

Record of officer decision

Decision title:	Decision to prosecute two parents for failing to secure regular attendance of their child at school.
Date of decision:	04/10/19
Decision maker:	Acting Assistant Directorate for Regulatory, Environment and Waste Services
Authority for delegated decision:	Economy and Place Scheme of Delegation – Item 64
Ward:	Leominster south
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 a compulsory school age registered child between 4 th February 2019 and 2 nd April 2019, contrary to S444(1) of the Education Act 1996 using the Single Justice Procedure
Reasons for decision:	<p>The defendant's child attendance in 2017 /18 was 72.63% with 85 unauthorised absences in the school year 2018/19. By 11 April 2019 there were 104 unauthorised absences (52.2%). The child has been supported by the school .The defendants have stated that it is medical but no evidence of this has been provided.</p> <p>The child is on a child protection plan.</p> <p>Evidence test is met via the statements, and the school attendance register. 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

Signe

Date:

04/10/19