




Attendance Policy and Procedures

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| Purpose: | Montessori Noosa is committed to providing a safe and supportive learning environment for all students. Research shows that regular attendance is integral to successful educational outcomes. Accordingly, it is important that students, staff, and parents/carers have a shared understanding of the importance of regular student attendance. |
| Scope: | Procedure for managing student absences and enforcing parents' obligations to ensure children are enrolled and attend school on every school day or participate full-time in their eligible option. |

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| Authorised by: | Elizabeth Goor Board Chair | Signature: |  |
| Policy Owner: | School Governing Body (Education for Generations Ltd) | | |

| | |
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| References: | <ul style="list-style-type: none"> • Child Protection Act 1999 (Qld) • Education (Accreditation of Non-State Schools) Act 2017 (Qld) • Education (General Provisions) Act 2006 (Qld), Chapter 9, Parts 1, 3, 4 and Chapter 10, Parts 1-5; Section 426 • Education (General Provisions) Regulation 2017 (Qld), Part 4 • Family Responsibilities Commission Act 2008 (legislation.qld.gov.au) • Further Education and Training Act 2014 (Qld) • Human Rights Act 2019 (Qld) • Information Privacy Act 2009 (Qld) • National Vocational Education and Training Regulator Act 2011 (Cwlth) • Right to Information Act 2009 (Qld) • Tertiary Education Quality and Standards Agency Act 2011 (Cwlth) |
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Overview of obligations

- Each parent or caregiver of a child who is of compulsory school age has the legal obligation to ensure their child is enrolled and attends a school, on every school day for the educational program in which the child is enrolled, unless the parent has a *reasonable excuse*.
- A child must be enrolled in and attend school when they turn the compulsory school age (six years and six months).

- Each parent of a young person in the compulsory participation phase has the legal obligation to ensure that the young person is participating full-time in an eligible option, unless the parent has a *reasonable excuse*.
- Parents/carers may be prosecuted if they do not fulfil their legal obligations regarding enrolment and attendance of their child at school, or participation in an eligible option. The Principal may refer a case to the Queensland Police Service to consider prosecution.
- However, there are a range of circumstances where the legal obligations of parents do not apply. From time to time a student may be absent from their educational program. Parents comply with their compulsory schooling or compulsory participation obligation by providing a *reasonable excuse* for these absences, unless the student is an adult or it is not appropriate to contact the student's parents, in which case an explanation should be sought directly from the student. Parents/carers should provide a reason for a child's absence before or on the day of the absence, or as soon as practicable.
- Early identification of students whose attendance is not regular is crucial to minimising student absences. Schools must notify parents of an unexplained absence of their child as soon as practicable on the day of the student's absence, with continued follow up as practicable with parents.
- There is no legal obligation for parents/carers regarding attendance where a student is not yet of compulsory schooling age, and accordingly, the prosecution process does not apply in this circumstance. However, it is expected that if these students are enrolled in school, they will attend full-time. Where there are attendance issues with enrolled students who are below compulsory schooling age, schools must emphasise the importance of attending every school day through discussions with parents.

Responsibilities

Parent/carers Responsibilities

- Ensure that their child attends school on every school day for the program in which they are enrolled.
- Provide a satisfactory explanation for all absences, that is, any time during which a student is not attending or participating in their educational program.
- Inform the school where possible prior to any planned absence either by phone or email. If it is an unplanned absence, parents must provide the reason by 9:00am on the day of absence.
- Contact the Principal if a student is refusing to attend school, then initiate or attend meetings to seek support and discuss their child's attendance or participation in their educational program.
- If a child is required to leave the school early, the child's parent must register at the School Office prior to collecting their child.
- Advise the school of any change of address or phone numbers to ensure school records are accurate. Up to date data is essential in an emergency.

Student Responsibilities

- Under the [Education \(General Provisions\) Act 2006 \(Qld\)](#), students must attend school each day. They must be on time and have all necessary equipment.
- Never leave school during school hours without permission from parents/carers or the school and without obtaining an appropriate authorisation from the Office and parents/carers written consent.
- Ensure all missed schoolwork is completed.

School Responsibilities:

- Regularly inform students, staff, and parents/carers about the Montessori Noosa Attendance Policy and Procedure (including the Policy and Procedures for late arrival and early departure) and make this available through the school's website and newsletters.
- Monitor student attendance daily through marking the roll twice daily. Ensure attendance records are maintained.
- Notify parents/carers of any unexplained absence, requesting a satisfactory explanation for their child's absence each day of absence.
- Discuss individual attendance with families and offer support and help to parents and students when school attendance has become a problem.
- Notify the relevant authorities if unexplained non-attendance persists.

