

Record of officer decision

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| Decision title: | Decision to Prosecute Two Parents for Failing to Secure Regular Attendance of Their Children At School |
| Date of decision: | 07.03.2019 |
| Decision maker: | Acting Assistant Director for Regulatory, Environment and Waste Services |
| Authority for delegated decision: | Economy and Place Scheme of Delegation – Item 64 |
| Ward: | Ross North |
| Consultation: | Legal Services: In accordance with S222 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 for failing to secure the attendance of two compulsory school age registered child between 11th and 18th September 2018 contrary to S444(1) of the Education Act 1996 using the Single Justice Procedure |
| Reasons for decision: | <p>The defendants contacted school to say their 2 children would be absent for school as they had a funeral in Ireland. Both children were absent between 11th and 18th September 2018 a total of 12 sessions. The school became aware that they were in Greece on holiday. The school unauthorized the absence. The children's attendance rate was 88.28% and 90.63%.</p> <p>The defendants were issued with penalty notices but failed to pay. A letter was sent to the defendants asking for reasons for absence but no reply was received</p> <p>Evidence test is met via the statements, and the school attendance register</p> <p>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 continue 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: | none |
| Details of any alternative options considered and rejected: | None |
| Details of any declarations of interest made: | none |

Signed..

..... Date: 07.03.2019