

Parenting Order – Fact Sheet

Parenting Orders are available upon application from the courts. Their purpose is to help engage parents who have been reluctant in addressing their child's school attendance or behaviour. The Crime and Disorder Act 1998 introduced parenting orders in cases of poor school attendance and the Anti Social Behaviour Act 2003 introduced them in respect of school exclusions.

What is a Parenting Order?

- An order granted by the courts, which requires the parent to attend counselling or guidance sessions to help with their parenting for a period of not more than 3 months.
- The Order can also include any other requirements that would help improve school attendance or behaviour. This element can last up to 12 months

Circumstances in which an order might be pursued

- In any case of a parental prosecution under Section 444 of the Education Act 1996, failure to secure regular attendance at school.
- When a pupil has been excluded from school for a second fixed term exclusion within a period of 12 months for serious misbehaviour and there is a lack of parental support. Serious misbehaviour would include serious assault (including sexual assault), significant damage to school property, major theft from an individual or school, supplying an illegal drug and carrying an offensive weapon. Bullying could on occasions constitute as serious misbehaviour.
- After a pupil has been permanently excluded from school.

Who can apply for a Parenting Order ?

- The local Education Authority is responsible for making an application for a parenting order. It can be made in respect on one or both parents.
- Parenting Orders for school exclusions will be made on behalf of the school by the Education Welfare Officer, who should be invited to re-admission interviews following a second exclusion for serious misbehaviour.
- All applications will be considered at the Education Welfare Services pre-court panels held every 4 weeks.

Responsible Officer

The order must specify a responsible officer for over seeing the order and ensuring that it is adhered to. The responsible officer will also arrange the guidance or counselling sessions and supervise any other requirements. The

Local Education Authority will normally appoint one of its own officers to be the Responsible Officer.

What if the parents do not comply with the order?

The Responsible Officer should be seeking to secure and maintain the parents co-operation and compliance to ensure the order is successfully completed.

If the parent's do breach the order the responsible officer should seek to contact the parents ASAP, to establish if their reason is an acceptable one. If the reason is not acceptable the parents should receive a written warning.

If the parent has good reason for the failure to comply with the requirements of the parenting order, it may be appropriate for the responsible officer to consider whether to apply to the court for the terms of the order to be varied.

In the event of more than one unacceptable failure to comply within a period of three months, the responsible officer should meet the parent to review the order. The responsible officer should consider whether the failure to comply should form the basis of a prosecution.

If the parent is convicted of breaching the order they may be liable to a fine of £1000.