Monitoring Attendance Process

At Montessori Noosa, student absence and lateness are taken seriously, as it may lead to unsatisfactory educational as well as social and emotional outcomes for students.

If students are absent from school at any time, parents/carers should advise the school by 9.00am and provide a satisfactory explanation for the absence. This can be done by:

- Montessori School app – Absentee Form
- Email – admin@montessorinoosa.qld.edu.au
- Text message – 0487 891 638

The school will maintain attendance records and monitor attendance of enrolled students through implementing the following procedures:

- Students are required to be at school by 8.30 am to ensure they can get to class in time
- Students continually late to class will be referred to the Principal
- Class rolls will be marked by staff at the beginning of each day and again after lunch

Lateness

Parents are to accompany students who arrive late to school (after class has commenced) to register at the School Office.

Students Presenting to Office for First Aid

If a student has been sent to the School Office, they have been deemed too unwell to remain in class. If necessary, a parent/carer will be contacted to collect their child. Parents/carers are asked to collect their children promptly. If parents are not contactable, the Emergency Contact person will be called.

In the case of minor injury, the injury will be addressed promptly, and the student will return to class.

The sick-bay is for short term assistance and acts as a first aid station only. Students who are ill need to be cared for at home.

Responses to Absences

Absences for which a satisfactory reason or *reasonable excuse* has been provided are considered explained absences, and the student's enrolment is viewed as continuous.

An absence for which a satisfactory reason has NOT been provided is considered an unexplained absence. Below are guidelines for determining whether excuses for student absences are considered *reasonable excuses*, pursuant to s176(1) of the [Education \(General Provisions\) Act 2006 \(Qld\)](#) which states that each parent or carer of a child who is of compulsory school age must ensure that the child is enrolled and attends school on every school day for the educational program in which the child is enrolled unless the parent or caregiver has a *reasonable excuse*.

A student who is participating in one of the following activities must be recorded as not physically present at the school site but will not be recorded as absent for the purpose of report cards or school attendance data:

- 1) **School activity** – A student will not be considered absent when they are participating in an authorised activity for school purposes. Examples include students performing in school choirs, bands, or dance groups.
- 2) **Excursion** – A student will not be considered absent when they are participating in an excursion which occurs outside the school grounds and is conducted, organised and/or approved by the school. Excursions include part-day, full-day, or multi-day class visits to venues outside the school.
- 3) **Camp** - A student will not be considered absent when they are participating in a camp which occurs outside the school grounds and is conducted, organised and/or approved by the school.
- 4) **Natural Disaster** – A student will not be considered absent if they are unable to attend school due to an extreme weather event or other natural disaster. This code may be used whether the student is continuing with schoolwork while absent from school and may be used for full or part-day absences.

Reasonable Excuses

The following circumstances will be considered absences for which a *reasonable excuse* has been given:

- 1) **Illness** – It is reasonable that a child may be absent from school when they are genuinely too ill to attend. On any single day of absence a parent should provide the school with an explanation for the absence, in line with the school's agreed processes for notifying of student absence. This may take the form of a written explanation note/email or phone call. If the absence is more than 10 consecutive school days, an exemption is required. See below for how to apply for an exemption plus Appendix 1 for the application form.
- 2) **Infectious or contagious disease** – It is a reasonable excuse for a child to be absent from school if the child is, subject to a direction or order given about an infectious or contagious disease or condition.
- 3) **Medical or dental treatments or procedures** – In some circumstances, it may be reasonable for a student to be absent to attend a medical or dental appointment during school hours, however, parents are encouraged to make these appointments out of school hours if possible.
- 4) **Holiday** – Holidays during terms are actively discouraged. Parents should be encouraged to plan holidays during gazetted school holiday periods and student free days. If the absence is more than 10 consecutive school days, an exemption is required. See below for how to apply for an exemption plus Appendix 1 for the application form.
- 5) **Religious observance** - In some circumstances, it may be reasonable for a student to be absent to participate in a special religious observance. These absences should be documented through the provision of a written or verbal explanation from the parent.
- 6) **Suspension** – Suspension is a reasonable excuse for absence.
- 7) **Law of the Commonwealth** – It is a reasonable excuse for a child to be absent from school if a Law of the Commonwealth allows a child to carry on an activity other than attending school.
- 8) **Funeral** – Attendance at a funeral or to attend to sorry business or sorry meetings may be considered as a reasonable excuse for absence. Parents should be encouraged to ensure their child misses as little school as

possible. There may also be circumstances where a child feels unable to return to school. In such circumstances, the school will work with families to encourage them to have the child attend school to maintain a sense of normalcy. These situations will be handled with respect and sensitivity and will be underpinned by the interests of the child.

