

### Record of officer decision

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| <b>Decision title:</b>   | Decision to prosecute 1 defendant for failing to ensure regular attendance of 1 child at school   |
| <b>Date of decision:</b>   | 3/1/20  |
| <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>   | Golden Valley North   |
| <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 from 4 <sup>th</sup> February and 18 <sup>th</sup> July 2019 contrary to S444(1) of the Education Act 1996 using the Single Justice Procedure   |
| <b>Reasons for decision:</b>   | <p>At the end of the school year in July 2019 the child's attendance was 30.9% In September 2018 the defendant contacted school to say child was refusing to attend school as the term progressed further absences were recorded. In December the school made contact with the defendant. The defendant stated the absences were due to issues with the peer group. The school advised there are strategies that could be put in place such as forms groups seating plans and time out. The school asked for the defendant to come into school with the child and discuss the issues, she did not. Home visits where made stating child wanted to change schools. Then defendant changed to home schooling but never formally wrote to school nor contacted the home education officer. Further absences continued. A family support worker was involved trying to get the child into school and also advised about home schooling and need to write to school to confirm this. Fixed penalty notice was issued but not paid. Defendant was invited into interview but did not attend. 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"> <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: 3 JAN 2020