

Investigating the use of Parental Responsibility Measures for School Attendance and Behaviour: Final Report

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This research report was written before the new UK Government took office on 11 May 2010. As a result the content may not reflect current Government policy and may make reference to the Department for Children, Schools and Families (DCSF) which has now been replaced by the Department for Education (DFE).

The views expressed in this report are the authors' and do not necessarily reflect those of the Department for Education

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EXECUTIVE SUMMARY

1. This report presents the findings from the research Investigating the Use of Parental Responsibility Measures for School Attendance and Behaviour. The study was undertaken by York Consulting LLP on behalf of the then Department for Children, Schools and Families (DCSF).
2. The overarching aims of the research were to:
 - review national patterns of usage of the four main parental responsibility measures (Parenting Contracts, Parenting Orders, Penalty Notices and Fast Track) and corresponding national patterns of attendance/exclusions across Local Authorities (LAs);
 - formulate a sense of LAs' experience of implementing the measures, including any issues (facilitators, barriers etc.) around their implementation;
 - examine in-depth the use of the measures in a selection of LAs and the impact of those measures on attendance and behaviour at a school level and across the LA; and
 - recommend how parental responsibility measures should be best applied in the future, in order to improve attendance and behaviour.

Context

3. The DfE currently supports four measures, introduced in February 2004 following the Anti-social Behaviour Act 2003, which were intended to encourage parents/carers¹ to engage with schools and LAs in addressing their children's² poor attendance and behaviour. These measures are:
 - Parenting Contracts (for attendance and behaviour) – are voluntary, written agreements between a parent and either a school or LA, and provides support to the parent;
 - Parenting Orders (for attendance and behaviour) – impose requirements on parents to attend parenting course/counselling for three months;
 - Penalty Notices (for attendance and behaviour) – are used as an alternative to court action against parents who fail to ensure their child's regular attendance. They can also be used for excluded children found in a public place; and
 - Fast Track to Attendance – is a non statutory time-focused attendance case management intervention, specifying clear actions for improvement. If a pupil's attendance continues to be an issue, prosecution procedures are initiated.

¹ Throughout this report "parent" refers to the parents or carer of a child

² Compulsory school age (5-16) and registered at a maintained school, academy or pupil referral unit

4. These measures provide a balanced package of support and sanctions to engage and promote parents' responsibility for addressing their children's poor attendance and/or behaviour in schools.
5. Local Authorities also have powers under Section 444 of the Education Act 1996 to prosecute parents if they fail to secure their children's regular school attendance.

Methodology

6. The research used a multi-method approach in order to capture implementation and effectiveness issues related to the use of the measures and provide an indication of the impact of their use on pupils and families.
7. The research involved the following key strands:
 - **Strand 1: National Data Analysis** – a statistical exploration and analysis of aggregate LA level data to find evidence of factors associated with LAs' use of the PRAB measures and association between use of the measures and outcomes on attendance and exclusions;
 - **Strand 2: Local Authority Survey** – a survey of all LAs to gather experiences and views on using the PRAB measures. In total 84 responses were received from 150 Local Authorities, representing a response rate of 56%; and
 - **Strand 3: Case study Research** – in-depth fieldwork in ten LAs involving schools, Attendance Service officers, and case-studies of 46 parents and 14 pupils who had been involved in one or more PRAB measure.

Usage of the PRAB Measures

8. The use of all Parental Responsibility for Attendance and Behaviour (PRAB) measures has increased nationally since 2004-05, the first year of data collection on use of the measures. Between 2004 and 2008³ all LAs used one or more of the PRAB measures and use increased by nearly four-fold from 21,225 in 2004-05, to 77,873 in 2007-08.
9. Between 2004 and 2008, Fast Track was the most commonly used PRAB measure, accounting for 45% of total usage of all measures in 2007-08. This was followed by Parenting Contracts for attendance, accounting for 27% of total usage of all measures in 2007-08. LAs were least likely to use Parenting Contracts for behaviour and Penalty Notices for behaviour, which accounted for less than 4% of total usage of all measures in 2007-08.
10. The data analysis also identified the following key findings:
 - between 2004/05 and 2007/08, there was a significant growth in LAs' use of Fast Track, Penalty Notices and Parenting Contracts for attendance; and

³ Data submitted by Local Authorities in England to DCSF

- the use of Parenting Contracts for behaviour has increased nationally since 2004/05, showing the greatest growth in usage of all PRAB measures. However, the use of Parenting Contracts for behaviour is still significantly lower than the use of Parenting Contracts for attendance, with nearly eight times more Parenting Contracts for attendance being issued in 2007/08.

LA Characteristics Influencing the Use of the PRAB Measures

11. The data analysis strand of the research aimed to identify LA variables and characteristics that could potentially influence, directly or indirectly, the use of PRAB measures. It was recognised from the outset that there are many factors that may influence the use of the measures. The data analysis explored whether there were potential links between, for example, eligibility for free school meals or rates of special educational needs (SEN) and use of the PRAB measures.
12. Statistical evidence from DfE data collections assists in understanding the potential relationship between the usage and growth in the PRAB measures at a LA level and particular LA characteristics. In terms of PRAB usage, the statistical evidence suggests that;
 - LAs with higher rates of secondary aged persistent absentees in 2007-08 were more likely to use Fast Track in 2007-08;
 - the greater the proportion of secondary pupils who are eligible for free school meals in a LA, the higher the usage of Fast Track and Penalty Notices for attendance; and
 - the higher the rate of fixed-term exclusions in 2006-07 in a LA, the greater the likelihood that a LA has used Penalty Notices for the presence of an excluded pupil in a public place during school hours.
13. In terms of the relationship between the growth in use of the PRAB measures over time and LA characteristics, the statistical evidence suggests that.
 - greater growth in the usage of Parenting Contracts for attendance in a LA between 2006-07 and 2007-08 was associated with authorities with higher percentages of pupils with SEN; and
 - greater growth in the usage of Fast Track in LAs between 2006-07 and 2007-08 was associated with LAs with higher rates of secondary pupils eligible for free school meals and lower rates of primary school persistent absenteeism in 2007-08:

14. The potential relationship between pupil eligibility for free school meals and the use of the PRAB measures was also evident through the case study research. Pupils from more than half (26) of the 46 case study families were eligible for free school meals. This compares to a national average of free school meal eligibility of 16% for primary and 13% for secondary⁴ (2007-08 data). Average free school meal eligibility across the ten case study authorities was 18% for primary and 15% for secondary⁵.

Early Intervention Strategies

15. A range of early intervention strategies were employed at both a LA and school level to address attendance and behavioural issues. Support was offered to parents and pupils, both prior to, and alongside, the use of the PRAB measures.
16. Early intervention strategies most frequently utilised by LA and school staff included: school-based interventions; Attendance/Behaviour Panels; the Common Assessment Framework (CAF); and targeting of specific pupil cohorts and other agency/service involvement. CAF in particular was seen as an effective preventative approach to addressing underlying issues of poor attendance and behaviour and in drawing in support from other agencies.

Models of Practice

17. Models of practice in the use of the PRAB measures were explored through the case study research. There was variability in how the PRAB measures were used and how their use was embedded within wider approaches to addressing attendance and behavioural issues, at both a LA and school level.
18. Case study authorities most commonly (seven out of the ten case study LAs) operated a centrally-based team structure to address attendance issues. In this approach officers are based within a central LA team with responsibility for a number of schools (e.g. secondary and feeder primaries). Other case study LAs operated school-based (two LAs), and locality-based team (one LA) models of delivery.
19. Only four of the ten case study LAs were using the behaviour measures (specifically Parenting Contracts). There were two models of delivery for operating the behaviour measures: individual-led or an integrated approach. In the individual-led model, a dedicated LA officer is responsible for promoting and raising awareness of the behaviour measures in schools (this was seen in three case study authorities). The school then implements the measure (Parenting Contracts) with support provided by the LA. In the integrated approach, the behaviour measures are promoted and managed through a multi-agency team and LA-wide Behaviour Panel (one case study authority). LA structures underpinning the use of the behaviour measures were generally less clearly defined than for attendance measures, reflecting their lower usage.

⁴ DCSF: Schools, Pupils and their Characteristics (January 2009)

⁵ DCSF: Schools, Pupils and their Characteristics (January 2009)

20. The case study research identified three overarching delivery models in the use of the attendance measures. Each delivery model provides a structured approach to the use of the attendance measures, but with varying triggers for their use and flexibility within each model. The three models identified were:
- **Prescriptive Delivery Model (Model A):** provides clearly structured processes for addressing attendance issues. There are well defined attendance and referral triggers for the use of the attendance measures, with definite timescales and actions to facilitate improvements in attendance;
 - **Discretionary Delivery Model (Model B):** there are some attendance triggers for the use of the PRAB measures, however there is greater flexibility in the timescales and triggers for their use and a greater focus on providing additional family support where required; and
 - **Holistic Delivery Model (Model C):** focused on early intervention, the priority within this model is to address underlying family issues that may lead to poor attendance. There is autonomy in the use of the attendance measures and decisions on use are taken within a wider understanding of individual family circumstances, particularly in relation to the use of more punitive or legal measures.
21. Most LAs either used the **Discretionary Model** (five out of the ten) or the **Prescriptive Model** (four of the ten), with one LA adopting a **Holistic Model**. In practice, case study LAs' approaches to the use of the attendance measures are not restricted within the parameters of these three delivery models. All had flexibility for professionals to take into account: the presence of underlying family issues; the level of parental and pupil engagement; staff capacity; the availability of resources; and the ages of pupils.
22. Case study authorities with a Prescriptive Delivery Model were more likely to consistently use the attendance measures at specific attendance triggers, points of intervention, or decision points. Whereas, case study authorities that operated a Discretionary or Holistic Model of delivery demonstrated much greater autonomy in use, based on professionals' understanding of individual family circumstances.

Barriers and Challenges in the Use of the PRAB Measures

23. At LA level, staff workload, resource issues, and access to appropriate support for families were identified as the main barriers to using the attendance and behaviour measures.

LA Level Barriers and Challenges

24. **The LA survey found that workload issues were the most significant barrier to the effective use of the PRAB measures; and with more than two-thirds of respondents (67%) indicating that this was a barrier to use.** This view was supported by the case study research which showed that staff capacity and resource issues were a significant barrier cited by officers in the
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use of the measures. Interviewees identified the challenges associated with efficiency savings and staff retention issues, resulting in increased caseloads, which limited officers' opportunities to undertake more preventative and issue-focused work.

25. Staff capacity and resource issues were also identified as the main barriers by case study interviewees, which were felt to significantly hinder the use of the behaviour measures. The case study research identified that there were often limited structures in place to support the use of the behaviour measures, with usage primarily directed by one officer at the LA. Although there were examples of school-led approaches helping to improve take-up and therefore building capacity in delivery, there were significant challenges in ensuring consistency of use and raising awareness of the behaviour measures across all schools within the case study LAs.
26. **Professionals' ability to access support for families and funding for that support was identified as a further key challenge in the effective use of the measures (both attendance and behaviour).** Over a third of survey respondents indicated that accessing appropriate support for families was a barrier to use of the PRAB measures. This was further supported through the case study research which found that delays in the development of local Parenting Strategies and the limited availability of parenting support in LAs was directly impacting on use of Parenting Contracts (for both attendance and behaviour). Attendance officers were also less likely to suggest the use of Parenting Orders to magistrates for this reason.
27. Other additional barriers were identified by the survey and case study research, but were not identified as overarching barriers across both research strands:
28. **A key barrier cited by interviewees across the case study authorities were concerns about court disposals.** Inconsistencies in disposals, namely low fines arising from prosecutions under Section 444.1/1a, were felt by attendance officers across all case study authorities to undermine the potential impacts of legal intervention. Additionally, the survey findings suggested that over a third (36%; 31/84) of survey respondents felt that **other measures for supporting attendance and behaviour were more effective.**

School-Level Barriers and Challenges

29. Specific barriers relating to the use of the PRAB measures at a school level were identified through the survey and case study research. These included: concerns about how use of the measures might impact on relationships with parents; limited awareness and confidence in the use of the measures amongst staff; and data inaccuracies (evidence regarding unauthorised absence).
30. **Concerns about the potential impact on relationships with parents were raised as an issue by more than two-fifths (45%) of survey respondents as a barrier to using PRAB measures.** This was reinforced through the case study research, which showed that some primary school staff were reluctant to engage in the use of the measures due to concerns about the implications for parent relations. This was particularly evident in the use of what were felt to be more punitive measures, such as Fast Track and Penalty Notices. Case study

interviewees felt that it was most likely to be an issue for higher performing schools and primary schools that had good relationships with parents.

31. **The survey data identified that school staff confidence (29%) and lack of staff training (27%) were felt to be barriers in the use of the PRAB measures.** The perception at a case study level was that ownership and leadership of the measures at LA level by attendance officers had impacted on school engagement in the use of the PRAB measures. Case study stakeholders suggested that this resulted in a lack of confidence and awareness of the measures, leading to poor school engagement and reluctance to use some of the PRAB measures.
32. **Data inaccuracies at a school level were identified by both survey and case study respondents as impacting negatively on the effective use of the attendance measures.** This was less of an issue for survey respondents with less than a fifth reporting that accurate data was a barrier. However, case study stakeholders reported that data inaccuracies hindered the ability of LAs to progress attendance cases to prosecution. Inaccuracies in registers, the impact of part-time timetables and pupils' involvement in alternative educational provision impacted on the ability of the attendance officers to collect accurate and sufficient evidence to support progression to prosecution. For example, the ability to issue Penalty Notices for attendance is reliant on Local Authorities being able to meet the criteria for issue, a process which is dependent on effective register completion. The existence of such inaccuracies was viewed by LA stakeholders as significantly hindering the ability of the LA to progress cases to prosecution.
33. **Difficulties faced by schools and LAs in the effective monitoring of the behaviour measures was identified through the case study research.** There was limited evidence through the case study research that LAs have established approaches to evaluate the impacts of the behaviour measures, above ad hoc or qualitative feedback obtained from the schools and staff members involved. Monitoring of use across schools was generally sporadic and viewed as a time consuming process.

Reasons for Non-usage of the Behaviour Measures

34. **The behaviour measures are the least commonly used of the PRAB measures.** National data showed that in 2007-08 over 60% (95) of LAs had not used Parenting Contracts for behaviour; and over nine-tenths (138) of LAs had not used Penalty Notices for behaviour and no LA had used a Parenting Order for behaviour since this measure was introduced in 2004. The survey and case study research therefore sought to explore reasons for non-usage of these measures.
35. **Parenting Orders for behaviour:** Lack of resources and funding constraints were identified as the main reason for non-usage of this measure by survey respondents with a third (28/84) indicating that this was the case. Lack of usage was also linked to uncertainty as to whether the measure would be a useful tool to address behaviour problems, with nearly a third of survey respondents (26/84) identifying this as a reason for non-usage. Other reasons for non-usage,

identified by survey respondents included: the existence of alternative strategies (29%; 25/84); the complexity and time taken to implement the measure (26%; 22/84); and a lack of appropriately trained staff at a school/LA level to deliver the measure (20%; 17/84).

36. **Penalty Notices for behaviour:** The key reasons identified by survey respondents for non-usage were similar to Parenting Orders for behaviour. A quarter of survey respondents (21/84) indicated that the measure was not used because of resource/funding constraints and uncertainty about the usefulness of the measure. Other reasons for non-usage included: a reluctance to use the measure before understanding the experience of other LAs (13%; 11/84); the complexity and time taken to implement the measure (13%; 11/84); and the existence of alternative strategies (12%; 10/84).

LA Plans for the Future Use of the Behaviour Measures

37. Only a small number of survey respondents said they planned to use Parenting Orders for behaviour in the near future, with just over one-tenth of respondents (9/81) indicating that they planned to use the measure in the next six months.
38. The case study research suggested that a lack of strategic direction by LAs was the predominant reason for non-usage, with limited evidence that LAs have considered the future use of Parenting Orders at a strategic level.
39. There was, however, evidence to suggest a potential increase in the use of Penalty Notices for behaviour, with over two-fifths of survey respondents indicating that they were planning to use this measure in the next six months.

Triggers and Criteria for Using the Measures

40. **Persistent absence was identified as the key trigger for the use of the attendance measures.** However, LAs used different attendance levels, ranging from 90% to below 80%, as triggers for using the attendance measures.
41. Triggers for the use of the attendance measures were directly linked to the overall delivery model established by LAs. Case study authorities that had established a prescriptive delivery model had specifically identified a process that encouraged the early identification of attendance issues. The level and type of intervention and the trigger point for the use of attendance measures was explicit and with little ambiguity in when attendance measures should be used. For example, this may involve a LA defining an attendance level at which the Fast Track process would begin for all pupils. There was much greater autonomy for officers in the triggers for the use of the attendance measures in the discretionary and holistic delivery model authorities.
42. **The main triggers for the behaviour measures were exclusion or those at risk of exclusion.** Although there was some evidence of triggers used, decisions on the use of behaviour measures were much more likely to be based on professionals' understanding of individual families and their judgement on the appropriateness of using the measures.

