

Kirsty Williams AC/AM  
Y Gweinidog Addysg  
Minister for Education



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref P-04-576  
Ein cyf/Our ref KW/07723/19

Janet Finch-Saunders AM  
Assembly Member  
National Assembly for Wales  
Ty Hywel  
Cardiff Bay  
Cardiff  
CF99 1NA

Government.Committee.Business@gov.wales

23 December 2019

Dear Janet

Thank you for your letter dated 16<sup>th</sup> December concerning school attendance and related petitions: P-04-576; P-04-606 and; P-05-807 and the ancillary questions, namely:

- “request an update on the review of school attendance policy and an indication of timings for the next steps, including a public consultation; and
- seek the Welsh Government’s latest view in relation to whether Headteachers should have discretion to authorise absences for holidays during term time, when they consider this to be appropriate.”

The Welsh government is pleased to be able to respond to both questions which are inextricably linked.

As far as the first question is concerned, Welsh Government is now in the preliminary stages of a comprehensive review of compulsory aged school-attendance guidance in Wales. There are a number of separate pieces of extant guidance relating to school attendance, some of which are a number of years old and require updating. These include;

- School attendance Codes (2010) plus subsequent ad hoc clarification advice;
- The All Wales Attendance Framework (2011) which includes consideration of Fixed Penalty Notices;
- Holiday in term time advice (2015 and 2016).

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:  
0300 0604400

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1NA

[Gohebiaeth.Kirsty.Williams@llyw.cymru](mailto:Gohebiaeth.Kirsty.Williams@llyw.cymru)  
[Correspondence.Kirsty.Williams@gov.wales](mailto:Correspondence.Kirsty.Williams@gov.wales)

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

This is a voluminous piece of work which requires an expansive yet intricate approach.

It is our intention to create a clear and holistic guidance that places the wellbeing of the pupil at its core. The new guidance will be simple, concise and accessible to all who are affected by it, in particular the pupils, parents, teachers and local authorities. The Welsh Government aspires to advance modern, empathetic and equitable guidance facilitating pupil growth and happiness which will aim to generate uniformity throughout our education system, safeguarding parity and equity within our schools.

Discussions with external stakeholders commenced in December 2019. Cross-stakeholder scoping workshops will occur in across Wales in the New Year and smaller key/expert stakeholder groups will be charged with examining some of the more complex issues thereafter. We are hopeful that we will be in a position to publish a consultation document by no later than the autumn of 2020.

In relation to your second question, the Welsh Government remains committed to the tenets laid out in *Our National Mission* action plan. It aims to ensure optimal pupil attendance and well-being which will perpetuate maximum personal and educational success.

As it stands in law, Section 7(3) and 7(4) The Education (Pupil Registration) (Wales) Regulations 2010 stipulates that “a pupil may be granted leave of absence from the school to enable the pupil to go away on holiday”, provided that the application is made by a parent with whom the pupil normally resides and the pupil is not granted more than 10 days leave of absence in any school year, save for “exceptional circumstances”.

Parents should therefore not take their children out of school for a holiday without first obtaining the permission of the head teacher ‘in advance’ of the said holiday. Under the 2010 Regulations, schools have a discretionary power to authorise up to 10 days absence during a school year for the purpose of family holidays. If a head teacher refuses a request for absence to holiday in term time and the parent takes the child on holiday anyway, it would be marked as an ‘*unauthorised absence*’. Only schools, not parents, can authorise absence.

Welsh Government remains firmly of the belief that Head teachers are best equipped to make the determination regarding term-time holidays; they have access to all the necessary current information to make an informed decision and they are able to consider individual circumstances on a case-by-case basis. A number of things will be taken into account before reaching a decision, including the time of year, length of the holiday, the reason for the holiday, impact on learning, timing of exams or tests, family circumstances and the wishes of parents, as well as the overall attendance and attainment of the pupil.

We hope that this assists with your deliberations.

Yours sincerely



**Kirsty Williams AC/AM**  
Y Gweinidog Addysg  
Minister for Education