

---

# Comisiynydd Plant Cymru Children's Commissioner for Wales

Keith Towler

---

William Powell AM/AC  
Chair/Cadeirydd  
Petitions Committee  
National Assembly for Wales/Cynulliad Cenedlaethol Cymru  
Cardiff Bay/Bae Caerdydd  
Cardiff  
CF99 1NA

24 September 2014

Dear William

Re: **PETITION – P-04-576 ALLOW CHILDREN IN WALES TO HAVE A FAMILY HOLIDAY DURING TERM TIME**

Thank you for your letter of 14 August 2014 requesting my views on the above mentioned petition.

I recognise the importance of providing children and young people with the best possible opportunities to explore their global identities and fulfil their potential. This principle is enshrined by Article 29 (Aims of Education) of the United Nations Convention on the Rights of the Child (UNCRC) and General Comment No. 1 emphasises that children and young people should be afforded a robust educative offer that supports holistic development of their full potential<sup>1</sup>.

I recognise that holidays play an important part in family life and often provide children and young people with additional learning opportunities to explore the world, participate in cultural activities and develop their sense of global citizenship; offering potential learning experiences that might not otherwise be available through the education curriculum.

I also understand how financial limitations, particularly for those children and families living in poverty, can limit childhood opportunities, including family holidays. With so many families facing many financial challenges, it may seem somewhat surprising for me to raise the importance of cultural poverty. The reason for my concern is that there's a growing body of evidence to suggest that cultural engagement supports better educational engagement and outcomes. And indeed, within my Child Poverty Progress Report 2013<sup>2</sup> and Annual Report 2012/2013<sup>3</sup>, I emphasised that structured learning through arts and culture improves attainment in all subjects.

---

<sup>1</sup> UN Committee on the Rights of the Child (2001) *General Comment No. 1 (2001) Article 29 (1): The Aims of Education* [.pdf] Available online at: <http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2fPPRiCAqhKb7yhsiQgl8gX5Zxh0cQqSRzx6Ze%2f9ZHelGwBpr0TgNk7n2KwvLTyUpYZrr02J%2f7DotFSXAJUShXkO3j7y04tA46d54m4kcgEa%2b5RtfThvOH2pDQf> Accessed on: 09/09/2014

<sup>2</sup> <http://www.childcom.org.uk/uploads/publications/402.pdf>

<sup>3</sup> <http://www.childcom.org.uk/uploads/publications/400.pdf>

This petition highlights complexities surrounding familial choice, poverty, access to the best possible education and access to a child's right to play. As such, in considering the petition's proposal to review the guidance to Local Authorities on head teachers being able to authorise absence for family holidays, I have to consider what would be in the best interests of children and young people (Article 3 of the UNCRC).

In general, the rate of pupil absenteeism has been decreasing in Wales. The latest evidence available demonstrates that the decline of pupil absenteeism in primary school has been ongoing since 2005<sup>4</sup> and in secondary schools since 2006<sup>5</sup>. Maintaining and supporting children and young people to consistently attend school is a crucial component to ensuring that they are positively engaged in education and offered the best possible opportunities to fulfil their individual potential.

There is evidence available which demonstrates that absence from education negatively impacts pupils' wellbeing and ability to fulfil their individual academic potential<sup>6 7</sup>. Absenteeism from school presents children and young people with significant challenges and difficulties to catch up with missed learning and places undue stress on children and young people's mental health and emotional wellbeing resulting in academic underachievement, difficulty making friends, loss of confidence and self-esteem, behavioural difficulties, and impaired socialisation for work<sup>8</sup>. I have a duty to protect and promote the wellbeing of the children and young people, and it is clear to me that the impact of absenteeism from education detrimentally impacts the immediate and long-term life chances of children and young people.

When we look at the guidance in relation to this, the Welsh Government document, *Guidance on penalty notices for regular non-attendance at school*, states that "schools must consider whether the reason for absence is reasonable" (p.6)<sup>9</sup>. I believe schools should take all appropriate measures to consider *reasonable* absence and that they enter into discussions with parents/carers who want to take their children on holiday term time

I do not believe that the best interests of children and young people are going to be served through the application of financial penalties. My Investigation and Advice service has received

---

<sup>4</sup> Statistics for Wales (2013) *Absenteeism from Primary Schools, 2012/2013* [.pdf] Available online at: <http://wales.gov.uk/docs/statistics/2013/131218-absenteeism-primary-schools-2012-13a-en.pdf> Accessed on: 09/09/2014

<sup>5</sup> Statistics for Wales (2013) *Absenteeism from Secondary Schools, 2012/2013* [.pdf] Available online at: <http://wales.gov.uk/docs/statistics/2013/130910-absenteeism-secondary-schools-2012-13-en.pdf> Accessed on: 09/09/2014

<sup>6</sup> Reid, K (2008) *National Behaviour and Attendance Review (NBAR) Report* [.pdf] Available online at: <http://wales.gov.uk/dcells/publications/publications/reports/3773934/nbarreport?lang=en> Accessed on: 09/09/2014

<sup>7</sup> DfE (2012) *Improving attendance at school* [.pdf] Available online at: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/180772/DFE-00036-2012\\_improving\\_attendance\\_at\\_school.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/180772/DFE-00036-2012_improving_attendance_at_school.pdf) Accessed on: 09/09/2014

<sup>8</sup> DfES (2003) *Absence from School: A study of its causes and effects in seven LEAs* [.pdf] Available online at: <http://dera.ioe.ac.uk/8655/1/RR424.pdf> Accessed on: 09/09/2014

<sup>9</sup> Welsh Government (2013) *Guidance on penalty notices for regular non-attendance at school* [.pdf] Available online at: <http://wales.gov.uk/docs/dcells/publications/130925-guidance-regular-non-attendance-en.pdf> Accessed on: 09/09/2014

---

Page 3

calls from parents concerned at correspondence about school absences that they have received from Local Education Authorities and schools. I would encourage your Committee to explore the implementation of Welsh Government guidance on a national basis and address any inconsistencies that may be arising in interpreting the guidance by individual local authorities in Wales.

Thank you again for the opportunity to comment.

Yours sincerely

A handwritten signature in black ink that reads "Keith Towler". The signature is written in a cursive style and is positioned above a horizontal line that extends to the right.

**Keith Towler**  
**Children's Commissioner for Wales**

---