LAs' and Schools' Experience of the PRAB Measures

43. Findings from the LA survey and the case study research show that the attendance measures were felt to be most effective when used as a form of early intervention in addressing emerging problems of poor attendance or behaviour or when used at the primary school level.
44. The management and delivery processes established by LAs also directly influenced the overall effectiveness of the PRAB measures. Where the measures were deemed to be most effective, the following factors were present:
- **access to appropriate pre-intervention and early intervention support**, which were integral to addressing underlying reasons for poor attendance;
 - **strong ownership and commitment at a school level**, which were important in the early identification of attendance and behaviour issues, and ensuring that the use of the PRAB measures is a partnership approach between LAs and schools;
 - **availability of clear and concise guidance and information materials** for school staff on the measures, which were also viewed as central to effective implementation. Additionally, the role of LAs in raising awareness of guidance and the criteria for using the measures and disseminating good practice was critical;
 - **the nature of the intervention/process**: a time-focused process and procedures that were clear to parents, pupils, schools and LA staff ensured that cases did not drift;
 - **effective LA management**, through ongoing monitoring and evaluation and seeking alternatives for addressing embedded attendance issues;
 - **establishment of quality assurance or gate-keeping processes** by LAs, to support the use of the legal measures, for example using multi-agency panels to ratify decisions on legal intervention; and
 - **effective legal support and liaison with courts** through increasing the awareness of magistrates, strong LA legal support and the identification of dedicated Attendance Officers with responsibility for the use of the legal measures.
45. **The establishment of systems to support data collection and analysis** were viewed by survey respondents as being key areas of effective practice in the monitoring and evaluation of the measures.
46. **The support and engagement of parents were viewed by case study stakeholders as being central to the effective delivery of Parenting Contracts and Orders for attendance.** Even in circumstances where parents may not have engaged previously in support, it was felt that these measures could be helpful in establishing a relationship with parents, through formalising the process.

Impact of the PRAB Measures

47. The study drew on the DCSF statistical analysis of LA level data and the survey and case study research to identify the impact of the PRAB measures on improving attendance/persistent absence and on reducing exclusions. In particular, the impact assessment was informed by the individual case studies (with parents and pupils) conducted across the ten case study authorities. Interviews were undertaken with 46 parents and 14 pupils (representing 46 cases in total) who were involved in PRAB attendance or behaviour measures.
48. Analysis was undertaken to identify any statistical relationship between the use of the PRAB measures and the rate and change of absenteeism at LA level. The relationships found in the research are complex and interpretation is challenging when looking to ascertain the direction of causality or understand the reasons for the existence of the relationship. The findings presented therefore should be interpreted as evidence of association rather than causality.

Improving Attendance

49. The survey and the case study research suggest that the attendance measures, when used as part of a wider integrated LA approach to addressing irregular attendance and persistent absence, can be successful.

Parenting Contracts

50. **The impact of Parenting Contracts for attendance was found to be varied, but generally positive across Local Authorities.** More than three-quarters (76%) of survey respondents reported that they were 'very successful' or 'fairly successful' in improving attendance amongst pupils. The case study research also suggested that Parenting Contracts can contribute to addressing underlying issues for pupils' poor attendance and play a key role in raising parental awareness about pupils' attendance issues. In our case study families, 20 pupils were involved in Parenting Contracts. On average, pupil attendance three months prior to the issuing of a Parenting Contract was 48%. This increased to 78% three months after use.
51. **Parenting Contracts were perceived to have limited impact where parents were not willing to engage, or in addressing more entrenched or severe attendance issues.**

Penalty Notices

52. **Penalty Notices as an early intervention approach were associated in some circumstances with improving pupils' attendance in the short-term, but these positive impacts were more difficult to sustain over the longer-term.** Over three-quarters (79%) of survey respondents viewed Penalty Notices as being 'very successful' or 'fairly successful' in improving attendance. Analysis of attendance for the eight case study pupils whose parents received a Penalty Notice showed an increase from 56% three months prior to issue, to 67% three months after issue. However, in only two cases were impacts sustained more than three months after issue.

53. **Penalty Notices were less effective in circumstances where there were underlying family issues or where attendance issues were more entrenched.** In such cases, a Penalty Notice may boost attendance in the short term, but underlying issues at a pupil or family level are likely to directly impact on the ability for improvements in attendance to be maintained.
54. There was limited evidence from this research that Penalty Notices for unauthorised holiday are effective in discouraging families from taking holidays in term time.

Fast Track

55. **Fast Track was viewed as being the most effective measure in achieving long-term, sustainable impacts on attendance,** if used as an early intervention approach with less entrenched cases. Nearly all (92%) of LA survey respondents felt that Fast Track was either 'fairly' or 'very successful' in improving pupils' attendance.
56. **As an early intervention approach, the Fast Track process itself was often sufficient to facilitate an improvement in attendance, preventing the need for progression to prosecution.** For example, eight of the 17 Fast Track cases from our case study families had not proceeded to prosecution. In these circumstances the Fast Track process had a positive impact due to the clear legal consequences of non-compliance and because the process alerted parents to the severity of their child's attendance issues. In case study LAs that had established a prescriptive delivery model, placing families in the Fast Track process was often sufficient to facilitate an improvement in pupils' attendance.

Parenting Orders

57. **Evidence of the impact of Parenting Orders for attendance was mixed across LAs.** A third (33%) of survey respondents viewed the measure as 'fairly successful' in improving pupils' attendance, with no respondents indicating that the measure was 'very successful'. Conversely, nearly half (46%) of survey respondents felt that the measure was 'not very successful' or 'not at all successful' in improving attendance. The perceptions of case study stakeholders regarding the impact of Parenting Orders were disparate and locally-held evidence on their impact was minimal.
58. **Where Parenting Orders were felt to have an impact, their compulsory nature and the warning of further severe legal intervention, for example a Section 444.1a prosecution, were viewed by LA officers involved in the case-studies as facilitators in achieving positive impacts.** Improved parental discipline, the development of parenting skills and improved relationships between pupils and parents, were also highlighted as positive impacts achieved through the Orders.
59. Impacts were viewed as being less likely to be achieved or sustained when parents were not engaged in support, where there was a lack of parenting support available in the LA and when attendance issues were entrenched.

Improving Behaviour - Reducing Exclusions

60. **The impact or contribution of the behaviour measures to reducing exclusions is difficult to conclude from the research** due to low usage and awareness across LAs. There was no statistical evidence to suggest a link between use of the behaviour measures and either the rates of permanent or fixed-term exclusions, or the growth or fall of exclusions in LAs. There was, however, some qualitative evidence from the survey and the case study research to highlight the potential contribution of the behaviour measures on reducing exclusions and improving behaviour.
61. The contribution of Parenting Contracts for behaviour in achieving positive impacts on parents' relationship with school was reported through the survey and case study strands of the research. Two-thirds (66%) of survey respondents who had used Parenting Contracts for behaviour reported that they were a 'fairly successful' measure, with no respondents indicating that the measure was 'very successful'.
62. For schools and a number of families interviewed, Parenting Contracts for behaviour were used as a means of addressing relationship issues between the school and the parent. Even if Parenting Contracts for behaviour were not successful in achieving significant or sustained impacts for pupils, improvements in the relationship between parents and schools were generally sustained.

Impact of Warnings/Pre-action

63. A focus of the research was on exploring the impact of warnings or pre-action on pupils' attendance.
64. Penalty Notice warning letters were found to contribute to positive impacts on pupils' attendance. In particular, they were perceived to contribute to improvements in attendance for pupils who have less entrenched attendance issues and for whom there are no specific issues or reasons underpinning their low attendance. Survey respondents and case study stakeholders reported the benefits of these 'warning letters' in addressing broken weeks of attendance and punctuality issues. The threat of the fine was often considered to be sufficient to improve attendance without a Penalty Notice being issued.

Impact of Prosecution

65. The case study research explored the impact of prosecution on improving pupil attendance through exploring the perceptions of LA and school stakeholders.
66. The case study research suggests that prosecution can be beneficial in improving pupils' attendance. More than half (9/17) of the Fast Track cases involved in the case study research had resulted in prosecution. The average attendance of these pupils prior to Fast Track was 24%, whereas their average attendance three months after prosecution increased to 68%. However, prosecutions were found to be less successful in securing positive impacts for pupils with more entrenched attendance issues.

67. Parental concern about prosecution appeared to be a contributing factor in improving pupils' attendance. For example families in Fast Track interviewed during our research, who had not been prosecuted, noted that their fear of prosecution had played a significant role in improving their children's attendance. Furthermore, in those Fast Track cases who were prosecuted, the court experience itself helped to improve pupils' attendance. The parents we spoke to found court to be a highly stressful experience and the impact on their children's attendance appeared to be greatest when parents did not want to repeat the experience.
68. The impact of prosecution was more limited when parents or pupils had no fear of prosecution or where there was an embedded culture of non attendance. In these circumstances, prosecution (in some cases, but not all) might result in an immediate improvement in attendance but these improvements were not generally maintained over the longer-term.
69. LA officers interviewed during the case study research felt that the potential impact of prosecution was often limited by poor outcomes, primarily the low levels of fines imposed by magistrates.

Impact on Families

70. The types and characteristics of families involved in the PRAB measures were extremely varied. The potential effectiveness of the PRAB measures was directly influenced by the characteristics and needs of individual families. One specific PRAB measure may achieve positive impacts for one family, but have little or no impact on another family in similar circumstances, so it is important that LAs have a range of measures that can be used. Similarly, for some families, use of an attendance measure may have a long-term impact on attendance, whereas for others only short-term impacts may be achieved.
71. For those pupils with less entrenched attendance issues, there is evidence to suggest that involvement in a specific attendance measure can contribute to improvements in a pupil's attendance. For example, issuing a Penalty Notice for pupils with broken weeks of attendance, or who are consistently late, can be sufficient to improve attendance over the longer-term.
72. For those pupils with more entrenched attendance issues the research suggests that it is very rarely the case that a PRAB measure can be used in isolation to achieve a positive and sustainable impact on a pupil's attendance. It is instead more realistic to suggest that in some circumstances one or more PRAB measures can be used with families, in partnership with other forms of school and LA intervention, to achieve positive impacts.
73. The sustainability of impacts achieved through the use of the PRAB measures is directly influenced by family circumstances. The case study research identified three distinct groups of parents and pupils who were involved in the attendance measures, these were:

Disengaged: There is likely to be a culture of non attendance for the pupil and within the family as a whole. Older siblings may have been poor attendees, as may parents. There are likely to be other prominent family issues evident and there is likely to be involvement from other services. The pupil is more likely to be in the older age group (Year 10/11).

Waiverers: Pupils in this cohort of families have cycles of poor attendance and family engagement with attendance service officers and compliance with the measures also tends to be cyclical. Although there are attendance issues, these are generally not severe enough to prosecute. Involvement in the attendance measures will have a short-term impact, but impacts are unlikely to be sustained over the longer-term.

Fearful: For this cohort of families there may be a lack of awareness about the severity of their child's non attendance prior to intervention. There is concern at both a pupil and parent level about the threat of prosecution and this facilitates a change in a pupil's attendance through involvement in the attendance measures.

Recommendations

- R1:** The DfE should ensure that Local Authorities and schools using Parenting Contracts meet all the requirements in Section 19 of the Anti-social Behaviour Act 2003, and make more accurate PRAB data returns to the Department, as currently variations exist.
- R2:** The majority of LAs have developed networks and contacts to share practice on their use of the PRAB measures. However, more could be done in this area to provide additional opportunities for sharing practice through the use of locally developed forums or meetings focusing on the use in particular of the behaviour measures.
- R3:** Local authorities should improve their monitoring and evaluation processes to measure the impact of the behaviour measures. Monitoring and evaluation processes, although effective in some LAs, are not consistent across all areas. Strengthening these processes will give authorities a much greater knowledge and awareness of the impact of the measures which will help strengthen their evidence based practice.
- R4:** Local authorities and schools should consider how the behaviour measures can be used to provide early intervention to reduce the need for exclusions. Local authorities need to consider how the measures can be embedded within wider LA strategies, increasing awareness and use. Schools need to be able to see the benefits of the behaviour measures, how they are distinct or could complement existing strategies, whilst connecting their use with improved outcomes.

1 INTRODUCTION

1.1 This report presents the findings for the research investigating the use of Parental Responsibility Measures for School Attendance and Behaviour (PRAB). This study was undertaken by York Consulting LLP on behalf of the then Department for Children, Schools and Families (DCSF).

1.2 The overarching aims of the research were to:

- review national patterns of usage of the four main parental responsibility measures (Parenting Contracts, Parenting Orders, Penalty Notices and Fast Track), and corresponding national patterns of attendance/exclusions across Local Authorities;
- formulate a sense of Local Authorities' (LA) experience of implementing the measures, including any issues (facilitators, barriers etc.) around their implementation;
- examine in-depth the use of the measures in a selection of Local Authorities and the impact of those measures on attendance and behaviour at a school level and across the LA; and
- recommend how parental responsibility measures should be best applied in the future, in order to improve attendance and behaviour.

1.3 The research was conducted in three stages which informed this report:

- **Stage 1:** a survey of all 150 Local Authorities on their use of Parental Responsibility Measures for Attendance and Behaviour (PRAB);
- **Stage 2:** an analysis of national data exploring the use of PRAB measures; and
- **Stage 3:** case-studies focusing on the use of the PRAB measures in ten Local Authorities. This included 40 schools, 46 parents and 14 pupils.

Context

1.4 The Department for Education (formerly the DCSF) currently supports four measures, introduced in February 2004 following the Anti-social Behaviour Act 2003, which were intended to encourage parents/carers⁶ to engage with schools and Local Authorities in addressing their children's⁷ poor attendance and behaviour in school. These measures are:

- Parenting Contracts (for attendance and behaviour);

⁶ Throughout this report "parent" refers to the parents or carer of a child

⁷ Compulsory school age (5–16) and registered at a maintained school, academy or pupil referral unit

- Parenting Orders (for attendance and behaviour);
- Penalty Notices (for attendance and behaviour); and
- Fast Track case management for attendance.

1.5 These measures provide a balanced package of support and sanctions to change the behaviour of parents who may be unable or unwilling to address their child's problematic attendance and/or behaviour issues. Local Authorities also have the power to prosecute parents under Section 444 of the Education Act 1996 and this is explored in paragraph 3.25 below.

1.6 The measures can only be used by Local Authorities and schools for compulsory school aged pupils who are registered at a maintained school, Pupil Referral Unit or academy. A brief description of the focus of each of the measures is provided below.

Parenting Contracts (for attendance and behaviour)

1.7 Introduced in February 2004, Parenting Contracts are voluntary, written agreements between a parent and either a school or LA. The parent agrees to comply with the requirements and the LA/governing body agrees to provide support to the parent. Such support should be tailored to meet the needs of the parent and may include parenting classes or referral to other agencies for support.

Parenting Orders (for attendance and behaviour)

1.8 Parenting Orders for attendance are ancillary orders obtained from the courts following a successful prosecution of a parent by a LA for failing to ensure that their child attended school regularly.

1.9 Parenting Orders for behaviour are civil orders obtained from the courts via an application by either a school or LA and are civil proceedings.

1.10 Parenting Orders can only be granted at the discretion of the court having taken into account all the circumstances of a case and where it is believed parenting is an issue in the child's behaviour/attendance. Under the order, the parent will be required to undertake certain actions, for example attend a parenting programme or course of counselling for three months. The order will also detail additional requirements that the parents must meet, for example attendance at a certain number of meetings at school or taking actions to ensure that their child attends school. They last for 12 months and adherence is monitored.

Penalty Notices (attendance and exclusion)

- 1.11 Penalty notices are fines imposed on parents and were introduced for attendance in February 2004 as an alternative to court action against parents who fail to ensure their child's regular attendance which is an offence under Section 444 of the Education Act 1996.
- 1.12 Penalty Notices can also be issued when a parent has failed to ensure that their excluded child is not in a public place during school hours under provisions in Section 105 of the Education and Inspections Act 2006. This power came into effect in September 2007.
- 1.13 Where LAs wish to use Penalty Notices, they must draw up a local Code of Conduct and must consult all schools in the area. The Code will set out the details and conditions for issuing notices. The LA administers the scheme.

Fast Track to Attendance

- 1.14 Fast Track was introduced in 2004 as a 'time-focused case management' non-statutory intervention to ensure that schools and LAs are able to deal with non attendance quickly and effectively. Fast Track involves a school/LA specifying to a parent what actions and improvements in attendance need to take place over a set timeframe (usually 12 weeks). If the pupil's attendance continues to be an issue, prosecution proceedings are then initiated.

Methodology

- 1.15 The research was designed as a multi-method approach in order to capture implementation and effectiveness issues related to the use of the measures and provide an indication of the impact of use on pupils and families.
- 1.16 The full methodology is set out in **Annex B: Method and Study Issues** and comprised:
- **Strand 1: National Data Analysis** – involving a statistical exploration and analysis of aggregate LA level data to find statistical evidence of factors associated with LAs' use of the PRAB measures and association between the use of the measures and outcomes on attendance and exclusions;
 - **Strand 2: Local Authority Survey** – a census survey to gather LAs' experiences and views on using the PRAB measures; and
 - **Strand 3: Case study Research** – in-depth fieldwork in ten LAs and 40 schools, involving 46 parents and 14 pupils who had been involved in one or more PRAB measure.

1.17 Detailed fieldwork was undertaken across the ten case study authorities. Fieldwork involved repeat visits to these Local Authority areas to visit up to four schools (primary and secondary), consultations with key stakeholders and to access any locally collated evaluation data on the impact of the PRAB measures. The geographical spread of the ten areas involved included:

- two London Boroughs;
- two LAs in Yorkshire and The Humber; and
- one LA in the South-East, the North-East, the North-West, the South-West, the East and the West Midlands.

1.18 The case study authorities were selected to reflect a range of experiences of using the PRAB measures. **Annex A: the Profile of Case study Authorities** provides relevant profile information on the selected case study authorities.

1.19 Eight of the ten LAs were visited between June and July 2009 and repeat visits were undertaken between October and December 2009. The stakeholders consulted within each LA included:

- **Attendance Service officers:** Head of Attendance Service, Education Welfare Officers, Attendance Advisors, Attendance Improvement Officers, Locality Managers and others;
- **school staff:** Headteachers, Deputy and Assistant Headteachers, Attendance Officers, Learning Mentors, Pastoral Support Managers and Learning Support Assistants;
- **other stakeholders:** Legal Officers, Family Support Officers, School Nurses, Parenting Officers, Data Officers; and
- **parents and pupils** directly involved in the PRAB measures.

