

### Record of officer decision

<b>Decision title:</b>	Decision to prosecute 1 defendant regarding failing to secure regular attendance of a child
<b>Date of decision:</b>	14 NOV 2019
<b>Decision maker:</b>	Acting Assistant Directorate for Regulatory, Environment and Waste Services
<b>Authority for delegated decision:</b>	Economy and Place Scheme of Delegation item 64
<b>Ward:</b>	Tupsley
<b>Consultation:</b>	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.
<b>Decision made:</b>	To prosecute 1 defendant for failing to secure the attendance of a compulsory school age registered child between 8 <sup>th</sup> May 2019 and 15 <sup>th</sup> May 2019 contrary to S444(1) of the Education Act 1996 using the Single Justice Procedure.
<b>Reasons for decision:</b>	<p>On 7<sup>th</sup> May defendant contacted school to say had booked late holiday from 8<sup>th</sup> May to 15<sup>th</sup> May. School replied on 8<sup>th</sup> May stating holiday would be unauthorized. Child was away for 12 sessions. With an attendance rate of 95.65%. A fixed penalty notice was issued but was not paid. Officers wrote to defendant for an explanation but no reply was received.</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"> <li>1. If this matter is not prosecuted there are grounds for believing that the alleged offence is likely to continue</li> <li>2. A prosecution would have a significant positive impact on maintaining community confidence.</li> <li>3. There are no known extenuating circumstances in respect of this matter such as illness, transportation issues or absence for religious observance etc.</li> </ol>
<b>Highlight any associated risks/finance/legal/equality considerations:</b>	None
<b>Details of any alternative options considered and rejected:</b>	None
<b>Details of any declarations of interest made:</b>	None

Signed:



Date:

14 / 11 / 19