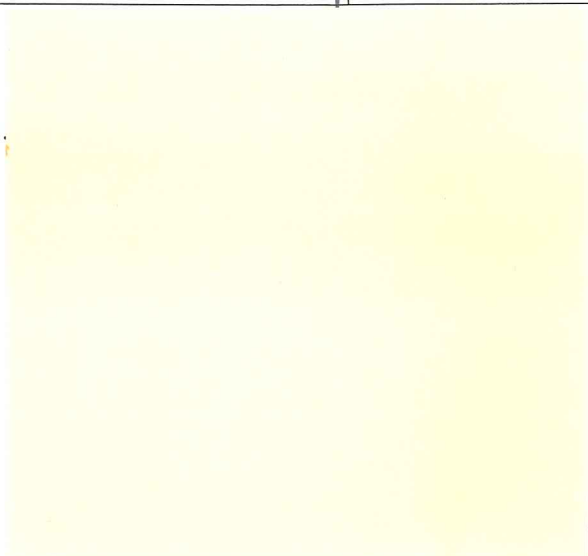


Record of officer decision

Decision title:	Decision to prosecute
Date of decision:	28/08/18 17/9/2018
Decision maker:	Director of economy, communities and corporate
Authority for delegated decision:	The chief executive's scheme of delegation
Ward:	Leominster south
Consultation:	Legal Services - In accordance with s.222 of the Local Government Act 1972 we consider a prosecution is both appropriate and reasonable in this matter for the promotion or protection of the interests of the people of the County of Herefordshire which is also in accordance with the Herefordshire Council's Enforcement and Prosecution Policy.
Decision made:	To prosecute 2 defendants (Parents) for failing to secure attendance of a compulsory school age registered child between 20 th April and 11 th May 2018 contrary to S444(1) of the Education Act 1996 using the Single Justice Procedure
Reasons for decision:	<p>The defendants took their child a year 2 pupil, out of school for a school holiday in April/ May 2018. The child's school attendance as of end of May was 88%.</p> <p>The defendants did not make a written request to the school to request the leave for the holiday. The defendants admitted they were aware that the holiday would be unauthorised from other parents and expected to be fined.</p> <p>The child was absent from school on the stated dates.</p> <p>In January 2017 the defendants received warning letters for an unauthorised absence and also received fixed penalty notices in April 2017 for an unauthorised absence which they paid.</p> <p>In accordance with the councils Prosecution and Enforcement Policy the evidence test is met as the evidence is Sufficient, Admissible and Reliable and it is in the Public Interest to prosecute because</p> <ol style="list-style-type: none"> 1. If this matter is not prosecuted there are grounds for believing that the alleged offence is likely to be repeated 2. A prosecution would have a significant positive impact on maintaining community confidence. 3. There are no known extenuating circumstances in respect of this matter such as illness, transportation issues or absence for religious observance etc.
Highlight any associated risks/finance/legal/equality considerations:	
Details of any alternative options considered and rejected:	

Details of any declarations of interest made:	

Signed.



te: 17/9/2018