1.20 On average, four schools and ten LA stakeholders were involved in each of the ten case study authorities. In total 46 parents and 14 pupils were consulted. Further details on the parents and pupils involved in the research are provided in **Annex C: Parent and Pupil Profile and Case Study Examples**.

1.21 The analysis has involved detailed assessments for each of the 10 case-study areas triangulating findings across school, LA consultations and family consultations, along with any additional LA evidence.

1.22 An online survey was sent to the PRAB within all Local Authorities.

- 1.23 In total 84 responses were received from 150 Local Authorities, representing a response rate of 56%. This is a good response rate considering the length and complexity of the survey. There were, however, a number of methodological challenges in undertaking the survey; and these are detailed in **Annex B: Method and Study Issues**.
- 1.24 Statistical significance testing was not conducted on the survey data due to small sample size. Further details of the significance testing undertaken on the national data for Strand 1 of the research can be found in **Annex B: Method and Study Issues**.

Issues Influencing the Research

- 1.25 A number of issues influencing the direction and delivery of the research should be taken into consideration when interpreting the findings (see **Annex B: Method and Study Issues** for further information).
- 1.26 Maintaining LA engagement in the case study research and engaging pupils in the research were key challenges faced. In order to compensate for the latter problem, a greater number of parents were engaged in the research than originally planned.

Maintaining Engagement: Differential Levels of Engagement

- 1.27 The engagement of the majority of Local Authorities in the research has been excellent. However, capacity issues within a number of LAs meant that some of those initially selected as case-studies were unable to participate in the research; and this resulted in the selection of alternative Local Authorities. In other instances it resulted in delays in case study activity, or reductions in the amount of time Local Authorities were able to allocate to support the research.

Engagement of Pupils in the Research

- 1.28 Pupils were difficult to engage in the research. The research team used various strategies for engagement, in particular adopting a very flexible approach to undertaking interviews in locations chosen by the pupils. However, due to issues faced by many of the pupils involved in the PRAB measures and the transient and chaotic lifestyles of some, it was only possible to engage a small number of pupils in the research.

1.29 A much greater number of parents were involved in the research. As the PRAB measures are focused on parents taking responsibility for addressing their children's poor behaviour and attendance in school, we feel that the limited involvement from pupils has not negatively impacted on the research findings.

Report Structure

1.30 This report draws on evidence from all three strands of the research; the national data analysis; the Local Authority survey; and case study research.

1.31 In **Section 2, Early Intervention Strategies** we provide an overview of the strategies used by schools and LAs, either in conjunction with, or as an alternative to the use of the PRAB measures, to address attendance and behaviour issues.

1.32 In **Section 3, the Usage of the PRAB Measures** we describe the frequency of use of the PRAB measures across LAs and discuss any defining characteristics of those LAs that are using the measures. Reasons for non-usage are also discussed, in addition to LAs' use of prosecutions and Education Supervision Orders (ESOs).

1.33 In **Section 4, Models of Practice** we provide an overview of the models of practice established by Local Authorities and schools in the use of the PRAB measures. We describe the triggers and criteria for the use of the measures, the training and support established for officers and outline LA approaches to monitoring and evaluation.

1.34 **Section 5, Experience of Local Authorities, Schools, Parents and Pupils in the Use of the PRAB Measures** describes the effectiveness of the measures, when used as both a wider package of support and as individual measures in addressing issues with attendance and behaviour. It outlines the factors and context for delivery which have been found to be most effective. This section also provides an overview of some of the barriers and challenges in the use of the measures which are currently limiting effectiveness.

1.35 **Section 6, Impact of the PRAB measures** explores the qualitative and quantitative evidence of impact of the measures on improving attendance, persistent absence levels and reducing exclusions.

1.36 **Section 7** presents the conclusions and recommendations.

1.37 In the annexes we include the following additional information:

- **Annex A: The Profile of Local Areas;**
- **Annex B: Method and Study Issues;**
- **Annex C: Parent and Pupil Profile and Case study Examples;**
- **Annex D: Strand 1 National Data Analysis Tables; and**
- **Annex E: Strand 2 Local Authority Survey Tables.**

2 EARLY INTERVENTION STRATEGIES

Key Messages

1. The key early intervention strategies identified by survey respondents, which were used alongside, or as an alternative to the PRAB measures were: **working with parents** (identified by 89% of respondents); use of the **Common Assessment Framework (CAF)** (identified by 87% of respondents); the use of **Behaviour and Attendance Partnerships** (identified by 80% of respondents); and the use of **Behaviour and Attendance Consultants** (identified by 76% of respondents).
2. The CAF in particular was viewed by both survey respondents and case study stakeholders as being an effective approach to addressing underlying issues of poor attendance and behaviour and in drawing in support from other agencies.

2.1 This section of the report provides an overview of the early intervention strategies employed by Local Authorities and schools either in conjunction with or instead of the of the PRAB measures. This section covers the following key areas:

- **Use of Early Intervention Strategies;**
- **School-based Interventions for Attendance and Behaviour;**
- **Attendance /Exclusion Panels;**
- **Targeting Specific Cohorts of Pupils; and**
- **Other Agency/Service Involvement.**

Use of Early Intervention Strategies

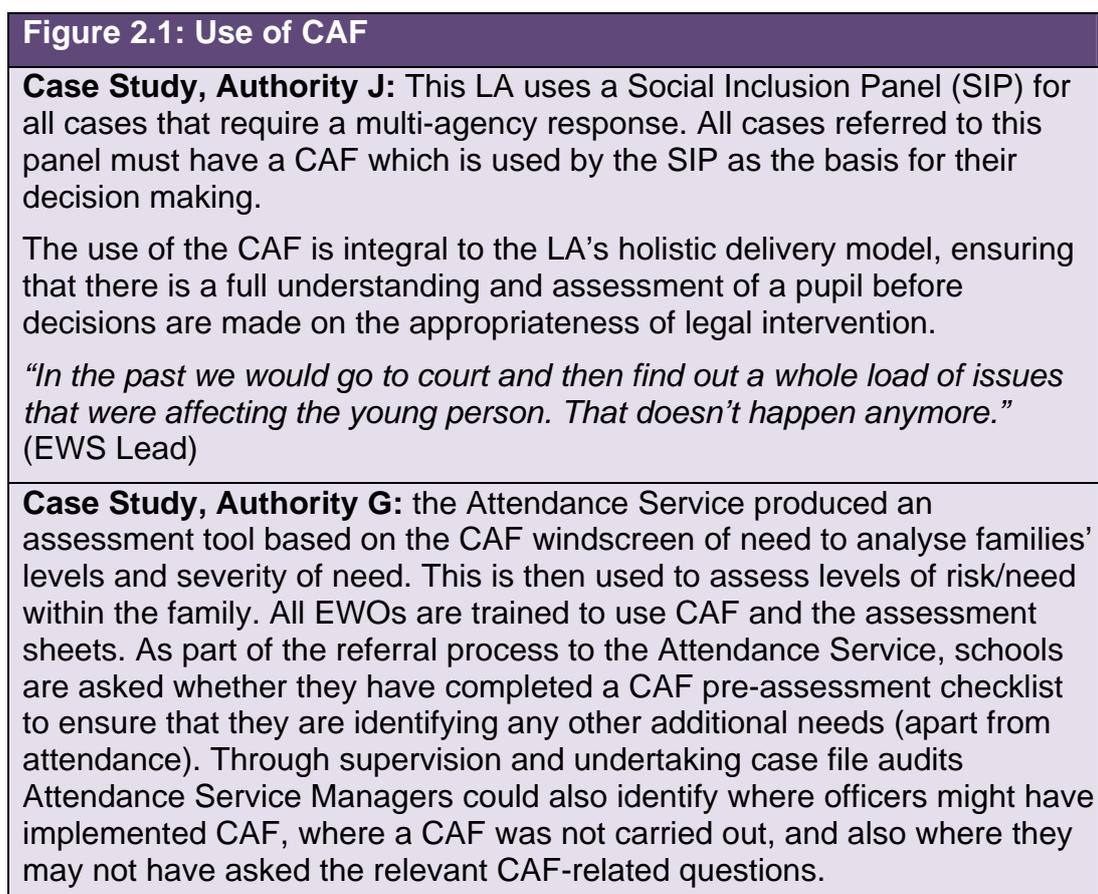
2.2 The survey and case study research found that a range of early intervention strategies were employed at both LA and school level to address attendance and behavioural issues. This support is being offered both prior to, and alongside, the use of the PRAB measures.

2.3 Early intervention strategies most frequently identified through the case study research included: **school-based interventions; Attendance/Behaviour Panels; targeting of specific pupil cohorts; the Common Assessment Framework (CAF) and other agency/service involvement.** Survey respondents noted using the following support and approaches (see Table E:7 in Annex E) as an alternative to PRAB measures; and or alongside their use:

- early-intervention work with parents e.g. meetings, warning letters (reported by 89% of survey respondents);
- Common Assessment Framework (reported by 87% of survey respondents);

- using school partnerships to address issues of attendance and behaviour (reported by 80% of survey respondents); and
- behaviour and attendance consultants (reported by 76% of survey respondents).

2.4 Reasons for LAs and schools valuing alternative strategies (other than PRAB measures) included the greater focus on supportive and preventative measures, rather than punitive action. The CAF in particular was seen as an effective preventative approach to addressing underlying issues of poor attendance and behaviour in drawing in support from other agencies. The case study research provides some useful examples of how the CAF is being used to complement the use of the PRAB measures (see **Figure 2.1**).



2.5 At a behaviour level, one case study authority (Area B) highlighted their desire that all pupils attending Pupil Referral Units (PRUs) have a CAF and a Parenting Contract for behaviour. The expectation is that all pupils placed in a PRU should have a CAF and a Parenting Contract. The LA felt that re-integration interviews with parents after fixed-term exclusions would also provide a good opportunity to raise the use of both CAF and Parenting Contracts for behaviour.

- 2.6 Interestingly, three-quarters of survey respondents indicated that they were working with the police to identify anti-social behaviour as an alternative approach to the use of the behaviour measures (see Table E:7 in Annex E), although no further details were provided. This emphasises the potential link between Anti-Social Behaviour Teams and the use of the behaviour measures, although there was no evidence of such links in the case study authorities.
- 2.7 The case study research found that there was some crossover in the strategies used by schools in particular to address poor attendance and behaviour. For example, meetings with parents, pastoral support, multi-agency meetings and the use of alternative provision or reduced timetables were used to address both poor attendance and behaviour.

School-based Interventions for Attendance and Behaviour

- 2.8 The case study research suggests that schools were generally given autonomy to develop their own approaches to addressing attendance and behaviour issues prior to LA intervention. Overall responsibility for attendance and behaviour usually lay with a member of the senior management team (commonly headteachers in primary schools and deputy or assistant headteachers in secondary schools).
- 2.9 The case study findings also showed that schools generally identified a specific member of staff to monitor attendance on a daily basis and some had appointed attendance officers e.g. to undertake first day contact, initial family visits etc. The types of early intervention support offered at a school level included:
- first day contact (used across all case study schools), for example automated phone calls and text messages, and telephone contact by attendance officers;
 - school absence letters – used when levels of attendance were becoming a ‘cause for concern’;
 - informal meetings and/or telephone calls with parents to discuss the reasons for a pupil’s poor attendance;
 - awareness raising about the importance of attendance at a school level, for example through assemblies, parents’ evenings, the use of attendance mascots in primary schools, and newsletters after; and
 - attendance initiatives, for example using incentives for 100% attendance and presenting trophies for the best attendance in a form group.
- 2.10 Examples of how these school-based interventions were used in the case study LAs are provided in **Figure 2.2**.

Figure 2.2: School-based Interventions

Absence Letters

Traffic Light Letters (Case Study, Authority E)

Two primary schools in this area send 'traffic light' letters to parents in September informing them of their child's attendance during the previous year. The schools send the letters out on coloured paper, which makes it easy for the pupils to understand. Pupils with attendance over 95% are sent green letters, those between 90-95% are sent yellow letters and those below 90% are sent red letters.

"The coloured letters have worked very well and have helped to create a bit of competitiveness between pupils, because it is visual. It is another piece of awareness raising and it can be a good early notice for parents about their child's attendance."

(Primary School Attendance Lead, Area E)

Awareness Raising about Attendance

Attendance Mascots (Case Study, Authority F)

In this area two mascots have been developed for use in primary schools; and SAM (School Attendance Matters) and ODO (Odd Days Off). The mascots are used to promote the importance of attendance in all primary schools in the LA. This is achieved through conducting assemblies using scenarios to highlight differences between SAM and ODO. For example, SAM goes to school on his birthday, plays with his friends and shares sweets in the class. ODO on the other hand is shown not attending school and is sat at home looking lonely. The mascots also represent the brand for School Attendance Matters in the authority, for example calendars featuring scenes of the mascots are distributed to schools and some schools have a SAM mascot to give to the class with the best attendance.

Attendance Incentives

Schools in this area (Case Study, Authority E) use incentives to encourage and promote attendance. The LA supports these initiatives by providing prizes for schools to use. Schools run competitions on a weekly, half-termly, termly, and annual basis. For example:

- at the primary level, the class that achieves the best attendance during the week is awarded ten minutes extra playtime;
- each pupil achieving 100% attendance over a four-week period could be eligible for tickets to 'Dancing on Ice'; and
- competitions over a ten-week period: each time a pupil achieves 100% attendance for a week they are entered into a prize draw and are eligible for prizes which include iPods and game consoles.

"The use of incentives to promote attendance helps to keep it on the agenda and ensure that pupils are very aware of the need for good attendance. The prizes, particularly tickets for events at the primary school level, help to create a buzz of excitement in the school."

(Attendance Service, Area E)

Attendance Panels

- 2.11 Schools and LAs use Attendance Panels to address attendance issues were common across the case study authorities. These panels were also referred to as Attendance Clinics and School Attendance Meetings.
- 2.12 Attendance Panels were used by schools to address underlying issues leading to pupils' poor attendance and are generally implemented following other types of school-led intervention. Triggers for engagement with an Attendance Panel varied across schools and LAs. Some case study authorities (and schools) had defined clear triggers for the use of Attendance Panels (e.g. for all pupils whose attendance is less than 90%), in other LAs a more flexible approach was taken, with schools choosing to implement Attendance Panels when other forms of school-led intervention were not successful in improving attendance.
- 2.13 Attendance Panels are generally attended by school staff, parents, pupils (if of secondary age), a LA Attendance Service representative (if deemed appropriate), and, in some instances, other professionals (e.g. Connexions personal advisors). In some schools staff reported inviting an Attendance Service representative (i.e. EWO or Attendance Improvement Officer) to the meetings to convey the seriousness of the attendance issue to parents. Attendance Panels may also help to identify family issues which previously had not come to light. This may be at a parental level (e.g. housing issues, mental health issues etc) or at a pupil level (e.g. bullying, negative peer influences etc.) leading to the involvement of other services to provide support.
- 2.14 As discussed previously, in half (five) of the case study authorities Attendance Panels were used to draw up and agree Parenting Contracts. In two of these areas the Education Welfare Service are also involved in these meetings. Two case study authorities reported that they could also choose to issue a Penalty Notice warning letters at this meeting.

Example: Attendance Panel (Case Study)

School Attendance Meetings (SAMs) are informal meetings that the parent, year co-ordinator and pupil (if in secondary school) attend to discuss the reasons behind low attendance and to see what support can be offered to help attendance improve. Having a EWO attend the meeting is optional, but most of the time schools like the EWO to be present to emphasise the seriousness of the attendance issue. At the meeting schools have the option of using an informal Parenting Contract to set targets. In some schools, parents are told that their child must not have any unauthorised absence for the next four to six weeks and that any illness must be accompanied by a medical note. If they do have any unauthorised absence within this period then they are told that they will be referred to the LA.

Behaviour Panels

2.15 There was some evidence of behaviour panels being used by LAs although it is worth noting that this was not explored extensively in the case study research, due to the focus of the research into the behaviour measures being focused on a small number of LAs. However, one case study authority had established a LA wide behaviour panel. The purpose of the panel was to deal with breaches of Parenting Contracts for behaviour. Prior to referral to the LA behaviour panel it was expected that schools would have utilised a range of strategies to address the pupils' poor behaviour, for example, through the use of a pastoral support programme with clear targets, the offer of a voluntary contract with parents and further evidence that the school had attempted to work with the parents to address pupils' poor behaviour.

Targeting Specific Cohorts of Pupils

- 2.16 Some case study authorities and schools were specifically employing strategies to target pupils who they considered to be most at risk of escalating attendance issues.
- 2.17 In some case study areas, this targeting was used as an early intervention approach to addressing attendance issues. For example, a LA may decide to target pupils in primary schools with emerging attendance issues. In one of the case study LAs (Area E), a primary school was monitoring pupils' attendance at nursery. If attendance was low or there was evidence of patterns of poor attendance, the school would start to monitor the pupils' attendance closely when the child entered reception. The EWO would also meet with the parents to discuss the importance of school attendance and any issues that the family may have.
- 2.18 Attendance Services in all case study LAs targeted schools and pupils with higher levels of need. The specific targeting of Persistent Absence (PA) schools and PA pupils to provide support, in conjunction with the use of the attendance measures, was evident across all case study areas.

Example: 'Hit Squads' (Case Study, Authority F)

Intervention days (or 'hit squads') for PA schools (mainly secondary) are conducted by the Attendance Service. These are undertaken twice yearly. Attendance Service offices meet with parents and pupils in school to discuss attendance records and to identify reasons for poor attendance. Schools use the days to target PA children or those with attendance between 80-90%. The Attendance Service feels these intervention days are successful as they are able to engage with a large number of parents efficiently and independently.

