
**ANTI SOCIAL BEHAVIOUR ACT 2003
PARENTING CONTRACTS AND ORDERS**

**Responsible Cabinet Member(s) - Councillor Chris McEwan, Children's Services Portfolio
Responsible Director(s) - Margaret Asquith, Director of Children's Services**

Purpose of Report

1. The purpose of this report is to inform Cabinet members of the new measures available to Local Authorities to tackle poor behaviour by ensuring that parents fulfil their responsibilities in relation to the behaviour of their children. The provisions came into force on 27th February 2004 and are outlined in the Anti Social Behaviour Act 2003. A report was presented to Cabinet on 16th November 2004 to announce the introduction of Penalty notices to tackle poor attendance. This is the next stage of this process where the focus of the work will be around behaviour.

Information and Analysis

2. Parenting contracts and orders are intended to add to the range of strategies available for tackling poor behaviour in schools and to enable schools and Local Authorities to engage with parents effectively whether on a voluntary or compulsory basis.
3. This is being introduced in recognition that parenting is often a strong influence on a child's behaviour and that parents often need support in this area.
4. Parenting programmes help parents gain the skills and confidence they need and have proved successful in the area of youth crime with over 90% of participating parents saying that they would recommend it to other parents in their situation.
5. Parenting contracts are voluntary formal agreements between the parent, school, local authority to enable school/LA to address behaviour concerns at an early stage.
6. The parent agrees to comply with specified requirements and the local authority or governing body agrees to provide specified support (tailored to parents needs) to enable parent to comply.
7. No sanction for refusal to enter into contract or breach of contract's requirements, but if LA subsequently applies for a parenting order, refusal or breaches must be taken into account by the court.
8. Parenting orders are a court order, which compels a parent to attend parenting classes and to fulfil other requirements as determined necessary by the court for improving their child's

behaviour.

9. Parenting orders are already available following prosecution for non-attendance. Under the Anti-social Behaviour Act, they are available following a permanent exclusion or a second fixed term exclusion within 12 months.
10. Parenting orders are appropriate where pupil has been excluded for serious misbehaviour and where a parenting is considered a factor in the child's behaviour and parents are unwilling to engage.

Outcome of Consultation

11. Headteachers and Governing bodies have been consulted and agree on the principle of the introduction of parenting contracts and orders. Further consultation is needed to clarify the criteria of when parenting contracts and orders should be introduced to ensure a consistent approach is developed. The DfES are supporting and guiding in this area.

Legal Implications

12. This report has been considered by the Borough Solicitor for legal implications in accordance with the Council's approved procedures. There are no issues which the Borough Solicitor considers need to be brought to the specific attention of Members, other than those highlighted in the report.

Section 17 of the Crime and Disorder Act 1998

13. The contents of this report have been considered in the context of the requirements placed on the Council by Section 17 of the Crime and Disorder Act 1998, namely, the duty on the Council to exercise its functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. It is considered that the contents of this report will have such effect.

Council Policy Framework

14. The issues contained within this report do not represent change to Council policy or the Council's policy framework

Decision Deadline

15. For the purpose of the 'call-in' procedure this does not represent an urgent matter

Key Decisions

16. This constitutes a key decision as it affects all Wards.

Recommendation

17. It is recommended that:-

- (a) Members are requested to agree in principle that parenting contracts and orders be introduced in accordance with the guidance received as part of a wider package of behaviour support.
- (b) That officers be instructed to conduct further consultation with Head Teachers, and governors on the criteria on which a contract and parenting order would be made.
- (c) That officers map current parenting provision within the Borough and develop proposals for additional capacity if this is found to be insufficient.

Reasons

18. The recommendations are supported by the following reasons: -

- (a) To enable schools and the local authority address behaviour issues with parents, firstly on a voluntary basis, then if required, can compel parents to access appropriate support where they might otherwise be unwilling to engage.
- (b) To assist in reducing 'fixed term' exclusions and help to prevent permanent exclusion.
- (c) This will be a helpful addition to the Local authority and school toolkit for improving behaviour.

Margaret Asquith, Director of Children's Services

Background Papers

DfES Guidance on Education-Related Parenting Contracts, Parenting Orders and Penalty Notices

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