- 9) **Legal** – It is a reasonable excuse for a child to be absent from school where the child is required to attend court or fulfil other legal requirements.

Attendance Exemption

Any parent/carer wishing to apply for an exemption from attendance must complete the Montessori Noosa Application for Exemption - Attendance Form (see Appendix 1) and forward it to the Principal for approval.

Exemptions may be granted by the Principal for absences of between 10 and 110 school days in a year.

Unexplained Absences

The following circumstances will be considered absences for which there is NOT a reasonable excuse given:

- 1) **Unexplained absence** – When no explanation for a student absence has been offered to the school by the parent.
- 2) **Leisure activities** – Undertaking a leisure activity such as shopping, visiting friends and relatives, or fishing, is not considered a *reasonable excuse* for an absence from school.
- 3) **Any other reason for absence** – The Principal will use their professional judgement in determining whether other reasons given by the parent are reasonable explanations for a student's absence. If the reason given is not a reasonable excuse, the Principal should document the decision.

Procedures for Unexplained Absences

The School will contact parents/carers on any day of unexplained absence to determine the reason for absence.

If students are absent for any reason for 3 consecutive days, class teachers will make contact home and offer support and/or work from home options. The school will also request a medical certificate for absences greater than three (>3) days or more. This will occur on the day of the third absence. Administration will request parents/carers to complete an exemption form for absences greater than ten (>10) days.

Attendance Checks

Attendance checks will be conducted at Week 4 & 8 of each term. The families of students with an attendance percentage less than 90% will be contacted by the school to offer support.

If there is not a significant improvement in attendance, the Principal may commence processes associated with Enforcement of Compulsory Schooling and Compulsory Participation as outlined in Appendix 2: Managing Student Absences and enforcing enrolment and attendance.

Appendices

1. Montessori Noosa Application for Exemption - Attendance Form
2. Managing Student Absences and Enforcing Enrolment and Attendance[^]
3. Legislation relating to the management of student's absenteeism in Independent Schools[^]

[^]Fact Sheets Provided by ISQ (Independent School Queensland)

Application for Attendance Exemption



MONTESSORI NOOSA
EDUCATION FOR generations

Part A – to be completed by applicant

| Student Details | | |
|---|------------|---|
| Student Name | | |
| Student DOB | Year Level | |
| Parent/Carer 1 Details | | |
| Name | | |
| Address | | |
| Phone Number | | |
| Exemption Details | | |
| What dates is the exemption sought for? | Start: | End: |
| Total number of school days exemption sought for: | | |
| For what reason is the exemption sought? | | |
| Illness or hospitalisation for a prolonged period of time | [] | <i>Please attach any supporting evidence or comments separately</i> |
| Carer responsibilities | [] | |
| Mental health | [] | |
| Extended travel | [] | |
| Cultural or religious reasons | [] | |
| Family reasons | [] | |
| Other (please provide details separately) | | |
| Signatures | | |
| Signature of parent | | Date |
| Signature of student | | Date |
| <i>(If applicable)</i> | | |
| Additional Information | | |
| Once this form is submitted to the school, the Principal will decide and communicate it in writing to the applicant within 5 business days. | | |
| If required, additional information may be sought from the applicant and timeframes will be extended accordingly. This will be appropriately communicated to the applicant. | | |