- 2.19 There was evidence of schools specifically targeting those pupils at risk of exclusion. Schools had numerous strategies for addressing behavioural issues and therefore for ensuring that they had strategies in place for targeting pupils at risk of exclusion. For example, a secondary school in one of the case study authorities had a traffic light system in place, which was used prior to a pastoral support plan as an early intervention approach to addressing behavioural issues. The parents would be actively involved in this process as soon as a pupil's behaviour was highlighted as a cause for concern.
- 2.20 As the green stage, the pupil may be displaying some disruptive behaviour and the pupil's form tutor would be responsible for monitoring behaviour. This would involve setting individual targets for the pupil and then allowing a half term for improvements to be seen. If the pupil's behaviour did not improve, the pupil would then be escalated to amber, at which point the pupil's Head of Year would be responsible for monitoring behaviour. If there were no improvement after this, the pupil would be escalated to the red stage and their behaviour would be overseen by one of the schools behaviour improvement managers.

Other Agency/Service Involvement

- 2.21 As part of their early intervention support, drawing in support from other agencies and services was common practice across all case study authorities. This approach was most evident for LAs that had established prescriptive and holistic delivery models. However, there was also evidence of prescriptive authorities also bringing in support for families where this was needed.
- 2.22 Links to specific officers or services to support families within Attendance Service teams was common. Links to Parenting Support Advisors (PSAs) and other parenting workers or support were also common across local areas.

Example: Parenting Expert (Case Study, Authority H)

The Parenting Expert works in partnership with the Attendance Service. She has an early intervention role and will attend initial assessments with the EWO to explore whether parenting might be an issue. This approach works well as the Parenting Expert has an extremely informal approach and just explains her role to the parents and how she might be able to help them. The Parenting Expert is used to signpost families to Parenting Programmes, but also to provide individual support if required.

3 USAGE OF THE PRAB MEASURES – SURVEY AND NATIONAL DATA ANALYSIS

Key Messages

1. The use of all PRAB measures for attendance and behaviour has increased nationally since 2004.
2. Fast Track was the most commonly used measure by Local Authorities, with a substantial growth in usage since 2004.
3. The use of Penalty Notices and Parenting Contracts for attendance has increased significantly across Local Authorities, quadrupling between 2004 and 2008.
4. Local Authorities were least likely to use Parenting Contracts and Penalty Contracts for behaviour. No LA has used a Parenting Order for behaviour.
5. Resource and funding constraints were identified as the main reasons for non-usage of Parenting Orders and Penalty Notices for behaviour, with limited evidence that LAs are planning to use these measures in the near future.

- 3.1 This section provides an overview of the use of the PRAB measures across Local Authorities. It discusses the frequency of use nationally and the defining characteristics of LAs which influence (or not) the use of the measures. Reasons for non-usage and low usage of particular PRAB measures are also discussed. This PRAB data is drawn from DfE data on the use of the measures and responses from the LA survey conducted by this research.

Frequency of Use of the PRAB Measures

- 3.2 The use of all PRAB measures for attendance and behaviour has increased since 2004-05. As illustrated in **Table 3.1**, the total use of all the PRAB measures has increased by nearly four-fold since 2004-05, from 21,225 to 77,873 in 2007-08. The PRAB data indicates that between 2004 and 2008 all LAs had used one or more of the PRAB measures.

Table 3.1: Number of PRAB Measures Issued*				
	2004-05	2005-06	2006-07	2007-08
Parenting Contracts (Attendance)	6196 (90)	12292 (121)	15396 (125)	21223 (122)
Parenting Contracts (Behaviour)	418 (20)	1988 (58)	2620 (62)	2726 (55)
Penalty Notices (Attendance)	3483 (84)	12150 (120)	14625 (126)	18291 (131)
Penalty Notices (Behaviour)	-	-	-	45 (12)
Fast Track	20798 (115)	36583 (125)	32956 (130)	34986 (128)
Parenting Order (Attendance)	427 (78)	505 (85)	514 (93)	602 (86)
Total	21225	37088	33470	77873

**Data on usage provided by Local Authorities in England (N.B. The numbers in brackets represent the number of LAs using the measure in that year)*

- 3.3 **Fast Track was the most commonly used measure by Local Authorities between 2004 and 2008.** Fast Track accounted for 45% of the total usage of the PRAB measures in 2007-08. Parenting Contracts for attendance were the next most frequently used measure, accounting for 27% of total usage in 2007-08, followed by Penalty Notices for attendance. Local Authorities were least likely to use Parenting Contracts and Penalty Notices for behaviour, accounting for less than 4% of total usage in 2007-08.
- 3.4 **Since 2004 there has been a substantial growth in LAs' use of Fast Track.** While the rate of growth in usage has been substantial since 2004, the rate has not been as high as it has for Penalty Notices and Parenting Contracts for attendance. The number of Fast Track cases in 2007-08 (34,986) reflects a reduction from a peak of 36,583 cases in 2005-06.
- 3.5 **The use of Penalty Notices for attendance and Parenting Contracts for behaviour have increased significantly across LAs, quadrupling between 2004-05 and 2007-08.** The number of Penalty Notices for attendance rose from 6,196 in 2004-05 to 21,223 in 2007-08. The number of Parenting Contracts for behaviour rose from 418 in 2004-05 to 2726 in 2007-08.

- 3.6 **The use of Parenting Orders for attendance increased between 2004-05 and 2007-08.** In 2007-08 there were 602 Parenting Orders, compared to 427 in 2004-05, reflecting a rise of 41%. In 2007-08 Parenting Orders were used in 86 LAs and they had been used in a total of 126 areas at some point between 2004 and 2008. Nine LAs had issued 39% of the total number of Parenting Orders in 2007-08. Nearly two-fifths (39%) of all Parenting Orders in 2007-08 were issued across nine LAs.
- 3.7 **Between 2004 and 2008, the use of Parenting Contracts for behaviour increased both within and across LAs. This increase represents the greatest relative growth in usage across all the PRAB measures.** Between 2004-05 and 2007-08, usage increased more than five-fold; however, use of Parenting Contracts for behaviour is still significantly lower than the use of Parenting Contracts for attendance, with nearly eight times more Parenting Contracts for attendance being issued.
- 3.8 In 2007-08 one Parenting Contract for behaviour was issued for around every 2,941 pupils⁸. In contrast, one Parenting Contract for attendance was issued for every 382 pupils. Whilst nationally overall usage is low for Parenting Contracts for behaviour, some LAs make significant use of the measure. For example, one LA issued one contract for every 57 pupils in 2007-08. Furthermore, usage is concentrated across a small number of LAs with six LAs responsible for issuing 60% of all Parenting Contracts for Behaviour in 2007-08.

Promotion of the Use of the PRAB Measures

- 3.9 Survey respondents were asked about the promotion of the use of PRAB measures.
- 3.10 **Fast Track, Parenting Contracts and Penalty Notices for Attendance were reported to be actively promoted by the majority of Local Authorities (see Table E:1 in Annex E).** The survey data suggests that LAs were most likely to promote the use of Penalty Notices for attendance (75/84), followed by Parenting Contracts for attendance (68/84). Reasons for promotion focused on:
- **making parents aware of their responsibilities** (Parenting Contracts and Fast Track);

⁸ Refers to all pupils of compulsory school age (5 to 16) in a maintained school

“We promote Parenting Contracts as a way of engaging parents to work with us and to take the matter of their children’s poor school attendance seriously. It also promotes working together and ensuring parents and pupils are aware of the support available to them.” (LA Survey respondent)

- **the ease with which they could be administered** (Penalty Notices);

“The issuing of Penalty Notices is a relatively easy process to manage and reduces the need to take cases to court and thus reducing expenses and court time. It is successful in some cases and where it is not the case then proceeds down the usual legal process.” (LA Survey respondent)

- **formalising process/engagement with parents and other agencies and clarifying expectations** (Parenting Contracts and Fast Track); and

“To formalise discussions between parents, pupils, schools and professionals, regarding the importance of regular school attendance. Parenting Contracts remind parents of their legal responsibility in respect of school attendance. It records the engagement of parents in this process and action plan agreed.” (LA Survey respondent)

- **ensuring consistency and fairness** (Fast Track).

“Early identification of attendance issues and management of the cases enable officers and schools to reduce the number of students who may otherwise become persistent absence students. It reduces the chances of cases ‘drifting’.” (LA Survey respondent)

“Fast Track offers a consistent and fair approach in all schools. It provides an escalation process whether or not schools have their own traffic light systems in place.” (LA Survey respondent)

Local Authority Characteristics Influencing the Use of the PRAB Measures

- 3.11 The data analysis strand of the research aimed to identify LA variables and characteristics that could potentially influence, directly or indirectly, the use of the PRAB measures. It was recognised from the outset that there are many factors that will influence the use of the measures. For example, deprivation may be associated with the use of the measures. Variables such as free school meal eligibility and special educational needs were therefore included in the analysis as proxies to underlying important factors in the use of the measures.

3.12 Statistical analysis assists in understanding the potential relationship between the usage and growth in the PRAB measures at the LA level. However, it is important to note that it provides evidence of the existence of a relationship in the data, rather than proof of a relationship in reality. This should be taken into consideration when interpreting these statistical findings.

Usage of the PRAB Measures

3.13 The statistical analysis aimed to explore whether there were any relationships between the usage of the PRAB measures and the characteristics of Local Authorities that were using them. In terms of potential relationships between the use of more than one of the PRAB measures in a LA, the statistical evidence suggests that greater usage of **Parenting Contracts for attendance** in a LA in 2007-08 was associated with higher levels of usage of **Fast Track** in 2007-08 (see Table D:1, in Annex D).

3.14 There was also found to be some evidence of relationships between particular LA characteristics and usage of the measures. The statistical evidence suggests that:

- LAs with higher rates of secondary aged persistent absentees in 2007-08 were more likely to use **Fast Track** in 2007-08 (see Table D:2, in Annex D);
- the higher the proportion of secondary pupils who are eligible for free school meals in a LA, and the higher the levels of pupils with Special Educational Needs (SEN), the higher the usage of **Fast Track** (see Table D:3, in Annex D);
- the higher the proportion of secondary pupils who are eligible for free school meals in a LA, the higher the usage of **Penalty Notices for attendance** (see Table D:4, in Annex D);
- the greater the rate of fixed term exclusions in 2006/07 in a LA, the greater the likelihood that a LA has used **Penalty Notices for the presence of an excluded pupil in a public place** (see Table D:5, in Annex D) after; and
- the higher the percentage of pupils with a SEN, the higher the usage of Parenting Contracts for Attendance (see Table D:6, in Annex D).

3.15 In terms of the relationship between the growth in the use of the PRAB measures over time and LA characteristics, the statistical evidence suggests that:

- greater growth in the usage of Parenting Contracts for attendance in a LA between 2006-07 and 2007-08 **was associated with authorities with higher percentages of pupils with SEN** (see Table D:6, in Annex D);
- the greater the likelihood of an authority using Parenting Contracts for behaviour/exclusion the higher the usage of **Parenting Contracts for attendance** in 2007-08 (see Table D:7 in Annex D); and

- greater growth in the usage of Fast Track in a LA between 2006-07 and 2007-08 was associated with authorities with **higher rates of secondary pupils eligible for free school meals and lower rates of primary school persistent absenteeism in 2007-08** (see Table D:8 in Annex D).

3.16 The potential relationship between pupil eligibility for free school meals and the use of the PRAB measures was also evident through the case study research. Pupils from more than half (26) of the 46 case study families were eligible for free school meals. This compares to a national average of free school meal eligibility of 16% for primary and 13% for secondary⁹ (2007-08 data). Average free school meal eligibility across the ten case study authorities was 18% for primary and 15% for secondary¹⁰.

Non-usage of the PRAB Measures

3.17 Analysis of the national PRAB data shows that there was considerable variation in the use of the PRAB measures, in particular the behaviour measures across Local Authorities. Although all Local Authorities had previously, or were currently¹¹ using at least one of the measures, between 2004 and 2008, the cumulative data indicates that:

- No LA had used a Parenting Order behaviour;
- 92% (138/150) of authorities had not used Penalty Notices for behaviour;
- 40% (59/150) had not used Parenting Contracts for behaviour;
- 16% (24/150) of authorities had not used Parenting Orders for attendance;
- 10% (15/150) of authorities had not used Penalty Notices for attendance;
- 7% (10/150) of authorities had not used Parenting Contracts for attendance; and
- 4% (6/150) of authorities had not used Fast Track.

Reasons for Non-Usage of the Behaviour Measures

3.18 As Penalty Notices for behaviour and Parenting Orders for behaviour were the least commonly used PRAB measures nationally the LA survey sought to explore the reasons for non-usage.

⁹ DCSF: Schools, Pupils and their Characteristics (January 2009)

¹⁰ DCSF: Schools, Pupils and their Characteristics (January 2009)

¹¹ DCSF: 2004-08 Parental Responsibility for Attendance and Behaviour (PRAB) data collections

- 3.19 **Parenting Orders and Penalty Notices for behaviour were the least commonly used PRAB measures** (see Table E-2 in Annex E): Only twelve LAs nationally, had used Penalty Notices and no LA (or school) had applied for an Order. Resource and funding constraints were identified by survey respondents as the main reasons for non-usage of these measures. A quarter of LAs who responded to the survey were not using Penalty Notices for behaviour. Local Authorities cited lack of resources as the main reason for non usage.
- 3.20 Nearly a third of LAs (31%) reported uncertainty about the usefulness of Parenting Orders for behaviour, whilst a quarter (25%) stated that this was why they were not using Penalty Notices for behaviour. In the case of Parenting Orders, nearly a third (30%) of respondents indicated that they had alternative strategies that worked well. Just over a quarter of survey respondents indicated that Parenting Orders were too complex and time-consuming to implement and a fifth reported having a lack of appropriately trained officers.

Reasons for Non-Usage of the Attendance Measures

- 3.21 The national data collection shows use of the attendance measures is generally high nationally. However, there were some survey respondents that were currently not using these measures and the reasons for non-usage were therefore explored (see Table E:17 in Annex E).
- 3.22 There were nearly two-fifths of survey respondents (32/84) who did not currently use Parenting Orders for attendance. Of these, just over a third (11/32) reported that they did not use the measure as they were unsure whether it was a useful tool. In addition, just less than one-fifth of respondents (6/11) cited resource/funding constraints, and views that it was not an effective measure in improving attendance were reasons for non-usage.
- 3.23 A quarter of survey respondents did not use Parenting Contracts for attendance. Resource and funding constraints (35%; 6/17); and uncertainty about the measure being a useful tool (24%; 4/17) and views that it is not effective in improving attendance (24%; 4/17) were the key reasons for non-usage of Parenting Contracts for attendance cited by survey respondents.

3.24 LAs' plans to introduce PRAB measures that they were not currently using were generally mixed across authorities (see Table E:3 in Annex E). Nearly a third of survey respondents indicated that they were not planning to use any new PRAB measures in the next six months and a quarter of respondents reported being unsure. However, nearly a quarter of LAs indicated that they had plans to use Penalty Notices for behaviour in the next six months. Just over a tenth of LAs (9/81) indicated that they planned to use Parenting Orders for behaviour in the next six months, which indicates that there are a significant number of LAs who have no immediate plans to use this measure.

Use of Prosecutions/Education Supervision Orders (ESOs)

3.25 Prosecutions occurring under Section 444 (1 or 1a) were commonly reported across LAs. The majority of survey respondents (89%) had undertaken prosecutions during 2007/08. Only 11% (9/81) indicated that they had not undertaken any prosecutions during this period (see Table E:4 in Annex E).

3.26 Based on our LA survey, the average number of prosecutions per LA was 51. Of the 75 LAs that had undertaken prosecutions, 61 were able to provide information on the number of prosecutions. The number of prosecutions ranged from one to 258 per LA. The LA with the highest rate of prosecution was a London borough. This LA was also a high user of Parenting Contracts and Fast Track and fell in the lower quartile (i.e. lowest 25%) for persistent absence.

3.27 Only a fifth of survey respondents indicated that they had applied for Education Supervision Orders (ESOs) during 2007/08. The average number of ESOs applied for per LA was seven, ranging from one to 24. The highest user of ESOs was a metropolitan LA that was also a high user of Parenting Contracts and Fast Track and fell in the highest quartile (i.e. highest 25%) for persistent absence.

4 LOCAL AUTHORITY MODELS OF PRACTICE

Key Messages

1. LAs were most commonly operating a centrally-based team structure to address attendance issues. LA structures underpinning the use of the behaviour measures were less clearly defined, reflecting the low usage of these measures across the case study authorities.
2. We identified three models of delivery in LAs' use of the attendance measures; prescriptive, discretionary and holistic.
3. LAs that had established a prescriptive delivery model were more likely to have consistently used or considered the use of the attendance measures at specific attendance triggers, points of intervention, or decision points. Other LAs demonstrated much greater autonomy in the use of the measures.
4. Persistent absence was identified as one of the key triggers for the use of all the attendance measures. In the case of the behaviour measures the key triggers were exclusion or those pupils at risk of exclusion.

4.1 This section of the report provides an overview of the models of practice established by Local Authorities in the use of the PRAB measures, covering the following key areas:

- **Local Authority Attendance Structures;**
- **Local Authority Approaches;**
- **Triggers and Criteria;**
- **Training and Support for Staff; and**
- **Monitoring and Evaluation.**

4.2 We draw on evidence that has been gathered through case study work and the survey responses, where appropriate. In this section we identify overarching LA models of practice for the use of the PRAB measures and, where appropriate, discuss individual PRAB measures.

