



Rutland County Council

Rutland County Council Inclusion Service Enforcement Procedure

Prosecutions for School attendance must maintain public confidence. Rutland County Council will therefore ensure that decisions to prosecute are defensible, proportionate and within the public interest. Rutland County Council as the prosecutor acting on behalf of schools has an obligation to act in the interests of justice and not for the sole purpose of obtaining a conviction.

Enforcement for school attendance should be used as a tool to aid improvement in school attendance and not as a means to punish parents or children and should be applied justly and with fairness. Enforcement action is the last result, where other supportive interventions have not led to an improvement in attendance or where these interventions have not been appropriate.

Rutland county council's communication to young people and their parents/carers, will be clear and concise and follow best practise.

An education supervision order will be considered in all cases to determine if this would cause a successful outcome.

Where there is evidence sufficient to prove that a parent or carer has failed to secure the regular attendance of the child at the school where they are a registered pupil, either knowingly or otherwise, then Rutland CC will consider the following factors when deciding to refer the case to legal services for consideration of prosecution:

The Previous History of poor attendance and/or prosecutions

Any cooperation and engagement from parents

The child's overall attendance at school, is the absence in question isolated?

Any reasonable excuse for the absence, considering medical evidence and support in place

Failure to secure improvement of attendance by every other method

Level of attendance and time period for absences

Where a parenting order is appropriate and would be beneficial

Impact of the absence on the child and/or any siblings

Impact of the absence on the school

Any other relevant factors

Factors for considering whether a penalty notice is a suitable alternative to prosecution

No previous concerns regarding attendance

Short absence taken

No repeat absences

Belief that a Penalty Notice will be effective

Where it would not be in the public interest to prosecute for any other reason

Any other relevant factors

These will be issued as an alternative to a prosecution where there is sufficient evidence to prosecute but it is not in the public interest to do so.

Where penalty notices have been issued, payment must be received in full within the timescales specified on the notice for liability for the offence to be discharged.