



Ein cyf/Our ref
All Head Teachers in Wales

January 2016

The Welsh Government, and I as Minister for Education and Skills, take absences from school very seriously. My focus is on ensuring all children attend school at every possible opportunity. I want to minimise any adverse impact on their education, ensure they are supported in reaching their full potential and that they achieve the very best from their experiences in school. I am confident you will feel the same.

The [Pupil Registration \(Wales\) Regulations 2010](#) provide head teachers with a discretionary power to authorise leave for a family holiday during term time where parents seek permission. Save in exceptional circumstances, no more than 10 days leave should be granted for this purpose.

I have been made aware that the arrangements implemented in some areas of Wales may not reflect the intention of the Regulations. In particular, I am concerned that some local authority or consortia guidance appears to indicate that head teachers should *not* exercise their discretion and should instead refuse all requests for term time absence as a matter of course regardless of the particular circumstances leading to such a request. In some instances head teachers have also adopted this approach.

This is contrary to the Regulations which allow a margin of discretion for the school in such matters so that each request is considered fairly and on its merits. The public law requires that such discretion is exercised fairly and that decision makers do not adopt a closed mind (i.e. a blanket policy regardless of particular circumstances). Whilst it is entirely appropriate for schools to develop a policy as to how it will deal with such matters that policy should not preclude individual cases being considered on their merits.

In December 2015, I wrote to all Directors of Education in Wales to emphasise the importance of implementing the Regulations fairly and have requested evidence to support that.

I have been very clear about how the arrangements for holidays in term time should operate. The Regulations in Wales provide for you, as head teachers, to exercise your discretion in relation to authorising absence. The term 'exceptional circumstances' relates only to requests for absences of *more than ten school days*.

There may well be circumstances that warrant a pupil taking time off in term time. You will no doubt consider the time of year of the proposed trip, length and purpose of the holiday, impact on continuity of learning, circumstances of the family and the wishes of parents as well as the overall attendance pattern of the child. You will know the pupil and family best and this is why you are best placed to make that decision. The Regulations also allow you to adopt a consistent approach within your school and ensure equity for all pupils. You have my full support on this matter.

Huw Lewis AC / AM

Y Gweinidog Addysg a Sgiliau
Minister for Education and Skills