Local Authority Attendance Structures

4.3 **The majority of case study authorities (seven) were operating a centrally-based team structure to address attendance issues.** In this approach a centrally-based team of Attendance Managers and operational Attendance Officers are allocated responsibility for a number of schools, but remain based within a central LA team. The remaining case study authorities were either operating a school-based team (two LAs) or a locality-based team structure (one LA). **Figure 4.1** provides further details of these three structures, including exemplars from the case study LAs.

Figure 4.1: Local Authority Attendance Structures

Centrally-based team: a centrally located team of attendance managers and operational attendance officers. Attendance officers (EWOs, Attendance Advisors etc) are generally allocated responsibility for a number of schools (e.g. secondary and feeder primaries or secondary or primary specialists), but remain based within a central LA team.

Case study Example: The Attendance Manager, EWOs, office manager, Children Missing Education Nurse and solicitor are all based in a central office. Centrally-based staff include:

- Attendance Manager (x 1)
- Senior EWOs (x 2);
- EWOs (x 8, and one vacant EWO post);
- Education Welfare Assistants (x 2);
- Business Support Officer;
- Project Worker; and
- Solicitor.

Each EWO has a patch which typically includes a secondary school and its feeder primary schools (approximately three to four). The typical EWO caseload is approximately 40 families, but this does fluctuate between EWOs. For example, a Persistent Absence (PA) school is likely to increase the number of referrals from that school.

School-based team: Attendance Service Officers are devolved to schools in specific geographical areas, localities or school clusters. Officers may be based at one specific school (generally a secondary school) or may split their time across a number of schools (generally a combination of primary and secondary schools).

Case study Example: The structure of the Education Welfare Service is headed up by the EWS Manager. The authority's staffing structure includes:

- Two Area Managers;
- Five Attendance Advisors (AA); and
- 36 Attendance Improvement Officers.

Each of the Attendance Improvement Officers is based full-time in a secondary school, but also provides support to feeder primary schools. There are five geographical localities within the LA with each headed up by an Attendance Advisor allocated to each locality.

Locality-based team: Attendance Service Officers are devolved to localities, working within multi-agency locality teams. In this case study authority Attendance Service officers were physically based within a multi-agency team, which also included Connexions staff, Parent Support Advisors (PSAs), youth workers and Tier 2 mental health services.

Local Authority Behaviour Structures

- 4.4 The case study research showed that the LA structures underpinning the use of the behaviour measures were found to be less clearly defined than those for attendance, reflecting the lower usage of behaviour measures and the lower number of officers involved in delivering them. Four of the ten case study LAs were using the behaviour measures.
- 4.5 Three LAs had established an **individual-led** approach and one LA had established an **integrated approach** to the use of the behaviour measures. In the individual-led model a dedicated officer within the LA is responsible for promoting and raising awareness of Parenting Contracts for behaviour across schools. The lead individual may or may not be directly involved in delivering the Parenting Contracts. Alternatively, where the LA officer is not responsible for delivery, schools are given the autonomy to use the measure as appropriate.

Case study Example: Individual-led Approach

The main remit of the Inclusion Officer within the LA is to reduce and prevent exclusion. The authority has developed a solution-focused approach to delivering Parenting Contracts for behaviour. The Inclusion Officer identifies families where a Parenting Contract for behaviour might be appropriate and takes a solution-focused approach with the family to resolving the behavioural issues.

The LA officer is now training schools to take on this solution focused approach.

Case study Example: Integrated Approach

The use of the behaviour measures is led by an Inclusion Manager who manages a LA-wide, multi-agency team, including three Inclusion Support Officers (ISOs). The role of the ISOs is to promote the behaviour measures across schools.

The LA has established a LA-wide Behaviour Panel which has a specific remit to oversee the use of Parenting Contracts for behaviour at a school level. The Panel also reviews the contracts and addresses any breaches. The Panel will also decide if it is necessary to consider referring parents for a Parenting Order where appropriate.

Local Authority Approaches to Attendance

- 4.6 The attendance measures were not used in isolation by the case study authorities. They are instead used as a wider package of measures and interventions that Local Authorities and schools can draw on to support and challenge pupils and parents.

4.7 **There is variability in how the attendance measures are used and how their use is embedded within wider approaches to addressing attendance issues, both at LA and school level.** The case study research identified three overarching delivery models in the use of the attendance measures, reflecting this diversity. Each delivery model offers a structured approach to the use of the measures, but with varying triggers and timescales for their use. The three delivery models were found to be:

- the **Prescriptive Delivery Model** (Model A) provides clearly structured processes for addressing attendance issues. There are well defined attendance and referral triggers for the use of the attendance measures, with definite timescales and actions to facilitate improvements in pupils' attendance. Four of the ten case study authorities were operating a prescriptive model of support;
- the **Discretionary Delivery Model** (Model B) was most commonly used by the case study authorities. In this delivery model there are some attendance triggers for the use of the measures, but there is greater flexibility in the timescales and triggers for their use and a greater focus on providing additional family support where required. Five of the case study authorities were operating a discretionary model of support; and
- the **Holistic Delivery Model** (Model C) is focused on early intervention. The priority within this model is to address underlying family issues that may lead to poor attendance. There is autonomy in the use of the measures and decisions on use are taken within a wider understanding of individual family circumstances, particularly in the use of more punitive or legal measures. Only one LA was operating this model of delivery.

4.8 **Case study authorities operating a Prescriptive Delivery Model (Model A) were more likely to have consistently used or considered the use of the measures at specific attendance triggers, points of intervention, or decision points.** Those LAs operating Discretionary and Holistic Models of delivery demonstrated much greater autonomy in the use of the measures, based on professionals' understanding of individual families and their judgement on the appropriateness and value of using particular measures. **Figure 4.2** provides examples of varying attendance triggers and timescales across the delivery models.

Figure 4.2 Attendance Triggers and Timescales: Variation in Delivery Models

Model A: Prescriptive Delivery Model (Case Study, Authority E)

If a pupil's attendance falls below 90%, schools send a letter to parents asking them to come into school for a meeting with a school representative and a EWO to discuss attendance issues. If this initial meeting does not improve attendance, parents are sent a letter that their child's attendance is being monitored as part of the Fast Track process.

The pupil's attendance is then monitored for a set four week period. At the end of the four weeks a meeting is held in school to discuss levels of attendance and the next steps. Attendees at the meeting include a school representative, a member of the statutory team, the EWO, the parents and the child.

There are four potential courses of action that are taken as a result of the meeting:

- no further action/re-monitor case;
- apply for an ESO;
- issue a Penalty Notice; or
- refer for prosecution.

Model B: Discretionary Delivery Model (Case Study, Authority D)

Schools in this area are responsible for monitoring data and identifying which pupils are a 'cause for concern'. There are no set criteria for attendance becoming a 'cause for concern', but it is usually if attendance falls below 85% or if there are broken weeks. How proactive schools are in identifying attendance issues varies between schools.

Approaches to the Use of the Attendance Measures

- 4.9 As highlighted earlier, the case study authorities' approaches to the use of individual attendance measures were generally used as part of the wider support mechanisms available at LA and school level to addressing attendance and behaviour issues. There are distinct differences in LA and school approaches to the use of each attendance measure and we draw on our survey and case study data to summarise these varying approaches.

Fast Track

- 4.10 Local Authorities have adapted their approaches to Fast Track by tailoring it to fit their overarching approaches to addressing attendance issues. Fast Track was used by case study authorities in two distinct ways: as a **discrete and independent approach** and as an **early intervention and overarching approach**.

- 4.11 The **discrete and independent Fast Track approach** predominately involves families that have already received a significant amount of school and LA intervention. Use of other attendance measures is likely and involvement in Fast Track is seen as a last attempt to achieve positive outcomes before prosecution. Six of the case study authorities were using the discrete and independent Fast Track approach. This approach was most commonly seen in authorities with discretionary and holistic delivery models established.

Fast Track (Discrete and Independent): Pupil Example

Pupil X is a Year 10 pupil who has had significant absence issues since primary school. The pupil was not able to provide any concrete reasons for his non attendance at school, claiming that he liked school, but that there were times when he would prefer to stay at home or spend time with his friends.

A Penalty Notice had previously been issued to the parent prior to moving the case on to Fast Track. The pupil also received a significant amount of support at both LA and school level which included the introduction of a part-time timetable, alternative educational provision, escorting the pupil to school and engagement in a Police Panel. These interventions had no impact on the pupil's attendance. Fast Track was used by the LA as the final attempt to improve the pupil's attendance.

- 4.12 The **early intervention and over-arching approach** to Fast Track is used to describe Local Authorities that are using the process as part of the early identification of attendance issues. This approach has a predominant focus on facilitating improvements in attendance prior to issues becoming entrenched. This approach was most commonly seen in case study authorities that had established a prescriptive delivery model.

Fast Track (Early Intervention and Over-Arching): Pupil Example

The parent had received a standardised warning letter (start of Fast Track process in this LA) about her daughter's poor attendance. The letter stated that if she could not authenticate the absences with medical proof, they would be classed as unauthorised and, if the absence did not improve, she would be prosecuted. The parent did not obtain medical evidence and she received a second warning letter asking her to go to school for a pre-referral meeting to discuss the absence.

After the second warning letter the parent went to the doctor to obtain medical evidence for her child's illness and as result her child is no longer on Fast Track.

- 4.13 In both these approaches to using Fast Track parents will be prosecuted if there are no improvements in their child's attendance. However, the **early intervention and over-arching** Fast Track approach has a much greater focus on using Fast Track within the early identification process of attendance when issues first arise.

Parenting Contracts (Attendance)

- 4.14 The survey findings suggest that generally the measure was jointly delivered between LAs and schools, with just over half of respondents (51%) stating that contracts were jointly administered (see Table E:5 in Annex E). Administration solely by the LA, according to the survey, was undertaken by two-fifths of LAs. The survey data suggests that Parenting Contracts for attendance were rarely administered solely by schools, with only five (7%) LAs indicating that this was the case. Case study Local Authorities had established distinct approaches to the use of Parenting Contracts for attendance. Differences were found to exist, both in terms of the **stage of intervention** and the **severity of pupils' attendance issues**.
- 4.15 The case study research provided much greater insight into approaches to the use of Parenting Contracts. Parenting Contracts provided the opportunity for schools to engage parents in support at an early stage, with the aim of meeting family needs earlier and reducing the need for Attendance Service involvement. In some case study authorities the involvement of LA attendance officers during this process was encouraged, whereas others encouraged sole ownership and leadership at a school level.

Example: Use of Parenting Contracts

Case Study, Authority B: Parenting Contracts are offered by schools to parents whose child is displaying irregular attendance (below 90%). The offer of a Parenting Contract is made when parents are first told that their child's attendance is being monitored. The onus is on parents to arrange meetings with the school to arrange a Parenting Contract. The LA and schools have decided that the onus should be on the parents to arrange meetings, because this means that parents who want to be engaged in the process come forward. Previously when schools arranged the meetings they were poorly attended.

- 4.16 Parenting Contracts were identified in those LAs where the LA took ownership of the process (albeit in partnership with the school). Parenting Contracts were likely to be used as a part of the LA's formalised approach to addressing attendance issues. This type of contact was mainly used by authorities that had adopted a prescriptive delivery approach (Model A) and tended to be used in the following circumstances:
- **as a follow-up to an informal agreement between a school and parents**, and if the case proceeds to LA intervention, it may be deemed appropriate to then offer a Parenting Contract led by the LA; or
 - **where a Parenting Contract had not previously been offered by the school** and it was felt that this would be a beneficial intervention for the family.

Types of Support

- 4.17 The survey suggests that parents were most likely to be offered parenting classes and programmes through Parenting Contracts. The majority (88%) of survey respondents reported that parents would be offered this type of support. The measure was also used by LAs/schools to signpost parents to other support services, including mental health services. The survey results suggest that nearly four-fifths (78%) of LAs using Parenting Contracts had signposted parents for additional mental health service support (see **Table E:6 in Annex E**).
- 4.18 Providing parents with assistance in getting their child(ren) to school and providing housing/accommodation advice was also common; and with nearly three-quarters of survey respondents reporting that they would offer this type of support through Parenting Contracts. Signposting parents for alcohol and drug treatment was also prevalent, with over two-thirds of survey respondents reporting that this was provided for parents in receipt of Parenting Contracts.

Penalty Notices (Attendance)

- 4.19 Penalty Notices were commonly used in the case study authorities as part of intensive case work. They were also issued outside of case work to address unauthorised holidays, 'broken weeks' of attendance and punctuality issues.
- 4.20 **The case study research showed that Penalty Notices were found to be predominately used as a part of a wider package of support and intervention.** For pupils with attendance concerns, schools or LAs would already have provided some form of support or intervention prior to considering a Penalty Notice. For example, the decision to issue a Penalty Notice may be considered at a certain point within the Fast Track process, as a precursor or alternative to prosecution.
- 4.21 **Outside of casework Penalty Notices were most likely to be used to address unauthorised holidays.** However, there was variation in the degree to which case study LAs were willing to use Penalty Notices for unauthorised holidays. Some areas had established an overarching LA policy on authorising holidays in term time, but this was not the case across all LAs. In addition, the degree to which headteachers complied with LA policies also varied since, ultimately, they have the discretion to authorise holidays taken during term time

4.22 Across the case study LAs, Penalty Notice Warning letters were commonly used by schools and the Attendance Service. All ten case study authorities used Penalty Notice warning letters as a deterrent. Warning letters were most commonly used with pupils with broken weeks of attendance and for Year 11 pupils to encourage attendance in their last year at school. There was also an example of one case study area having implemented a specific Penalty Notice initiative to boost attendance.

Example: Penalty Notice Initiative

Area B have piloted a Penalty Notice initiative in secondary schools. This initiative aimed to prevent further pupils falling further into the persistent absence category and hoped to raise some pupils out of the category. Therefore pupils in the 70-85% attendance bracket were targeted for involvement in the initiative. All the pupils within this attendance bracket were issued with a Penalty Notice warning letter, followed by a Penalty Notice if attendance did not improve.

Parenting Orders (Attendance)

4.23 Parenting Orders for attendance were used by nine out of the ten case study authorities. In the right circumstances, Parenting Orders were perceived as playing a key role in addressing unauthorised absence. Although issued as a disposal of the court, it was reported by the majority of case study authorities that LA Attendance leads did in certain circumstances recommend Parenting Orders:

- if a parent has not engaged in support previously, but a LA attendance professional thinks that a Parenting Order will make them engage or would strengthen engagement for parents for whom engagement has previously been sporadic, due to the compulsory nature of the order; and
- if parenting issues are the underlying cause behind the reasons for pupils non attendance.

4.24 The survey suggests that parents were most likely to be offered parenting classes and programmes through Parenting Orders for attendance. Nearly all (92%) of LA survey respondents reported that parents would be offered this type of support. Other key support services offered through Parenting Orders included: housing/accommodation advice; signposting to mental health services; and providing assistance in getting child(ren) to school which were reported by over six-tenths of survey respondents (see Table E:6 in Annex E).

4.25 Offering counselling was also common, with three-fifths of survey respondents reporting that they would offer this type of support through Parenting Orders for attendance. Signposting parents for alcohol and drug treatment, providing money/benefits advice and providing assistance in getting parents to meetings was also prevalent, with 58% of survey respondents reporting that this was provided for parents in receipt of Parenting Orders for attendance.

Approaches to the Use of the Behaviour Measures

4.26 We describe below the approaches that the case study authorities had established in the use of the behaviour measures.

Parenting Contracts (Behaviour)

4.27 Nationally, usage of Parenting Contracts for behaviour is low. However, the survey and case study research provide a useful overview of the approaches taken by LAs and schools in using the measure.

4.28 A small number of LAs use this measure extensively. For example, one of our case study authorities was the highest user of Parenting Contracts for behaviour in 2007-08, issuing over 700. Within other LAs, use is generally much lower, for example just over two-fifths (42%) of survey respondents have used Parenting Contracts for behaviour, with on average 27 Parenting Contracts being issued per LA. Four of the case study authorities were using Parenting Contracts for behaviour. With the exception of the highest user, usage was generally low within these areas, ranging from 21 to 73 in 2007-2008.

4.29 The case study research identified two main approaches to the use of Parenting Contracts for behaviour:

- **individual led** (either Local Authority or school-led); or
- an **integrated approach**.

4.30 An overview of each of these approaches is provided in **Figure 4.3**.

Figure 4.3: LA Approaches to the Use of Parenting Contracts for Behaviour

- **Individual Led Model (used by three case study LAs):**
 - **School-led:** within their overall approach to addressing behavioural issues schools are provided with the autonomy and flexibility to deliver Parenting Contracts. However, guidance and support is provided by the LA on use. This approach was used by two case study authorities.
 - **Local Authority-led:** led by a key LA officer who takes overall responsibility for engaging schools and in managing and delivering the use of Parenting Contracts within the LA. This approach was taken by one case study authority.
- **Integrated approach (used by one case study LA):** established as a multi-agency delivery model these Parenting Contracts are delivered in partnership between schools, the LA and other agencies/services. If the Parenting Contracts are unsuccessful and behavioural issues remain, breaches are dealt with through a LA-wide Behaviour Panel.

4.31 In the **school-led approach**, schools have lead responsibility for the delivery of Parenting Contracts. However, support and guidance is provided by LA officers on use. This may include awareness-raising or promotion at a school level as to how the contracts can be used within existing behaviour processes. For example, in one case study authority (B) the LA Lead for Parenting Contracts provided a support and advisory role focused on raising schools' awareness of the powers they have available to them.

4.32 The autonomy provided to schools in LAs that adopted this school-led approach resulted in key differences in how Parenting Contracts for behaviour were termed. School-led Parenting Contracts were often known in another guise, for example as a pastoral support plan or as a home-school agreement.

