

WIGAN CHILDREN AND YOUNG PEOPLE'S SERVICES

PARENTING ORDERS IN CASES OF EXCLUSION FROM SCHOOL PROCEDURE

Parenting Orders

1 What is a Parenting Order?

- 1.1 A Parenting Order is a Court Order, which compels parents who have been unwilling or unable to engage on a voluntary basis to address their child's poor behaviour in school by providing support including parenting classes. A Parenting Order consists of two elements:
- ◆ A requirement for the parent to attend counselling or guidance sessions (e.g. parenting education or parenting support classes) where they will receive help and support to enable them to improve their child's behaviour. This is the core of the Parenting Order and can last for up to three months;
 - ◆ A requirement for the parent to comply with such requirements as specified in the Order. This element may last up to twelve months.

2 What is the purpose of a Parenting Order?

- 2.1 To enable the school/Local Authority to work to support parents in improving their child's behaviour/attendance.
- 2.2 To enable the school/Local Authority to address behaviour/attendance issues when other approaches have been tried and/or they are otherwise unwilling to engage.
- 2.3 To help prevent a permanent exclusion, enable the child to remain in their current school and reduce the need and cost of a placement in alternative provision.

3 Why have Parenting Orders been introduced?

- 3.1 Increasing research indicates that parents often exert strong influences on their children's attitudes, behaviour and attendance.
- 3.2 In recognition that some parents experience difficulties in establishing appropriate behaviour and attendance strategies for their children, which consequently affects pupils' attitudes to school and their ability to access the curriculum.

- 3.3 Parenting programmes have been shown to help parents gain the specific skills they need in establishing more consistent approaches to behaviour management and attendance issues.
- 3.4 To reduce the potential for pupils with identified behaviour and attendance problems to become increasingly disaffected and minimise the chances that these pupils will either voluntarily withdraw from formal education, or experience a number of permanent exclusions from various schools.

4 Circumstances where a Parenting Order is not appropriate

- 4.1 Wigan Local Authority would not consider a Parenting Order in the following circumstances:
- ◆ Where the unacceptable behaviour is due to an unmet SEN need;
 - ◆ Where the unacceptable behaviour is due to the child's registered disability.

5 Applications for a Parenting Order

- 5.1 The Local Authority is responsible for the application for a Parenting Order, but can do so at the request of a school.
- 5.2 If a school wishes to request that the Local Authority apply for a Parenting Order they should first complete the Request for Parenting Order Application Form attached as Appendix 3 of this procedure and return this to the Strategy Manager – Behaviour Support.
- 5.3 School must inform the parents before submitting an application and give them the opportunity to comment in writing as part of the application.
- 5.4 If a Parenting Order is being considered, the appropriate Local Authority officer will visit the parent and complete a formal parental assessment. The child will have full involvement in the process and their views will be sought. In consultation with their line manager, the officer will then decide if an application to the court is appropriate. If the application is considered appropriate, the relevant service will provide the court with a copy of the assessment and summary report.
- 5.5 Where other agencies are involved with the family there will be full consultation with all parties. If the pupil's behaviour includes criminal conduct or anti-social behaviour, the Youth Offending Service may provide the lead.
- 5.6 Exclusion case applications may only be made once any appeal process has been completed.

5.7 Applications are time limited as follows:

- ◆ Within 40 school days of the completion of an appeal;
- ◆ Within six months of signing a Parenting Contract if applicable.

6 Applicability of a Parenting Order

6.1 Parenting Orders can apply to registered pupils at the following establishments:

- ◆ Community, foundation or voluntary school, or community or foundation special school;
- ◆ Maintained nursery;
- ◆ City technology or other specialist college/high school;
- ◆ An Academy;
- ◆ Pupil Referral Unit.

7 Implementation of Parenting Orders

7.1 All Parenting Orders will have a named responsible officer who will supervise the Order but these officers may only *oversee* the case if another agency is delivering the intervention.

7.2 Parenting Order intervention may include the following:

- ◆ Requirement to attend a parenting guidance class for three months (once per week); and/or
- ◆ Requirement to comply with directions specified on the Order, for example, to take their child to school every day (for up to twelve months).

8 Cost implications of Parenting Orders

8.1 The costs associated with the requirements of Parenting Orders, including the costs of providing counselling or guidance shall be borne by the Local Authority.

9 Failure to comply with a Parenting Order

9.1 If an Order is breached, it is considered good practice for the responsible officer to contact the parent within one working day by visit, telephone or letter. Where unjustified reasons are given for the breach, a written warning will be issued and the officer will meet the parent to review the requirements of the Order. Where the parent has good reason for non-compliance with the

requirements of the Order, the officer may consider returning to court to apply for a variation of the Order.

9.2 On a second breach within a three month period, the parent will be summoned to return to court and the court may decide on the following courses of action:

- ◆ A fine up to £1,000;
- ◆ A Probation Order;
- ◆ A Curfew Order;
- ◆ A conditional or absolute discharge.

The Definition of a Parent

For the purposes of Parenting Orders, the following definitions (as set out in Section 576 of the Education Act 1996) will apply:

Parent

A parent is:

- ◆ Any natural parent, whether married or not;
- ◆ Any parent who, although they are not a natural parent, has parental responsibility (as defined in the Children Act 1989) for a child or young person;
- ◆ Any person who, although not a natural parent, has care of a child or young person. Having care of a child or young person means that a person with whom the child lives and who looks after the child, irrespective of what their relationship is with the child is considered to be a parent in education law;
- ◆ References to “parent” within the guidance mean each and every parent coming within this definition, whether acting jointly or separately.

Relevant Documents

Anti Social Behaviour Act 2003: Parenting Orders and Penalty Notices – DfES
Guidance 2004. Ref: DfES/0234/2004

Education Act 1996: definition of “parent”

Wigan Local Authority: Guidance on exclusions

**REQUEST TO WIGAN CHILDREN AND YOUNG PEOPLE'S SERVICES
TO CONSIDER AN APPLICATION TO THE COURTS FOR A
PARENTING ORDER**

Pupil name: _____ Date of birth: _____

School: _____ Year group: _____

Parent(s) name(s) and contact details:

School contact in relation to this request:

Name: _____

Position: _____

History of exclusion (*include dates and reasons*)

Summary of behaviour issues resulting in exclusions

Details of any outstanding appeals

Details of Parenting Contracts offered / signed / refused / breached

Record of additional support offered by school to address behaviour issues

Record of discussions that have taken place with parents and pupils regarding this application

School summary of why they believe application for an order is the only means by which the parents engagement in addressing their child's behaviour can be secured

Parents comments on the application (if received). These may be appended to the application