Part B – to be completed by Principal

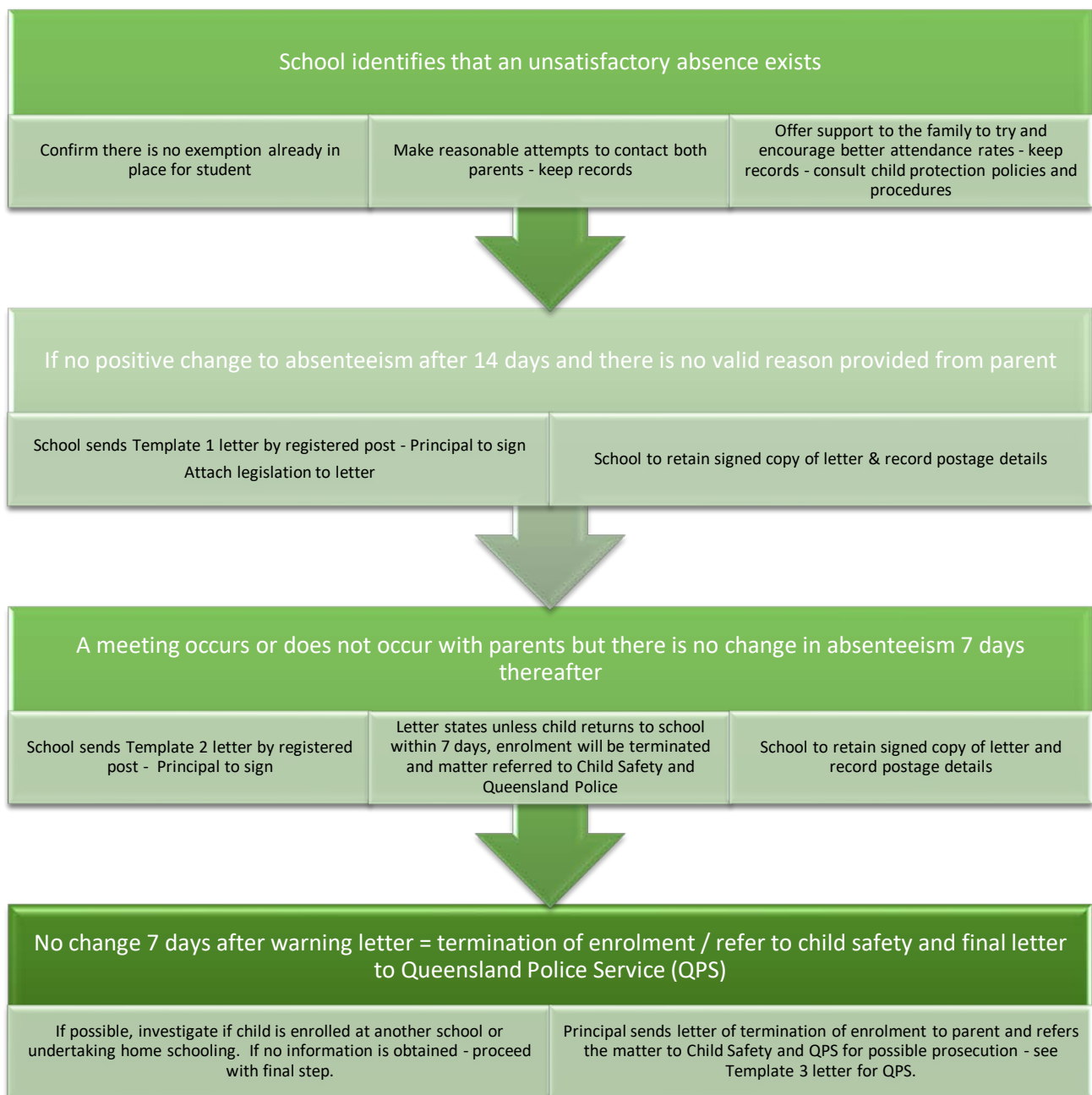
| Previous Exemption Details | | |
|--|------|---|
| I have previously granted the following exemptions for the applicant for this year : | | |
| 1. Start: | End: | Number of school days: |
| 2. Start: | End: | Number of school days: |
| 3. Start: | End: | Number of school days: |
| Total number of exemptions: | | Total number of school days student exempted: |
| <p><i>Note, if the period of the exemption that is the subject of this application would, if it were granted, cause the total period of exemptions granted for the student to be more than 110 school days in the current year, the Principal cannot make a decision regarding this application. Instead, an application must be made to the Office of Non-State Education at the Department of Education and Training on their approved form.</i></p> | | |
| Exemption Decision | | |
| <input type="checkbox"/> Granted I grant the exemption for this student as requested, to apply as follows: Start: _____ End: _____ | | |
| <input type="checkbox"/> *I grant the exemption for this student for a lesser period than what was requested, being: Start: _____ End: _____ | | |
| <input type="checkbox"/> *I grant the exemption for this student with the following conditions: | | |
| <input checked="" type="checkbox"/> <i>For students in the compulsory participation phase:</i> The exemption is: Full [] Partial [] If partial, the exempt FTE is [] <i>The exemption may apply until the end of the compulsory participation phase, or until an earlier time. Please ensure that you have indicated this clearly in the relevant section above.</i> | | |
| <input type="checkbox"/> Not granted *I do not grant the exemption for this student | | |
| Signature | | |
| Signature of Principal | | Date |