Example: School-led Approach - Use of Parenting Contracts within the Pastoral Support Process

In Case study A, Parenting Contracts have been included in the Pastoral Support Process currently used by schools. This process involves meeting the parent to discuss support for their child and can include the offer of a Parenting Contract. This offer is usually taken up, as the Pastoral Support Process is well embedded in schools; and parents already effectively engage with the process.

The Pastoral Support Process includes a formal meeting where the Parenting Contract is drawn up, which then all attendees sign. The Parenting Contract explicitly outlines actions and targets for all parties and makes it clear that parents are agreeing to adhere to the actions and targets identified. The school also agrees to provide support to the parent.

4.33 The case study authority that had a **LA-led approach** to the use of Parenting Contracts for behaviour had adopted solution-focused strategies. Led by an individual officer within the authority, this solution-focused practitioner had key responsibility for implementing Parenting Contracts in schools. The term Parenting Contract has been replaced with the term '*parent contract*' in this area. This decision underpinned the authority's commitment to providing supportive, rather than punitive intervention.

"Parenting implies a judgement of the parent, rather than support for their role." (Inclusion Officer)

4.34 A key focus of this officer's work, via the implementation of the Parenting Contract, was to address the relationship between school staff and parents, as frequently it had become strained or even broken down. Although initially operated as a LA-led approach, the officer is now training schools to deliver this solution-focused approach, with the expectation that school staff will take on responsibility for delivery.

4.35 **An integrated approach in the use of Parenting Contracts for behaviour had been adopted by one case study authority.** This was found to be a much more formalised and multi-agency approach to the use of Parenting Contracts, which were used to address ongoing behavioural issues. In this area, a partnership approach had been developed between schools, the LA and other agencies (if appropriate) to implement the Parenting Contracts for behaviour.

4.36 The schools played a key role in co-ordinating the implementation of the Parenting Contracts and taking the lead on engaging other agencies in the process. In this context, Parenting Contracts were used at a school level as an early intervention process, alongside the use of Pastoral Support Plans and other school-based support. If the Parenting Contract implemented at a school level was unsuccessful, the LA would intervene to implement a new Parenting Contract. A LA Behaviour Panel considers the appropriateness of applying for a Parenting Order where a contract is breached.

4.37 The support and specific actions outlined in Parenting Contracts for behaviour are based on the needs of individual families. However, case study authorities reported that support may include:

- referral to parenting programmes or support groups, for example Webster Stratton, STEPS, Triple P etc;¹²

¹² **Webster Stratton:** parenting programme focused on strengthening parenting competencies (monitoring, positive discipline, confidence) and fostering parents' involvement in children's school experiences in order to promote children's academic, social and emotional competencies and reduce conduct problems. **STEPS** (Systematic Training for Effective Parenting) parenting programme focused on developing communication between family members and lessening conflict. Includes a focus on understanding parent and child behaviour and feelings and how to encourage, listen and talk to children, how to discipline them and help them learn to

- solution-focused support for parents and pupils, for example on setting boundaries;
- school-based action or support, for example alternative provision, reduced timetables etc;
- pupil based actions, for example peer separation, review of punctuality and behaviour in lessons; and
- signposting to other services/support, for example the Child and Adolescent Mental Health Service (CAMHS), family support, voluntary and community sector services, and use of the CAF.

Penalty Notices (Exclusions)

- 4.38 Available information on LA approaches to the use of Penalty Notices for excluded pupils found in a public place during school hours from survey and case study authorities was limited due to the fact this is a fairly new measure, having come into use just over a year before this research began. Only nine of the 84 survey respondents had used Penalty Notices for behaviour and only two case study areas had used this measure. Information provided on approaches to use was therefore limited. Further research into the use of Penalty Notices for exclusion, once its use has increased nationally, would be beneficial.
- 4.39 The case study research indicated that in one LA all Penalty Notices for excluded pupils were processed through the Behaviour Lead. The LA reported that this was to ensure transparency in the issuing process, allowing the Behaviour Lead to confirm with the school that the pupil had been excluded before a notice was issued. This process also ensures that the behaviour lead can clarify with the school if there were particular circumstances which would make it inappropriate to issue a Penalty Notice, for example safeguarding concerns.
- 4.40 At the time of our visit, this case study authority had issued nine Penalty Notices in 2009-10. A key role of the behaviour lead was to raise awareness about the use of Penalty Notices, ensuring that schools have model letters in place to use when appropriate. In the other case study authority that had issued Penalty Notices for behaviour, the process was similar. However the notices were issued through the Attendance Service, rather than through the Behaviour Lead.

Triggers and Criteria for the use of the Attendance Measures

- 4.41 Persistent absence was the key trigger for use of all the PRAB measures. However, there were variations in the triggers for each individual PRAB measure, both within and across Local Authorities. The triggers for use of the attendance measures were directly linked to the overall delivery model established by case study authorities, reflecting the varying priorities for local areas in addressing attendance issues.
- 4.42 Case study authorities that had a **Prescriptive Delivery Model (Model A)** had specifically established a process that encouraged the early identification of attendance issues. Consistency in their approach to working with pupils with attendance issues ensured that the level, type, and trigger point for intervention was made explicit, to both schools and the LA. This ensured that all pupils were treated consistently and that there was less ambiguity in when attendance measures should be used. For example, this might involve the Attendance Service defining the attendance level at which the Fast Track process would begin for all pupils. Alternatively, it may involve a Penalty Notice being issued at a certain point within the intervention process, if it was found that a pupil's attendance was not improving.
- 4.43 Although there was some evidence of attendance triggers for the use of attendance measures for **Model B (Discretionary) and C (Holistic)** case study authorities, professionals had much greater autonomy when they considered using the measures. For example, decisions on the use of the measures were much more likely to be based on professionals' understanding of individual families and their judgement on the appropriateness of using particular measures.
- 4.44 The survey and case study findings suggest that the PRAB measures were predominately used with secondary aged pupils. The survey data indicates that Parenting Contracts (attendance and behaviour) and Parenting Orders (as a disposal of the court) were most likely to be used with **Key Stage 3** pupils (see Table E:8 in Annex E). Penalty Notices and Fast Track were reported to be most likely used with **Key Stage 4** pupils. There is, however, no evidence from the survey and case study research that Local Authorities were targeting specific age groups for involvement in the PRAB measures.

Parenting Contracts (Attendance)

- 4.45 Persistent absence (PA) and persistent lateness were the most common criteria/triggers for using Parenting Contracts for attendance. The majority of survey respondents (more than 90%) indicated that PA was a trigger (see Table E:9 in Annex E).

- 4.46 Nearly two-thirds of survey respondents indicated that failure of parents to engage with school voluntarily (i.e. to come into school to discuss their child's attendance) was a trigger for the use of Parenting Contracts. This suggests that Parenting Contracts are being used to formalise parental engagement with schools and supports the case study evidence that suggests some LAs were using Parenting Contracts for parents that were reluctant to engage. Some LAs also used Parenting Contracts where parents requested support or where they believed a multi-agency approach would help in addressing a child's poor attendance.
- 4.47 Survey respondents indicated that Parenting Contracts were most commonly used with **Key Stage 3** pupils (see Table E:8 in Annex E). Just over a third of survey respondents indicated that they were most likely to offer and agree this measure in Key Stage 3. However, the survey data suggests that there was a general lack of awareness about which key stage the measure was most likely to be used, suggesting a lack of monitoring. Nearly two-fifths (39%, 26/67) of survey respondents reported not knowing which key stage the measure was most likely to be used at, and nearly three-quarters (73%, 19/26) of these were high users of Parenting Contracts.
- 4.48 The case study research suggests that Parenting Contracts are used with a wide range of parents, with LAs and schools choosing to use these with appropriate cases rather than specific age groups or school phases. There is no evidence that Local Authorities were choosing to target specific age groups or school phases for involvement. The voluntary nature of the measures meant that school staff and LA officers had used them with parents who were either already engaged in support or, it was felt, would engage with a Parenting Contract if offered.

Fast Track

- 4.49 **Survey respondents identified persistent absence and lateness as the most common triggers for the use of Fast Track** (see Table E:9 in Annex E). The majority of respondents (nearly nine out of ten) indicated that Persistent Absence was a trigger for use of the measure and nearly three-fifths reported that persistent lateness was a trigger for use. Other triggers identified by survey respondents included holidays taken during term time (just over a quarter). Fast Track was also used where parents refused to engage voluntarily with the school to address their child's emerging attendance problems.

4.50 Fast Track was most likely to be used at **Key Stage 4** (see Table E:8 in Annex E), with more than a third (24/70) of survey respondents stating that they were most likely to use this measure with this age group. However, the number of LAs that said that they were most likely to use Fast Track at **Key Stage 3** was only slightly lower at just under a third (22/70). This reflects the general trend for more severe attendance issues to be prevalent for secondary pupils and Fast Track often being used by LAs as a last attempt to address attendance issues prior to prosecution.

4.51 **Pupils were placed on the Fast Track case management process where attendance triggers were met and these were clearly defined for case study authorities that had established an early-intervention** approach; and generally in prescriptive (Model A) authorities. For example, in one case study LA the trigger for the start of the Fast Track process was eight sessions of unauthorised absence in the previous four-week period. In another LA, the Fast Track trigger was pupils' attendance falling below 85% (see **Figure 4.1**).

Table 4.1: Fast Track Attendance Triggers: Early Intervention and Legally-Focused Approach

- eight sessions absence in the previous four weeks (Case Study, Authority C);
- usually if attendance drops below 85% or if there are 'broken weeks' of attendance (Case Study, Authority A);
- attendance dropping below 90% and no improvement through school sending out initial warning letter (Case Study, Authority E); and
- attendance below 85% (Case Study, Authority H).

4.52 Fast Track was also used as a discrete and independent approach where pupils' attendance became problematic and where previous interventions such as Parenting Contracts or Penalty Notices had failed. Fast track was also used where the level of parental and pupil engagement in addressing attendance was poor or where the pupil's non attendance becomes more severe and action is required. Alternatively, other attendance measures may be embedded within the Fast Track process (see **Figure 4.2**).

Table 4.2: Fast Track Attendance Triggers – Discrete and Independent Fast Track Approach

In Case study Authority G, Fast Track is a clearly defined system that takes the EWO and parents through 30 day blocks of work where particular actions need to be taken e.g. family visits, meetings, warning letters within that time-period. Within each 30 day block of work the EWO has the option of issuing a Penalty Notice.

Penalty Notices (Attendance)

- 4.53 The majority of survey respondents (89%) indicated that Penalty Notices were most likely to be used to address unauthorised holiday. Persistent absence (87%) and persistent lateness (59%) were also identified through the survey as triggers for use (see Table E:9 in Annex E). The case study research also found that Penalty Notices were used to address broken weeks of attendance.
- 4.54 Survey respondents indicated that Penalty Notices were most likely to be used with **Key Stage 4** pupils (see Table E:8 in Annex E). Nearly half of survey respondents (47%, 35/75) indicated that they were most likely to use Penalty Notices with this age group, compared to a quarter who said they were most likely to use them at Key Stage 3.
- 4.55 The case study research found that Penalty Notices were most likely to be used with Key Stage 3 and 4 pupils as an approach to boosting attendance at key time points (e.g. examination periods), or as an alternative to prosecution. Case study authorities had developed a Code of Conduct that allowed Penalty Notices to be issued at the discretion of Attendance Service officers only and not school staff. The Codes also identified levels of unauthorised attendance that would result in a Penalty Notice being issued (see below).

Penalty Notices: Attendance Triggers

Case study Authority D has recently revised its Penalty Notice Code of Conduct to ensure consistency in the use of Penalty Notices. Pupils must have at least ten sessions (five school days), but no more than 40 sessions lost due to unauthorised absence during a 12 week period. A warning letter has to be issued and pupils are given a maximum of 15 days for improvement.

- 4.56 Case study authorities varied between establishing specific attendance triggers and timescales for issuing Penalty Notices and developing a more flexible approach to use. For example, prescriptive (Model A) authorities were more likely to have defined clear triggers and/or timescales within which a Penalty Notice would be considered. Other areas had adopted a more flexible approach (discretionary and holistic authorities).

Example: Use of Penalty Notices – Prescriptive (Model A) Approach

In **Case study Authority C**, in weeks 10-12 of the Fast Track process a Pre-court Conference is held where there have been no improvements in attendance. School and the EWS hold the conference with the parents to decide the outcome, which at this stage could be a Penalty Notice or prosecution. If it is decided that a penalty notice should be issued, parents are issued with a warning letter and given two weeks for their child's attendance to improve.

In **Case study Authority A**, a pre-court meeting would be held if there was found to be no improvement in attendance after a School Attendance Panel and a LA led Attendance Panel. The pre-court meeting is attended by 3-4 members of the EWS and the purpose is to review the case and decide whether punitive action should be taken. The decision would be taken at this meeting whether a penalty notice should be issued. The LA representatives reported that a Penalty Notice would be more likely to be issued when a pupil's attendance is not sufficiently poor to proceed to prosecution (e.g. if attendance is above 80%, but there are many broken weeks or if the pupil is in Key Stage 4, because due to the age of the pupil it is not deemed appropriate to commence legal action).

Example: Use of Penalty Notices – Discretionary and Holistic (Model B and C) Approach

In **Case study Authority B** Penalty Notices are used at various stages in the LA approach to addressing attendance issues. For example, the decision to issue a Penalty Notice may be considered at the point at which the case is referred to the LA. However, a Penalty Notice may also be considered once there has been some level of LA intervention. In this area, it may also be considered as an alternative to prosecution.

Parenting Orders (Attendance)

- 4.57 Persistent Absence (PA) and the failure of parents to engage voluntarily in support were the most common triggers for Parenting Orders (see Table E:9 in Annex E): Over two-thirds of survey respondents where Parenting Orders were used reported that PA was a trigger for use; and just under half of respondents indicated that lack of parental engagement in addressing their child's poor attendance was also a reason for use. Over a third of survey respondents also identified persistent lateness as a trigger.
- 4.58 Parenting Orders were most likely to be used as a disposal of the court at Key Stage 3, with nearly two-fifths of LAs stating that they were most likely to be used with this age group. One-quarter of survey respondents stated that they were most likely to be used as a disposal at Key Stage 4 (**see Table E:8 in Annex E**).

Triggers and Criteria for the use of the Attendance Measures

Parenting Contracts (Behaviour)

- 4.59 The case study research suggests that Parenting Contracts for behaviour involve mainly pupils excluded or at risk of exclusion, but are also used as an early intervention approach, including pupils who display signs of misbehaviour, but not severe enough to result in exclusion.
- 4.60 The survey data suggests that Parenting Contracts for behaviour were most commonly offered at **Key Stage 3**, with secondary age pupils (see Table E:10 in Annex E). Nearly a third of survey respondents indicated that they were most likely to offer and agree this measure in Key Stage 3. Less than half that number said that they were most likely to offer and agree Parenting Contracts at Key Stage 4. This reflects the higher risk of exclusion at a secondary level.
- 4.61 Nearly half of survey respondents were unable to provide a key stage breakdown of the number of Parenting Contracts for behaviour agreed (see Table E:10 in Annex E). This reflects wider difficulties faced by Local Authorities in monitoring usage of the behaviour measures, particularly as they are often school-led, with limited mechanisms for reporting to the LA.

Penalty Notices (Exclusions)

- 4.62 Penalty Notices for excluded pupils were only used by LAs when an excluded pupil is found in a public place during school hours, without a justifiable reason.

Roles and Responsibilities

- 4.63 The case study research found some diversity in the clarity and definition of roles and responsibilities of school staff and LA officers in the use of the attendance measures which was linked to the models of delivery that had been established. The roles and responsibilities of schools and LAs were most clearly defined within LAs that had established a **Prescriptive Delivery Model**. This included:
- the expected level of school-based support and intervention prior to Attendance Service intervention;
 - the expected level of intervention and action at specific attendance levels; and
 - specific attendance triggers for LA referral.

- 4.64 For authorities that had established a **Discretionary Delivery Model** there was more likely to be variation in when a school could refer a pupil for LA intervention. Although there was likely to be some level of prescription at LA level as to when a school should refer, there was much greater discussion between Attendance Service officers and school staff on a case by case basis as to the need for a referral.
- 4.65 The priority focus for **Holistic Delivery Model** authorities was on meeting underlying family issues that may be contributing to poor attendance. The case study authority that operated this approach based it on the assumption that a pupil's attendance or behaviour issues are a result of wider social problems within the family.
- 4.66 **Figure 4.4** shows the variation in the roles and responsibilities of schools and LAs across the delivery models.

