



# Anti-social Behaviour Act 2003

## 2003 CHAPTER 38

### PART 3 **E+W**

#### PARENTAL RESPONSIBILITIES

##### *Truancy and <sup>F1</sup>misbehaviour at] school*

#### **19 Parenting contracts in cases of <sup>F1</sup>misbehaviour at] school or truancy **E+W****

(1) This section applies where a pupil has been excluded on disciplinary grounds from a relevant school for a fixed period or permanently.

<sup>F2</sup>(1A) This section also applies where a <sup>F3</sup>local authority] or the governing body of a relevant school have reason to believe that a child who is a registered pupil at a relevant school has engaged in behaviour connected with the school which—

- (a) has caused, or is likely to cause—
  - (i) significant disruption to the education of other pupils, or
  - (ii) significant detriment to the welfare of the child himself or of other pupils or to the health or safety of any staff, or
- (b) forms part of a pattern of behaviour which (if continued) will give rise to a risk of future exclusion from the school on disciplinary grounds.

(1B) For the purposes of subsection (1A) the child's behaviour is connected with the school to the extent that it consists of—

- (a) conduct at the school, or
- (b) conduct elsewhere in circumstances in which it would be reasonable for the school to regulate his conduct.]

(2) This section also applies where a child of compulsory school age has failed to attend regularly at —

- <sup>F4</sup>(a) a relevant school at which he is a registered pupil,

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- (b) any place at which education is provided for him in the circumstances mentioned in subsection (1) [<sup>F5</sup>or (1A)] of section 444ZA of the Education Act 1996, and
  - (c) any place at which he is required to attend in the circumstances mentioned in subsection [<sup>F6</sup>(1B) or] (2) of that section.]
- (3) A [<sup>F3</sup>local authority] or the governing body of a relevant school may enter into a parenting contract with a parent of the pupil or child.
- (4) A parenting contract is a document which contains—
- (a) a statement by the parent that he agrees to comply with such requirements as may be specified in the document for such period as may be so specified, and
  - (b) a statement by the [<sup>F3</sup>local authority] or governing body that it agrees to provide support to the parent for the purpose of complying with those requirements.
- (5) The requirements mentioned in subsection (4) may include (in particular) a requirement to attend a counselling or guidance programme.
- (6) The purpose of the requirements mentioned in subsection (4)—
- (a) in a case falling within subsection (1) [<sup>F7</sup>or (1A)], is to improve the behaviour of the pupil,
  - (b) in a case falling within subsection (2), is to ensure that the child attends regularly at the relevant school at which he is a registered pupil.
- (7) A parenting contract must be signed by the parent and signed on behalf of the [<sup>F3</sup>local authority] or governing body.
- (8) A parenting contract does not create any obligations in respect of whose breach any liability arises in contract or in tort.
- (9) [<sup>F3</sup>local authorities] and governing bodies of relevant schools must, in carrying out their functions in relation to parenting contracts, have regard to any guidance which is issued by the appropriate person from time to time for that purpose.

#### Textual Amendments

- F1** Words in s. 19 heading substituted (1.9.2007 for E., 31.10.2010 for W.) by [Education and Inspections Act 2006 \(c. 40\)](#), **ss. 97(4)**, 188(3); S.I. 2007/1801, art. 3(c); S.I. 2010/2543, art. 2(g)
- F2** S. 19(1A)(1B) inserted (1.9.2007 for E., 31.10.2010 for W.) by [Education and Inspections Act 2006 \(c. 40\)](#), **ss. 97(2)**, 188(3); S.I. 2007/1801, art. 3(c); S.I. 2010/2543, art. 2(g)
- F3** Words in ss. 19-21 substituted (5.5.2010) by [The Local Education Authorities and Children's Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\)](#), art. 1, **Sch. 2 para. 52**
- F4** S. 19(2)(a)-(c) substituted for words in (2) (1.9.2005 for E., 1.9.2006 for W.) by [Education Act 2005 \(c. 18\)](#), s. 125(4), **Sch. 18 para. 15** (with s. 119); S.I. 2005/2034, art. 4; S.I. 2006/1338, art. 3, Sch. 1
- F5** Words in s. 19(2)(b) inserted (1.9.2012) by [Education and Skills Act 2008 \(c. 25\)](#), s. 173(4), **Sch. 1 para. 80(a)**; S.I. 2012/2197, art. 2(d)
- F6** Words in s. 19(2)(c) inserted (1.9.2012) by [Education and Skills Act 2008 \(c. 25\)](#), s. 173(4), **Sch. 1 para. 80(b)**; S.I. 2012/2197, art. 2(d)
- F7** Words in s. 19(6) substituted (1.9.2007 for E., 31.10.2010 for W.) by [Education and Inspections Act 2006 \(c. 40\)](#), **ss. 97(3)**, 188(3); S.I. 2007/1801, art. 3(c); S.I. 2010/2543, art. 2(g)

#### Commencement Information

- I1** S. 19 in force at 27.2.2004 for E. by [S.I. 2003/3300](#), **art. 4(a)**

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**Changes to legislation:** There are currently no known outstanding effects for the Anti-social Behaviour Act 2003, Section 19. (See end of Document for details)

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**I2** S. 19 in force at 11.5.2006 for W. by [S.I. 2006/1278](#), **art. 2**

**Changes to legislation:**

There are currently no known outstanding effects for the Anti-social Behaviour Act 2003, Section 19.