

Record of officer decision

Decision title:	Decision to prosecute 2 defendants for failing to ensure regular attendance of 1 child at school
Date of decision:	9/1/20
Decision maker:	Acting Assistant Directorate for Regulatory, Environment and Waste Services
Authority for delegated decision:	Economy and Place Scheme of Delegation item 64
Ward:	Tupsley
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 from 1 st July and 9 th July 2019 contrary to S444(1) of the Education Act 1996 using the Single Justice Procedure
Reasons for decision:	<p>The defendant's child was absent from school between 1st July and 9th July 2019. The child had mentioned that he was going on a holiday. The parents did not contact school in regard to the absence. The school emailed the parents but did not receive and made a home visit but no reply was received until the following week. The child had already been absence for a holiday earlier in the academic year. The child's attendance was at 86.84% at the end of the school year. A letter was subsequently sent asking questions about the absences to which they replied but there was no exceptional circumstances. 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

Signed:



Date:

9/1/20