Figure 4.4: Roles and Responsibilities –Variation in Delivery Models
<p>Model A: Prescriptive Delivery Model (Case Study, Authority G)</p> <p>This LA operates a 90%, 80% and 70% system. The roles and responsibilities of the schools are as follows:</p> <ul style="list-style-type: none"> • 90% School Action: Schools are responsible for managing attendance/ protocols. In addition to any first day contact schools are expected to write to parents on a monthly basis outlining any concerns; • 80% School Action: If attendance deteriorates to 80%, the school is expected to write to the parent giving them the opportunity to come into school to discuss the absence. There is an expectation that the school will discuss the absence with the Attendance Service; and • 70-80% School Action: the Attendance Service would expect schools to offer/implement Parenting Contracts or other measures, such as Attendance Clinics supported by the Attendance Service.
<p>Model C: Prescriptive Delivery Model (Case Study, Authority J)</p> <p>The first stage in the process of identifying and addressing a problem with attendance or behaviour rests with frontline workers (school teachers, PCT staff, Behaviour Support Officers etc). Frontline officers develop an action plan which will include a programme of support for the child and takes into account the child's needs.</p> <p>Where a multi-agency response is required, the case is referred onto the Social Inclusion Panel (SIP). The SIP has a specific role to assess the needs of the young person and provide a multi-agency response. The SIP looks at a range of issues, including school attendance. If a multi-agency response is not required the case is referred straight to the Attendance Welfare Service. Decisions on the use of the PRAB measures would then be taken on an individual case basis.</p>

4.67 **The case study research found that Local Authorities' approaches to the use of the attendance measures is not restricted within the parameters of these three delivery models.** The case study research suggests that, even for authorities that have established a **Prescriptive Delivery Model** (Model A), the extent to which set processes are followed will be influenced by other factors. Although the overall LA approach may be viewed as a *'blue print'* for addressing attendance issues, there is the flexibility to allow attendance and school professionals to consider and respond to other factors which may influence their choice of intervention, use of attendance measure, or decision to proceed to prosecution. These factors include:

- **the presence of underlying family issues** may impact on the willingness of professionals to use legal interventions. For example, for a family that has prevalent issues that are being addressed through other agency support, prosecution may be deemed inappropriate. In this situation the focus instead would be on providing family based support to resolve issues;
- **the level of parental and pupil engagement** - high levels of parental engagement may influence an attendance professional's decision whether to proceed to prosecution. For example, professionals may choose not to prosecute a parent if they feel they are co-operative and engaged in support, but are unable to influence and improve their child's attendance. Conversely, low parental engagement, co-operation and limited impact from pre-intervention support may result in professionals making a swifter decision to proceed the case to prosecution;
- **staff capacity and availability of resources** - the use of the attendance measures, particularly those that are resource intensive for professionals (for example Fast Track), may be refocused or delayed due to the capacity of attendance professionals to effectively implement; and
- **the age of pupils** – is likely to influence professionals' decisions on the approach taken and the use of particular attendance measures. For example, prosecution may be considered inappropriate for Year 11 pupils due to limited time within which improvements in attendance could be seen and maintained.

Training and Support for Officers

4.68 The survey data indicates that training and support for LA officers in using the measures was most likely to focus on sharing good practice within the Attendance Service (88%) (see Table E:11 in Annex E). Service training days were also common (81%), as was sending LA officers on external training/conferences (60%). Nearly three-fifths of respondents indicated that LA officers were provided with the opportunity to go on legal services training.

4.69 Training on the use of measures for school staff was predominately focused on online or paper based resources, as reported by just over four-fifths of survey respondents (81%). Training through staff INSET (65%) and providing training to governors were also common.

Monitoring and Evaluation

4.70 The majority of survey respondents reported that they had systems in place to monitor usage of the measures for attendance and had undertaken additional monitoring of usage. LAs were most likely to monitor usage of Parenting Contracts; and additional data monitoring of Parenting Orders (75%), Penalty Notices (77%) and Fast Track (87%). Monitoring and evaluation of the attendance measures was also common across the case study areas.

4.71 There was some evidence to suggest that the case study LAs were collecting evidence of impact, with this being most common in relation to the use of Fast Track. However, there were some issues around staffing which meant some LAs did not have sufficient time to undertake the level of monitoring and evaluation that they would like to.

4.72 Local Authorities were generally monitoring parental take-up and compliance with the measures; however this was not consistent across areas. Nearly two-thirds of survey respondents indicated that they were monitoring parental compliance with the measures nearly three-fifths were monitoring parental take-up of the measures (see Table E:12 in Annex E). However this means that more than a third of respondents were not or did not know whether they were monitoring parental compliance. Time constraints in monitoring and analysing compliance and take-up were identified as key challenge by LAs with more than three-fifths of survey respondents identifying this as an issue (see Table E:13 in Annex E). The ability to obtain data from schools on use of the measures was also highlighted as a challenge (reported by nearly two-fifths of survey respondents).

5 EXPERIENCE OF LOCAL AUTHORITIES, SCHOOLS, PARENTS AND PUPILS IN THE USE OF THE PRAB MEASURES

Key Messages

1. Access to appropriate pre-intervention support and strong ownership and commitment at a school level to addressing attendance issues can support the effective use of the measures. This allows underlying issues for non attendance to be addressed and supports the evidence base for legal intervention.
2. The establishment of quality assurance processes to support the use of the legal measures, including gate-keeping processes, provides independent perspectives on the use of legal intervention and supports consistent use of the legal measures within a LA.
3. Effective LA management is central to the use of the attendance measures, particularly training and support offered to LA and school staff, ongoing monitoring and evaluation, and the development of clear and concise guidance and information materials for LA and school staff on the use of the measures.
4. Workload issues, limited resource and staff capacity were identified as key barriers in the use of the PRAB measures. Recruitment and retention issues, along with cuts to staffing have led to capacity issues across a number of our case-studies. Specifically this has led to an increase in case-loads, reducing attendance officers' capacity to undertake preventative and early intervention support.
5. The ability for professionals to access support and funding for families to support the use of the attendance and behaviour measures is a key challenge. The accessibility and availability of parenting support directly impacted on the use of PRAB measures. Limited parenting support at a local level has discouraged the use of Parenting Contracts for attendance and behaviour in some case study authorities.
6. All case study authorities felt that inconsistencies in disposals from prosecutions under Section 444.1 and 1a undermined the impact of the measures.
7. Concerns about the potential impact of the use of the measures on relationships with parents, staff confidence, lack of staff training and data inaccuracies at a school level were all identified as key challenges in the use of the PRAB measures.

- 5.1 In this section of the report we provide a summary of the key factors that have been identified at a school and LA level to support the effective use of the PRAB measures. We begin by outlining common effectiveness factors identified through the research in the use of the PRAB measures and also detail specific effectiveness factors. We also discuss barriers and challenges in the use of the measures at a LA and school level.

Effectiveness of the Measures

5.2 The attendance measures were viewed as being most effective when used as a form of early intervention in addressing emerging problems of poor attendance or at the primary school level. Likewise, the use of the behaviour measures, particularly Parenting Contracts, was viewed as being more effective when used prior to behaviour issues becoming severe. This was a view that was supported through both the survey and case study research.

5.3 The survey and case study findings suggest that the management and delivery processes established by Local Authorities directly influenced the overall effectiveness of the PRAB measures. More than two-thirds of respondents felt that they had effective practice in relation to the monitoring and evaluation of the measures and using that evidence to inform their practice (see Table E:14 in Annex E). Where the measures were deemed to be most effective, the following factors were present:

- **access to appropriate pre-intervention and early intervention support.** This is integral to addressing underlying reasons for poor attendance and behaviour;
- **strong ownership and commitment at a school level.** This is important for the early identification of attendance and behaviour issues and ensuring that the use of the PRAB measures is a partnership approach between LAs and schools;
- **clarity regarding the nature of intervention/process.** A time focused process with procedures that are clear and transparent to all stakeholders (parents, pupils, school and LA staff) ensures that cases do not drift;
- **the establishment of quality assurance or gate-keeping processes** by LAs to support the use of the legal measures, for example using multi-agency panels to ratify decisions on legal intervention;
- **effective LA management** through ongoing monitoring and evaluation and seeking alternatives for addressing embedded attendance issues; and
- **effective legal support and liaison with courts.** Through increasing the awareness of magistrates of the impact on non attendance on pupils and families, strong LA legal support and the identification of dedicated attendance officers with responsibility for the use of the legal measures.

5.4 In addition, clear and concise guidance and information materials for school and LA staff on the use of the PRAB measures was viewed as essential. We provide further explanation on each of these effectiveness factors below, in particular outlining their influence on the success of the PRAB measures.

Access to Appropriate Pre-Intervention Support

- 5.5 The ability for schools and LAs to offer a range of targeted and universal pre-intervention support was perceived to facilitate the effectiveness of the PRAB measures in a number of key ways. At a parental level it:
- provides the opportunity for parents to work in partnership with schools to resolve attendance issues prior to LA involvement;
 - encourages their voluntary engagement in support prior to the need for, or use of, more punitive intervention; and
 - increases their awareness of their child's attendance issues that they may not have previously been aware of.
- 5.6 **Providing parents with access to strong pre-intervention support ensures that underlying issues of poor attendance or behaviour at a pupil or family level can be identified and supported as early as possible.** Examples were provided during the case study research of schools providing support for families or signposting them on to other agencies and services, prior to the use of the PRAB measures. At a pupil level, there are examples of school staff adapting the timetable and curriculum to increase pupils' engagement with school, for example considering alternative provision or part-time timetables for pupils as part of their pre-intervention support package.
- 5.7 The ability for LAs to demonstrate that they have offered various types and levels of support to parents also supports the collation of an evidence base for cases that subsequently progress to prosecution. Specifically, it can demonstrate to magistrates the resources and time that have been invested in a particular case prior to prosecution.

"The EWS should be the last resort, because it could lead to legal proceedings and the parents need a fair opportunity. Parents appreciate this too; and especially as some perceive the EWS to be threatening".
(EWO)

Strong Ownership and Commitment at a School Level to Addressing Attendance Issues

- 5.8 Establishing a wide range of school-led pre-intervention support encouraged school ownership of attendance issues and allowed them to provide both targeted and universal support, prior to LA intervention.

- 5.9 Local Authorities should play a key role in securing the co-operation and support of schools, in both addressing attendance issues more widely and in the use of the measures. There were examples in our case-studies of support being offered to schools at the pre-intervention stage. For example, this may include LA Attendance Service officers attending school-led meetings with school staff to emphasise the seriousness of attendance issues to parents and pupils. It may also involve regular meetings between schools and the LA to discuss concerns and to identify specific approaches to addressing attendance issues in school. These approaches provide greater ownership to schools in addressing attendance issues, with support from the LA.
- 5.10 Clearly defining the roles of schools within a LA approach to addressing attendance issues encourages clarity and transparency in the use of the measures. For example, in **Model A (Prescriptive) authorities** that had implemented a very structured approach to addressing attendance issues and use of the measures, schools appeared to be more engaged in the overall LA process. Defining clear roles and responsibilities for schools facilitated ownership and ensured that schools were clear on the need for school-based action prior to LA intervention. **Model A** authorities were also more likely to report that schools were supportive and engaged in the LA approach to addressing attendance issues.

Model A: Schools' Engagement in the Process

"We wouldn't be effectively addressing attendance issues without the support of the LA." (Primary Headteacher)

"You need a very clear protocol that's easy to communicate to people and is visual e.g. red, amber, green posters that you can take into schools and get the schools to put on their walls. This is particularly useful for the referral process as the schools know that they have three points of contact and it is also useful in challenging schools as we can reiterate to them that we shared the protocol with them at the start of the academic year." (Head of Attendance)

- 5.11 **Providing the appropriate level of support and challenge to schools was found to be key to addressing attendance issues.** The level of support and challenge provided by LAs to schools was variable across the case study areas. The prescriptive delivery approach makes schools' roles and responsibilities in identifying and responding to attendance issues very explicit. Discretionary and holistic models of delivery, although proactive in identifying and resolving attendance issues with schools, were generally more flexible in their approach, dependent on the characteristics of schools, school culture and attendance levels. This had led to variability in the level of support and challenge offered to schools within these case study LAs.

5.12 The level of support and challenge also appears to be directly linked to the culture of the LA Attendance Service. Some case study authorities appeared proactive in challenging schools through register audits for example, (see **Table 5.1**) or in understanding how they were dealing with emerging issues at a school level. Other LAs were less proactive in the level of challenge they gave.

Table 5.1: Register Audits
<p>In one case study LA, schools with high rates of attendance will undergo a register audit once a year. In other schools, depending on their needs, it will happen once termly or half-termly. The EWS provides the schools with a rating of whether their registers are poor/satisfactory/ok. This LA found the register audit to be very effective with failing schools:</p> <p><i>“That’s where it starts with the schools that are failing. We need to start with registers before we do anything else; and we’ve got to clean that up. We challenge registers robustly, we audit registers even more robustly – heads don’t like it when we say they can’t do things, but without the registers we can’t do anything.”</i> (Head of Attendance)</p>

Establishment of Quality Assurance or Gate-keeping Processes to Support the Use of Legal Intervention

5.13 The establishment of quality assurance or gate-keeping processes evident through the case study research were found to be effective in supporting the decision-making process on legal intervention.

5.14 Four of the case study authorities had established additional structures within their overall approach to provide a quality assurance process for decision-making on legal intervention. These structures varied slightly across areas (officers involved, timescales etc). In two LAs decision making remained within the Attendance Service. However in the other two LAs decision making had been devolved to a multi-agency element to this process.

Table 5.2: Example: Quality Assurance Process

If Stage 3 of the LA's process for dealing with attendance issues (**School Attendance/Behaviour Panel**) has failed to bring about the necessary improvement and the School Attendance/Behaviour Panel has recommended legal proceedings, then the matter will be referred to the multi-agency **Attendance Advisory Panel (AAP)**. The **Attendance Advisory Panel** can be in the form of a central AAP or a locality based panel.

The **AAP** comprises: an Attendance Advisor (Legal), School Improvement Advisor, a Senior Manager from Social Care, a representative from the Youth Offending Service, headteacher representatives and a governor representative (parent/attendance governor).

The Panel will be informed by reports from the Attendance Advisor and minutes from the School Attendance/Behaviour Panel Meetings. The Panel will also receive notification of non-payment of Penalty Notices including recommendations from the Attendance Advisor in addition to cases where parents have failed to comply with a School Attendance Order.

The AAP's remit is to authorise legal proceedings, on behalf of the LA, in respect of unacceptable, unauthorised absence from the school, and act as a '**Quality Assurance**' vehicle for all cases recommended for legal proceedings.

Should the AAP not agree that legal proceedings are appropriate the case will be referred back to the Attendance Advisor to review with the Attendance Improvement Officer (AIO). Cases may be deferred for a final decision, pending further information from the Attendance Advisor/AIO or other services/agencies.

5.15 These quality assurance processes were reported by case study authorities to have a number of key benefits in supporting the use of the attendance measures. In particular these structures were reported to:

- provide an independent perspective on the decision-making process, reducing the possibility of relationships between attendance officers and families influencing decisions to proceed to prosecution;
- provide ratification for decisions on punitive intervention, ensuring that decisions are transparent and directed by senior Attendance Service officers after; and
- support consistent, decision-making on the use of the legal measures within a LA.

"The decision over what punitive measures to use is made at the pre-court meeting by senior EWS managers. This is effective because EWOs can become connected with a family and so can struggle to make harsh decisions that would punish families. This removes the decision-making away from the EWOs." (Head of Attendance)

Effective Local Authority Management

- 5.16 **Effective LA management is central to the effective use of the PRAB measures. The training and support offered to LA and school staff was reported to be integral in supporting the effective use of the measures.** This was found to be in terms of providing both formal and informal training and support mechanisms (reported by 56% of LAs responding to the survey) and in relation to the development of **clear and concise guidance and information materials for LA and school staff on the use of the measures.** This training and support helps to ensure there is a consistent understanding in the use of the measures at both LA and school level. **Table 5.3** provides examples from survey respondents and the case study authorities in relation to effective practice in these areas.

Table 5.3: Examples of Effective Practice: Local Authority Management	
Training and Support for Staff	<ul style="list-style-type: none"> • Training for school staff who have a remit for attendance issues, training for headteachers (including induction for new headteachers and governors); • Regular staff meeting and training days; • Legal training, for example on prosecutions and exclusions for school staff, governors, LA officers and other agency staff; and • Regular meetings for behaviour and attendance leads across the LA/consultations groups to provide support and share good practice.
Guidance/ Information Produced for Staff	<ul style="list-style-type: none"> • Production of procedures manuals that all staff use; • Production of protocols for school staff in using the measures, for example Parenting Contracts, Parenting Orders and Penalty Notices; and • Guidance information materials available for LA officers, school staff and parents available on the intranet and website.

- 5.17 Additionally, the role of LAs in raising awareness of guidance and criteria for using the measures and disseminating good practice was critical in supporting their effective implementation. Examples provided by survey respondents included: LA-wide network meetings; and a launch of a best practice guide and attendance strategy to help raise awareness; and radio and media campaigns informing parents of the consequences of holidays being taken during term time. Our case study work provided examples of LAs having established specific structures and forums to cascade information and consolidate understanding of the PRAB measures. **Table 5.4** provides examples of these structures.

Table 5.4 Example: LA Mechanisms for Sharing and Disseminating Good Practice

Attendance and Behaviour Network: Case study authority D ran a termly network meeting for primary and secondary attendance leads. The purpose of this network is to ensure that there is a clear understanding at a school level of local codes of conduct for Penalty Notices and Fast Track. It is also used to provide a forum in which staff can share issues and provides an opportunity for school staff to ask questions about the role of the Attendance Service.

School PRAB Forum: Area A has established a termly School PRAB Forum attended by all secondary deputy headteachers within the LA who are responsible for pastoral support to discuss the use of PRAB measures. The forum is used to discuss good practice and disseminate information. The forum is viewed by both LA and school staff as being excellent in providing support for schools and ensuring consistent use of the measures.

- 5.18 **Ongoing monitoring and evaluation was reported by LAs (in the survey and case-studies) to be central to effective delivery of the PRAB measures.** Survey respondents identified effective practice in terms of data analysis and collection and using evidence to inform practice. Examples provided by LAs are presented in **Table 5.5**.

