013 have removed the reference to holidays during term time and now provides that a leave of absence during term time will only be granted where an application is made in advance to the school and the school consider that the leave of absence should be granted due to exceptional circumstances relating to that application.

If it has been decided that the request for leave of absence does *not* constitute an 'exceptional circumstance', then your child's absence will also be recorded as unauthorised where a Penalty Notice could be issued by the Local Authority under the following legislation:

- **Section 7 of the Education Act 1996 places upon parents a duty to ensure that their child receives efficient fulltime education either by regular attendance at school or otherwise**
- **Where a child is a registered pupil at a school and the parent fails to ensure that child's regular attendance at school the parent is liable to be prosecuted for a criminal offence under Section 444 of the Education Act**
- **In cases where this duty is not being fulfilled Section 444B of the same Act empowers the Local Authority to issue a Penalty. The amount of the Penalty is based on the following:**

The following applies from 19 August 2024:

Penalty Notice	Details
First Notice in a 3-year period:	Issued to each parent for each named child. Charged at £80 if paid within 21 days £160 if paid within 28 days. Further fines through the courts if not paid

Second Notice in a 3-year period:	Issued to each parent for each named child. Charged at a rate of £160 if paid within 28 days. As above
Third Notice in a 3-year period:	Alternative action should be taken, for example prosecution or other attendance legal interventions. Fines per parent are capped at two within any three-year period. If a parent is prosecuted for their child's non-attendance, they could face a magistrate's court appearance, and a fine of up to £2,500 and/or prison. If prosecuted and found guilty, parents would have a criminal record which can affect applications where criminal convictions need to be declared.

Further information can be found via the links below:

[Working together to improve school attendance: July 2026](#)
[Penalty Notices - Code of Conduct - North Lincolnshire Council](#)

This letter is a formal warning should your child be absent from St Martin's CE Primary Academy without authorisation.

If your child is experiencing difficulties with school attendance, please contact St Martin's CE Primary Academy to discuss the support that may be available.

I would like to take the opportunity to thank you for your continued support.

Yours sincerely



Mr Gavin Booth
CEO
Infinity Academies Trust