For exemptions granted as requested, sending a copy of this form to the applicant is sufficient. If the exemption is not granted, please use the appropriate template letter and send to the applicant.

Once complete, this form and any supporting evidence or comments must be kept on the student's file for at least 5 years and a copy sent to the applicant.

MANAGING STUDENT ABSENCES AND ENFORCING ENROLMENT AND ATTENDANCE

Processes for enforcing parental obligation that a child of compulsory school age or compulsory participation phase attends on every school day, for the educational program in which the child is enrolled



Contact Us

For further information or if you have any questions please contact
School Business Services Team P 07 3228 1515 E office@isq.qld.edu.au

TEMPLATE 1 - NOTICE – FAILURE TO ATTEND

COMPULSORY SCHOOL AGE – [Download Template](#)

COMPULSORY PARTICIPATION PHASE – [Download Template](#)

TEMPLATE 2 – WARNING NOTICE – FAILURE TO ATTEND

COMPULSORY SCHOOL AGE – [Download Template](#)

COMPULSORY PARTICIPATION PHASE – [Download Template](#)

TEMPLATE 3 – REFERRAL NOTICE TO QUEENSLAND POLICE SERVICE

COMPULSORY SCHOOL AGE – [Download Template](#)

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LEGISLATION RELATING TO THE MANAGEMENT OF STUDENT ABSENTEEISM IN INDEPENDENT SCHOOLS:-

Definitions

Meaning of parent (from *Education (General Provisions) Act 2006* s10)

- (1) A parent, of a child, is any of the following persons—
 - (a) the child's mother;
 - (b) the child's father;
 - (c) a person who exercises parental responsibility for the child.
- (2) However, a person standing in the place of a parent of a child on a temporary basis is not a parent of the child.
- (3) A parent of an Aboriginal child includes a person who, under Aboriginal tradition, is regarded as a parent of the child.
- (4) A parent of a Torres Strait Islander child includes a person who, under Island custom, is regarded as a parent of the child.
- (5) Despite subsections (1), (3) and (4), if—
 - (a) a person is granted guardianship of a child under the *Child Protection Act 1999*; or
 - (b) a person otherwise exercises parental responsibility for a child under a decision or order of a federal court or a court of a State;

then a reference in this Act to a parent of a child is a reference only to a person mentioned in paragraph (a) or (b).

Meaning of compulsory school age (from *Education (General Provisions) Act 2006* s9)

- (1) A child is of compulsory school age if the child is at least 6 years and 6 months, and less than 16 years.
- (2) However, a child is no longer of compulsory school age if the child has completed year 10.

Meaning of compulsory participation phase (from *Education (General Provisions) Act 2006* s231)

A young person's compulsory participation phase starts when s/he stops being of compulsory school age (i.e. turns 16 or completes Year 10 whichever comes first) and ends when the person:

- gains a Certificate of Achievement, Senior Statement, Certificate III or Certificate IV or
- has participated in eligible options for 2 years after the person stopped being of compulsory school age or
- turns 17.

Meaning of an eligible option (from *Education (General Provisions) Act 2006* s232)

An eligible option is a recognised education or training program or course, offered by a recognised provider, which will enable a young person to gain a Certificate of Achievement, Senior Statement and/or a Certificate III or IV. Eligible options and providers are listed in the following table:

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| Eligible Option | Provider |
|---|--|
| An educational program provided under the <i>Education (General Provisions) Act 2006 (Qld)</i> | a State school |
| An educational program provided under the <i>Education (Accreditation of Non-State Schools) Act 2001 (Qld)</i> | a non-State school |
| A course of study under the <i>Tertiary Education Quality and Standards Agency Act 2011 (Cwlth)</i> | a registered higher education provider |
| A VET course under the <i>National Vocational Education and Training Regulator Act 2011 (Cwlth)</i> | a registered training organisation |
| An apprenticeship or traineeship under the <i>Further Education and Training Act 2014 (Qld)</i> | a registered training organisation |
| A departmental employment skills development program under the <i>Further Education and Training Act 2014 (Qld)</i> | the chief executive administering the <i>Further Education and Training Act 2014</i> |

Exemptions and exceptions

For exemptions and exceptions from compliance with the compulsory schooling requirement, see Chapter 9 part 3 and part 4 of the *Education (General Provisions) Act 2006*.

