

Authorising Pupil Absence for Religious Observance

Guidance for Headteachers and Governing Bodies in Leicestershire County

The purpose of this guidance is to support Leicestershire schools in their decision making in determining whether to grant an authorised absence for learners for religious observance. It aligns with statutory attendance requirements and guidance, including the Education Act 1996 and DfE guidance Working Together To Improve School Attendance.

1. Context

Leicestershire is a proudly diverse county and recognises that religious beliefs, practices, and traditions play an important role in the identity and development of many children and families. Participation in festivals, observances, and acts of collective worship often forms an essential aspect of a family's faith tradition.

While the structure of the school year in England reflects major Western Christian holy days, important observance days from other traditions frequently fall during term time. Schools therefore encounter requests for absence linked to a wide range of religious practices.

Parents are responsible for ensuring their child receives suitable full-time education; however, they may also reasonably expect their child to participate in significant religious observance.

It remains the responsibility of:

- **Governing bodies** – to set the school's attendance policy and ensure compliance with legislation.
- **Headteachers** – to make case-by-case decisions about authorising absence.

This guidance aims to support schools in making lawful, consistent, respectful decisions **without undermining whole-school attendance practices.**

2. Legislative Framework

Under the **Education Act 1996**, a child must not be considered to have failed to attend regularly if the absence occurred:

“On any day exclusively set apart for religious observance by the religious body to which the parent belongs.”

(Education Act 1996, Section 444)

Regulation 10 (4) Table 3 of the **School Attendance (Pupil Registration) (England) Regulations 2024** further confirms that headteachers must authorise absence when satisfied that:

- the day is **exclusively set apart for religious observance** by the relevant religious body.
- the parents are members of that religious community.

If a religious body sets apart a single day for a religious observance and the parent applies for more than one day, the school may only record one day using this code; the rest of the time would need a leave of absence, and this is granted at the school’s discretion as set out under Code C

Only headteachers can authorise such absence.

It is the Governing Body of each school that determines the school’s attendance policy in light of legislation. On a day-to-day basis, the headteacher implements that policy and authorises leave for religious observance and considers any requests for leave in other exceptional circumstances.

Not all religious days will be set aside for religious observance by the religious body and if a day has not exclusively set aside the day for religious observance, children will be expected to attend school on these days. If parents wish to take leave on such days, they will be expected to apply for leave under exceptional circumstances.

In determining whether to authorise an absence, headteachers should consider the impact on the pupil’s education, including any potential disadvantage where the absence coincides with examinations, assessments, appointments, or key curriculum delivery. They should also

consider whether missing any other aspect of provision or activity may be detrimental to the pupil's educational progress or overall wellbeing.

3. Leicestershire County Council Guidance

Leicestershire County Council and Leicestershire SACRE advise that schools should apply the following principles consistently: -

3.1 When Authorisation *Must* Be Granted

Headteachers **should authorise absence** when:

The day is exclusively set apart for religious observance by the religious body. As a general rule, 'a day exclusively set apart for religious observance' is a day when the pupil's parents would be expected by the religious body to which they belong to stay away from their employment in order to record the occasion. If in doubt, schools should seek information by; -

- consulting Leicestershire SACRE
- checking faith calendars
- requesting confirmation/evidence from parents
- referring to local faith leaders
- obtaining information from the religious body

Parents give notice in advance.

Families should give as much notice as reasonably possible. Some festivals, particularly those determined by the lunar calendar, cannot be predicted with exact dates far in advance (e.g., Islamic lunar months).

Only the observance day itself is taken.

Any additional days before or after are not authorised as religious observance. If a request is made for additional days these will need to be considered as applications for leave under exceptional circumstances.

3.2 When Absence Should *Not* Be Authorised as Religious Observance

Absence should not be authorised when:

- The festival or observance falls **on a weekend or during school holidays.**

- Parents request **additional days either side** of the observance- the additional days would not be authorised unless under exceptional circumstances.
- The day has **not** been exclusively set apart by the religious body.
- The request relates to **extended family travel abroad**—these rarely meet the threshold for exceptional circumstances and can significantly disrupt learning.

Where the day is **not** exclusively set apart for observance, parents may request leave under *exceptional circumstances*. Headteachers determine whether these apply.

Exceptional circumstances: All schools can grant a leave of absence for other exceptional circumstances at their discretion. In the case of schools maintained by local authorities and special schools not maintained by local authorities, it must be requested in advance by a parent who the pupil normally lives with. Schools are then expected to consider each application individually taking into account the specific facts and circumstances and relevant background context behind the request. If a leave of absence is granted, it is for the school to determine the length of the time the pupil can be away from school.

4. Variations Within Religious Communities

Levels of observance often differ within the same faith tradition. For example:

- Different denominations may observe different festivals.
- Families may follow varying cultural or regional practices.
- Some pupils within the same community may attend school even when others observe the day.

Therefore, schools **should not reject** a request simply because:

- other families of the same faith have not requested absence, or
- school staff are unfamiliar with the specific observance.

Instead, schools should seek clarification sensitively through:

- discussions with the parent,
- consultation with SACRE,
- reference to local faith leaders and calendars.
- reference to the religious body

5. Verification and Evidence

Where necessary, schools may ask parents to:

- provide written confirmation that they are members of the relevant religious community.
- describe the observance.
- indicate how the date is determined (e.g., moon-sighting)
- share information from their religious body or community group.

Schools may also:

- contact Leicestershire SACRE for advice.
- consult the SACRE website/calendar (where available)

6. Attendance Procedures and School Responsibilities

6.1 Record-Keeping.

Schools must:

- use the correct attendance code for religious observance.
- maintain accurate daily registers.
- follow DfE-required processes for monitoring and improving attendance.

6.2 Communication with Families

Schools may:

- request advance notice of expected observance days.
- issue annual reminders to all parents.
- provide information in multiple languages where appropriate.

6.3 Planning School Events

To avoid indirect discrimination under the Equality Act 2010, schools should **avoid scheduling key events** (parents' evenings, productions, important assessments) on major religious holy days where reasonably possible.

7. Provision for Religious Practice in School

Some pupils may require opportunities for:

- daily prayers
- ritual washing
- quiet reflection
- observance during significant periods (e.g., Ramadan)

Where feasible, schools may provide:

- designated prayer spaces
- appropriate adjoining washing facilities
- supervision arrangements

Schools seeking guidance on this provision may contact Leicestershire SACRE.

8. Decision-Making and Duration of Leave under exceptional circumstances

If the headteacher authorises the observance as exceptional:

- the **length of authorised absence** as exceptional is at the headteacher's discretion.
- absence should be restricted to the minimum necessary for observance.
- parents should discuss how missed work will be caught up.

If the headteacher declines the request:

- the absence must be recorded as **unauthorised**.
- the school should explain the decision clearly to parents.
- **when responding to the parental requests, clearly explain your reasoning not to authorise the absence. Decisions should be made on a case-by-case basis and demonstrate a robust decision-making process.**
- **The LCC Attendance Team will look for clear evidence of this decision-making process before issuing any fine.**

9. Summary of Key Principles for Leicestershire Schools

- Authorise **absence as R only** when the day is exclusively set apart for religious observance.
- Do not authorise additional days before/after an observance day as R code.
- Consider additional days requested under exceptional circumstances as above.
- Require advance notice where reasonably possible.

- Do not assume uniformity of practice across a faith.
- Seek clarification sensitively through parents or SACRE.
- Avoid planning major events on significant holy days where reasonably possible.
- Support pupils' religious practice during the school day where appropriate.
- Apply DfE attendance guidance consistently and maintain accurate records.