Extracts from Education (General Provisions) Act 2006

Chapter 9 Compulsory schooling

Part 1 Compulsory schooling requirement

Division 1 Parents' obligations

176 Obligation of each parent

- (1) Each parent of a child who is of compulsory school age must—
 - (a) ensure the child is enrolled at a State school or non-State school; and
 - (b) ensure the child attends the State school or non-State school, on every school day, for the educational program in which the child is enrolled; unless the parent has a reasonable excuse.
 Maximum penalty—
 - (a) for a first offence—6 penalty units; or
 - (b) for a second or subsequent offence, whether or not relating to the same child of the parent—12 penalty units.
- (2) Without limiting subsection (1), it is a reasonable excuse for a parent (the relevant parent) that—
 - (a) the child lives with another parent and the relevant parent believes, on reasonable grounds, that the other parent is complying with subsection (1); or
 - (b) in all the circumstances, the relevant parent is not reasonably able to control the child's behaviour to the extent necessary to comply with subsection (1).
- (3) Subsection (1) applies subject to parts 2 to 4.

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177 What is attendance

- (1) A child attends a State school or non-State school only if the child complies with the school's requirements about physically attending, at particular times, its premises or another place.
- (2) However, despite subsection (1)—
 - (a) a child enrolled in a program of distance education is taken to attend the school of distance education offering the program by completing and returning the assigned work for the program; and
 - (b) a child enrolled in an external program is taken to attend the State school or non-State school offering the program by complying with its requirements about communicating with or contacting the school for the purpose of participating in the program.

178 Notice to, and meeting with, parent

- (1) This section applies if an authorised officer reasonably suspects—
 - (a) a child who is of compulsory school age—
 - (i) is not enrolled at a State school or non-State school; or
 - (ii) is not attending the State school or non-State school at which the child is enrolled, on every school day, for the educational program in which the child is enrolled; and
 - (b) parts 2 to 4 do not apply to the child.
- (2) The officer may give a parent of the child a notice in the approved form about the parent's obligation under section 176(1).
- (3) The officer may also meet with the parent to discuss the obligation.
- (4) If, despite the officer taking reasonable steps to meet with the parent under subsection (3), no meeting is held, the officer may give the parent a warning notice in the approved form.
- (5) For the Police Powers and Responsibilities Act 2000, section 16, an authorised officer acting under this section is a public official performing a function authorised by this Act.
- (6) In this section— authorised officer means the chief executive or an officer of the department authorised by the chief executive for this section.

179 Limits on proceedings against a parent

- (1) Proceedings for an offence against section 176(1) may be brought against a parent—
 - (a) by the chief executive or with the chief executive's consent; and
 - (b) only if the time when the parent is alleged to have committed the offence is after—
 - (i) the parent has been given a notice under section 178(2); and
 - (ii) at least 1 meeting has been held with the parent under section 178(3) or the parent has been given a warning notice under section 178(4).

Note— Under section 432, the chief executive may delegate the chief executive's functions under this section to an appropriately qualified officer of the department.

- (2) The chief executive (child safety) is not liable to be prosecuted for an offence against section 176(1).

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Chapter 10 Compulsory participation in education or training

Part 2 Participation in a program or course

234 What is participation

- (1) A young person is participating in an eligible option only if the person is—
 - (a) enrolled with the provider in the relevant program or course; and
 - (b) complying with the provider's attendance requirements for the program or course.
- (2) The provider's attendance requirements for a program or course are the requirements about physically attending, at particular times, the provider's premises or another place.
- (3) However, despite subsection (2)—
 - (a) the provider's attendance requirements for a program of distance education are to complete and return the assigned work for the program; and
 - (b) the provider's attendance requirements for an external program are its requirements about communicating with or contacting the provider for the purpose of participating in the program or course.

235 Full-time participation

A reference to full-time participation in an eligible option—

- (a) is a reference to participation in an eligible option at a level that is full-time under the requirements of the option; and
- (b) includes part-time participation in 2 or more eligible options to an extent that is at least equivalent to full-time participation in 1 option.

Example for paragraph (b)—

A young person is participating part-time in an educational program at a State school or non-State school (the *school program*) and part-time in a course of vocational education and training at a TAFE institute or statutory TAFE institute (the *VET course*).

The levels of the young person's participation are—

- 60% of full-time participation in the school program
- 40% of full-time participation in the VET course.

236 Allowed absence

A young person's participation in an eligible option is taken to continue during an absence allowed under the requirements of the option.

Example—

A person enrolled in an educational program at a State school is absent for a day because of illness.

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237 Suspension or exclusion

- (1) If a young person participating in an eligible option stops attending the provider because the person has been suspended from the provider, the person's participation in the option is taken to continue during the period of the suspension.
- (2) Subsection (1) does not apply to suspension from a State school under chapter 12, part 3, division 1 or 2 if the person has been placed in an educational program under section 286(2) or 291.

Note—

Section 234(1) and (3)(b) provide for how the person participates in the educational program.

- (3) If a young person participating in an eligible option stops attending the provider because the person has been excluded from the provider, the person is taken for this chapter to be continuing to participate in an eligible option, at the same level as before the exclusion, for the time reasonably required for the person to resume participation in an eligible option.

Part 3 Participation in an apprenticeship or traineeship

238 Participation in an apprenticeship or traineeship

- (1) This section applies to a young person who is an apprentice or trainee under the *Further Education and Training Act 2014*.
- (2) The person is taken to be participating full-time in an apprenticeship or traineeship under the *Further Education and Training Act 2014*.

Part 4 Parents' obligation

239 Obligation to ensure participation

- (1) Each parent of a young person in the compulsory participation phase must ensure the young person is participating full-time in an eligible option, unless the parent has a reasonable excuse.

Maximum penalty—

- (a) for a first offence—6 penalty units; or
 - (b) for a second or subsequent offence, whether or not relating to the same child of the parent—12 penalty units.
- (2) Without limiting subsection (1), it is a reasonable excuse for a parent (the relevant parent) that—
 - (a) the young person lives with another parent and the relevant parent believes, on reasonable grounds, the other parent is ensuring the young person participates full-time in an eligible option; or
 - (b) in all the circumstances, the relevant parent is not reasonably able to control the young person's behaviour to the extent necessary to ensure the young person participates full-time in an eligible option.

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240 Exceptions to obligation

- (1) Section 239(1) does not apply to the extent provided under an exemption in force under part 5.
- (2) Section 239(1) does not apply if the young person is in paid employment for at least 25 hours each week.
- (3) Section 239(1) does not apply if the young person is enrolled with an entity providing a non-departmental employment skills development program and attending the entity for the program.
- (4) Section 239(1) does not apply to the extent of any inconsistency with a law of the Commonwealth under which a young person in the compulsory participation phase may carry on an activity other than participating full-time in an eligible option.
- (5) Section 239(1) does not apply if the young person is provisionally registered, or registered, for home education under chapter 9, part 5.

241 Notice to, and meeting with, parent

- (1) This section applies if an authorised officer reasonably suspects a young person is in the compulsory participation phase and is not participating full-time in an eligible option.
- (2) The officer may give a parent of the young person a notice in the approved form about the parent's obligation under section 239(1).
- (3) The officer may also meet with the parent to discuss the obligation.
- (4) If, despite the officer taking reasonable steps to meet with the parent under subsection (3), no meeting is held, the officer may give the parent a warning notice in the approved form.
- (5) For the *Police Powers and Responsibilities Act 2000*, section 16 an authorised officer acting under this section is a public official performing a function authorised by this Act.
- (6) In this section—

authorised officer means the chief executive or an officer of the department authorised by the chief executive for this section.

242 Limits on proceedings against a parent

- (1) Proceedings for an offence against section 239(1) may be brought against a parent—
 - (a) by the chief executive or with the chief executive's consent; and
 - (b) only if the time when the parent is alleged to have committed the offence is after—
 - a. the parent has been given a notice under section 241(2); and
 - b. at least 1 meeting has been held with the parent under section 241(3) or the parent has been given a warning notice under section 241(4).

Note – Under section 432, the chief executive may delegate the chief executive's functions under this section to an appropriately qualified officer of the department.

The chief executive (child safety) is not liable to be prosecuted for an offence against section 239(1).

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