Table 5.5 Examples of Effective Practice: Monitoring and Evaluation

<p>Data analysis and collection</p>	<p><u>Monitoring of Pupil Attendance Data at a LA Level</u></p> <ul style="list-style-type: none"> • Termly monitoring of all data to inform practice e.g. termly data provided to all EWOs with historical data, target data and termly absence data, as well as school PA data. Schools are colour coded red, amber or green and this determines the level of intervention/support received: <i>“the LA has an established and effective data collection system in place which informs future practice, process and procedures.”</i> (Survey respondent). • Using EWS to effectively monitor pupil attendance within schools and map absence by code and early identification of pupils on track to be persistent absentees: <i>“The Education Welfare Service uses this in offering strategic support to schools, as well as identifying pupils in need of an action plan at an early stage before problems become entrenched. It is possible to monitor attendance for most pupils via the EWS system on a daily basis, which again, identifies problems quickly”</i>. <p><u>Data Collation at LA and School Level</u></p> <ul style="list-style-type: none"> • Centralised data collection integrated data collection system, so that information on all the measures is contained in one place e.g. Capita One CSS for recording data and reporting on use of PRAB measures. • Collecting data so that it can be analysed by key stage, individual schools, SEN, mobility etc. • Tracking sheets used in schools to monitor progress of cases referred to Attendance Service.
<p>Using evidence to inform practice</p>	<ul style="list-style-type: none"> • Developing and improving data collection systems to produce detailed reports showing the positive impact of the measures. This in turn reinforces use and helps to raise confidence of LA and school staff, evidenced by the increased usage of the measures: <i>“the LA is in the process of reviewing and updating our Fast Track and Penalty Notice policies in light of information obtained through data monitoring and evaluation”</i>. • Using school/ EWS review meetings to monitor processes used and improve practice. • Attendance data is analysed in relation to gender, ethnicity and SEN, which in turn informs practice. Half termly absence analysis (by code) for each school in the LA is used to inform action planning with schools.

- 5.19 **A number of the case study authorities had established structures (e.g. attendance panels) to address embedded attendance issues.** Observed in three case study authorities, these structures aimed to provide more specialist support to address the needs of this cohort of families. These panels were used for cases where it was not appropriate to prosecute, or where prosecution had not facilitated an improvement in attendance. **Table 5.6** provides examples of two panels established in two of the case study authorities:

Table 5.6 Example: Additional LA Structures to Support Entrenched Attendance Issues

- **Children in Need Panel:** for families where prosecution has had no impact on school attendance. The LA is beginning to develop a system whereby the EWO can refer to a social care led Children in Need panel rather than re-prosecute the family.
- **Vulnerable Panel:** a multi-agency panel that precedes the LA Legal Panel set up in this LA. The vulnerable cases that the LA are working with are discussed and is attended by the Attendance Manager (as chair), police representation, health, social care, LA solicitor, LA exclusion and reintegration officer, youth offending team EWO and Vulnerable EWO. The Vulnerable Panel is an information exchange and the panel members offer advice and support to the vulnerable EWO e.g. what to try next, other interventions/agencies that may be helpful to the pupil etc.

Effective Legal Support and Liaison with Courts

- 5.20 Effective legal support and liaison with courts was reported by the case study representatives to be paramount in supporting the implementation of PRAB measures.
- 5.21 Raising magistrates' awareness of the attendance measures was felt to ensure that the courts have a clear understanding of LA approaches to addressing attendance issues. In case study authorities, magistrate training on the importance of school attendance and the need for consistency in fines and disposals was common. LA stakeholders commented that this was helpful for magistrates in recognising that prosecution is the last course of action and raises magistrates' awareness of the level of intervention that had been provided prior to prosecution.

5.22 Identifying a dedicated Attendance Officer with responsibility for the use and implementation of legal measures was felt to reduce the capacity demands on other staff, allowing them to focus more case work with families. For example, one case study authority had established a process by which a case would be handed over to Senior Attendance Service Managers if prosecution was being considered. This approach was felt to significantly reduce the demands on front-line officers, allowing them to focus on early intervention, school-based work. Having dedicated legal officers to support the use of the measures was also felt to be beneficial in supporting the legal process.

“Having our solicitor in the office breaks down barriers to legal processes it is a positive step forward. It is also good for the families as we can have a discussion first and know we’re on the same lines.” (EWO)

Effectiveness of Individual PRAB Measures

5.23 The survey and case study research were beneficial in identifying measure-specific factors, features and approaches that influence the effectiveness of delivery. We summarise these features below for each of the PRAB measures.

Parenting Contracts (Attendance)

5.24 Parenting Contracts used as an early intervention approach to addressing less severe attendance issues were perceived to be effective in improving pupils’ attendance. There were five key features of Parenting Contract delivery that were felt to influence effectiveness. In summary these were:

- **action and outcome focused** with allocated review time built into the process. The importance of Parenting Contracts being clearly focused on the outcomes they are aiming to achieve for parents and pupils, rather than offering a broad brush approach. LA professionals felt that Parenting Contracts should be an agreed and negotiated contract, rather than a prescriptive approach as this ensured that the focus remained on outcomes;
- **school ownership** of, and engagement in, the use of Parenting Contracts;
- **delivered and ‘sold’** as a non-threatening partnership approach between schools, LAs (in some areas), parents and pupils;
- **clearly defined** structures and communication between schools and LAs; and
- **clear and concise** guidance on Parenting Contracts for use by schools and parents, for example parent information sheets, Parenting Contract templates.

5.25 **The support and engagement of parents was reported by stakeholders to be central to the effective delivery of Parenting Contracts and Parenting Orders.** Even in circumstances where parents have not engaged previously, the measure was reported to be helpful in establishing a relationship with parents, through formalising the process. Staff skills in delivering these measures were also identified by stakeholders as being central to delivery. Professionals felt that LA and school staff needed to be competent in working with, and assessing, parents, and their situation, with effective engagement skills.

5.26 Parental engagement is central to effective delivery. However the voluntary nature of Parenting Contracts means that some parents will not engage. There was some evidence of poor parental compliance and refusal to engage from the case study research, which highlighted the lack of value placed on the contracts by some parents. However, this was only a minor issue given that the majority of those offered contracts did accept and complied with the terms. Additionally, no consequences for a breach of the contract were reported by some LA stakeholders to limit their potential impact.

“Because the parents know it is not legally binding, it makes no difference”
(Senior EWO)

“Parents don’t see it as a formal contract, they just see it as a piece of paperwork” (EWO)

5.27 The importance of schools and LAs being able to access appropriate support to underpin the use of Parenting Contracts was perceived to be integral. Some stakeholders commented that it was often easier to draw in support from services if they were already working with the family, but that it was sometimes more difficult to draw in support from agencies that were not currently working with the family.

5.28 Delays in the establishment of local parenting strategies have had an impact on LAs’ willingness to use Parenting Contracts both for attendance and behaviour. The case study research suggested that a lack of availability of good quality parenting support was either limiting the number of contracts that could be undertaken by LAs or leading to LAs choosing not to use them. The availability of parenting support was reported to be variable across case study authorities:

“Our parenting strategy is still being developed locally and therefore we are not willing to use Parenting Contracts if the support is not yet in place.”
(Head of Attendance Service, Case study authority D)

“The availability of parenting support can be patchy.” (EWO)

5.29 Comprehensive and regular monitoring of the use and outcomes of Parenting Contracts was perceived by stakeholders to support clarity and transparency in use. This ensured that the process was concrete, clearly documented and reviewed regularly to ensure that the focus on outcomes was maintained.

5.30 However, the survey and the case study research highlighted a lack of consistency in approaches to the implementation and monitoring of Parenting Contracts for attendance. In some areas, for monitoring purposes any form of parental agreement (whether or not it had a parenting support element) between a school and parent was classed as a Parenting Contract, whereas other areas had adopted a stricter adherence to the legal definition of a Parenting Contract. This means that the types of Parenting Contracts recorded on PRAB data returns will be variable (see **Table 5.7**).

Table 5.7: Example: variation in LA Approaches to the Monitoring and Implementation of Parenting Contracts for Attendance

Case study authority A operates a two-tiered approach to the use of Parenting Contracts. The first is an ‘informal agreement’ which is made at the School Attendance Meeting (SAM). This is used as an early intervention measure by schools and takes place prior to LA intervention. Additionally, a formal contract is used at Attendance Panel meetings, which occur if there is no improvement in attendance after the SAM. The formal contract used at the Attendance Panel is used as evidence in court and is recorded as part of the DfE data returns. **The informal contract agreement at the SAM is not recorded through the PRAB data return.**

Case study Authority B: Parenting Contracts in this area may be offered as a pre-intervention measure by schools prior to LA intervention, but may also be offered by LA officers later in the intervention process. **Parenting Contracts that are offered at all stages are recorded on the PRAB return.**

5.31 Stakeholders in the case study research provided a number of examples of how the delivery of Parenting Contracts for attendance could be supported at a local and national level in the future. Key suggestions included:

- improved clarity and understanding at local and national level on what constitutes a Parenting Contract;
- greater opportunities for links to be made between LAs to support the sharing of effective practice in the use of the measure; and
- consideration of the use of Parenting Contracts locally to support pupils’ transition to secondary school with the aim of addressing emerging attendance issues early. It was felt that this was something that the schools could undertake as part of transition support process.

Fast Track

- 5.32 The Fast Track process was viewed by survey respondents and case study stakeholders as providing a consistent, structured and time-limited approach to addressing pupils' attendance issues. It was felt that the approach allows cases to be dealt with objectively and swiftly. Furthermore, when used as an early intervention approach, Fast Track can successfully alert parents (prior to escalation) to emerging attendance issues, contributing to positive improvements in attendance.

"A lot of parents respond to the initial letters telling them that their child's attendance is being monitored. In a lot of cases they may have just been unaware of the number of days off their child had." (EWO)

- 5.33 Despite its time-limited and structured framework, Fast Track processes within the case study LAs had a degree of built-in flexibility. This flexibility was central to the Fast Track process, as it meant that timeframes could be lengthened or shortened, allowing professionals to respond to changes in family circumstances, needs and levels of parental engagement. All case study authorities had established Fast Track approaches with this in-built flexibility.

Flexibility in the Fast Track Process

"If a pupil is in Year 11 we would skip our internal monitoring process. That year is too important for the students and we need to do what we can to make sure that they are in school as much as possible." (Deputy Headteacher, Secondary School)

"The system is good because it allows you to be objective, before you would get dragged into the sob story. You'd be put off doing anything harsh because you'd be convinced that it would get better, but it rarely did." (EWO)

"I don't care how fast/slow it is – it's what is most appropriate for the case. If you rush it, you may not have had significant opportunity to refer to other agencies. It must be fair." (EWS Lead)

- 5.34 **Clearly defining the roles and responsibility of schools** within the Fast Track process was reported by stakeholders to promote school ownership and increase awareness. In case study authorities that had established an early intervention approach to the use of Fast Track, the responsibility for the early stages of the process often lay with schools. For example, schools would be responsible for monitoring attendance for the first four week period of the process, or be responsible for sending out letters or undertaking a number of contacts with parents within this monitoring period. This approach fully involves schools in the process, providing them with clear ownership and key responsibilities.

“When schools take ownership of Fast Track cases and set up robust systems which involve, for instance governors who attend the Panel Meetings, this sends a strong message to parents that attendance is a whole school issue and is taken seriously.” (LA survey respondent)

- 5.35 LA stakeholders perceived the establishment of formal protocols for the Fast Track process to be essential in ensuring that there is consistency in delivery, and roles and responsibilities are clear for both LA and school stakeholders. LAs provided examples of consulting with schools to set clear criteria for Fast Track referrals to aid this process. For example one LA commented that they had initially set different criteria for Fast Track referrals for secondary (75%) and primary (90%) schools. However, the secondary headteachers then asked for the criteria to be increased to 90% as well.
- 5.36 Further to this, the importance of raising the schools’ awareness of the Fast Track process was perceived to help secure buy-in and support for the process. Examples of how this could be achieved included raising school awareness through local Attendance and Behaviour Network Meetings and ensuring headteachers were represented on key panels (e.g. Social Inclusion Panel) to provide them with active involvement in the process.
- 5.37 **Using a transparent and consistent Fast Track approach that is outcome-focused, ensured that parents were aware of the legal consequences of non-engagement or limited improvement in their child’s attendance.** Attendance Service and school staff were positive about the role of Fast Track, in both defining clear consequences for parents where improvements in attendance were limited, but also in providing a clearly structured process for attendance professionals to adhere to. Case study authorities highlighted the importance of parents being fully informed about the Fast Track process from the outset and being clear about expectations and consequences.

“We try to keep things as black and white as possible so that we are fair on everyone and they know where they stand, the Fast Track process helps achieve this.” (Secondary School Deputy Headteacher)

“Fast Track works because people know something will happen at the end of it and because it can happen quickly. Magistrates look at them quickly and we get all the paperwork done in a short space of time.” (EWO)

“In the past there was a lot of scope for welfare/social work type interventions. Things got distracted away from the actual issue of attendance. This system is so strict you can’t get side tracked by looking at the issues.” (Head of Attendance Service)

Penalty Notices

- 5.38 **Penalty Notices were found to be an effective approach to dealing with less entrenched attendance issues**, punctuality issues and for cases where there were no complex issues or there did not appear to be underlying reasons for poor attendance. Penalty Notices were not viewed by stakeholders as being a solution for addressing more entrenched attendance.

“Our analysis suggests Penalty Notices are more likely to be paid with lower levels of absence and more likely to proceed to court where the absence is higher when the Penalty Notice is issued.” (LA survey respondent)

- 5.39 The case study research identified that flexibility in the use of Penalty Notices was important in effective delivery. Stakeholders commented that decisions on the use of Penalty Notices should consider:

- attendance professionals’ and schools’ views on the ability of Penalty Notices to facilitate change over alternative interventions such as prosecution, Fast Track and ESOs;
- the nature and severity of pupils’ attendance issues;
- the potential impact on future engagement of parents in support; and
- parents’ ability to pay the fine.

- 5.40 Considerations of these factors were reported by case study authorities to ensure that Penalty Notices were used effectively with parents and pupils.

- 5.41 Developing and implementing a clear Penalty Notice Code of Conduct that highlights criteria for use was felt by stakeholders to minimise the possibility of Notices being issued and then having to be withdrawn. Although there were examples of case study authorities that established a Code of Conduct for the use of Penalty Notices, the comprehensiveness and prescription of these varied. Case study LAs had developed a Code of Conduct that allowed Penalty Notices to be issued at the discretion of Attendance Service officers only and not school staff. All Codes have identified levels of unauthorised absence that would result in a Penalty Notice being issued. Generally, LA stakeholders felt that establishing a Code of Conduct that is prescriptive ensures that the process of issuing a Penalty Notice is clear for all.

“The parent supported being fined and made her son sell his X-box to pay for the fine. The parent said every time she gets a fine she will make him pay it because she is trying to get him into school.” (EWO)

5.42 Penalty Notice warning letters were found to be effective in improving pupils attendance in some circumstances. Targeted at pupils with emerging attendance or punctuality issues, parents fear of being penalised, or concerns about potential prosecution can be sufficient to improve and sustain improvements in attendance.

5.43 Warning letters issued at the start of the school year were also felt to be beneficial in allowing Penalty Notices to be issued immediately for unauthorised holidays, without the requirement for further warning letters. In case study LAs in which there was high usage of Penalty Notices for unauthorised holidays, the majority were using this approach to issuing warning letters.

"We encourage schools to issue warning letters at the start of the school term, which means that we don't need to issue another warning letter before issuing a Penalty Notice for unauthorised holiday." (Head of Attendance)

5.44 Penalty Notices were less effective when the process is prolonged i.e. following non-payment of fines, the time required (of 42 days) before progressing to court action, can mean that impetus is lost and non attendance becomes more entrenched.

"I don't think Penalty Notices are particularly effective. If I don't issue a notice then I have more time to work with the parents to try and improve the attendance, rather than issuing the notice and sitting back for 42 days to see if it's paid. Those 42 days are better spent with me working with the family, constantly turning up and applying pressure for them to get their kids to school." (EWO)

5.45 Attitudes towards the use of Penalty Notices were a key challenge in their effective use. The case study research found that, in some LAs, issuing Penalty Notices could result in conflict with other agencies working with the family.

"Issuing Penalty Notices can lead us into conflict with other agencies that are supporting the families who feel that we should not be taking this approach, but at the end of the day these are criminal investigations irrespective of how people view them." (Head of EWS)

5.46 The case study research did uncover reluctance across some schools to engage in the use of Penalty Notices due to the potential negative impact on the relationship between the school and parents. This was particularly evident in primary and 'high achieving' schools, where staff were particularly reluctant for the LA to use Penalty Notices for unauthorised holidays.

“Primary schools do not want to be seen as the bad ones for fining their parents for taking holiday.” (EWO)

“The Penalty Notice letters are sent out from the LA rather than the school, this means that we can say to parents that they have to be fined because of the LA policy. It suggests we are not making the decision.” (Learning Mentor, Primary School)

- 5.47 The challenge for Local Authorities is in the equitable use of Penalty Notices for Attendance. In case study authorities there were concerns that Penalty Notices were further punishing families who can least afford to pay them and therefore there was reluctance for some attendance officers or school staff to use them with such families. However, if LAs are going to use them then they need to be applied in a fair and consistent manner and not only used with families who can afford to pay them.

Parenting Orders (Attendance)

- 5.48 Views on the effectiveness of Parenting Orders for attendance varied across case study authorities. The survey and case study research indicate that the compulsory nature of Parenting Orders was effective in engaging some parents who had not previously engaged in support. For parents who previously had been reluctant to engage, the compulsory nature of the order was perceived to strengthen parental engagement (see Pupil Example below).

Parenting Orders: Impact on Parental Engagement (Pupil Example)

The pupil is in Year 9 and his attendance began deteriorating in Year 7 due to inappropriate and negative peer relationships. His mother refused to engage with the EWS and the school at first. She subsequently admitted that the reason she did not engage was that she knew that she would end up in court and the stress and pressure this created resulted in her being scared to engage in support.

Due to the lack of parental engagement, and because it was felt that poor parenting skills were the reasons for the child’s attendance issues, the mother was prosecuted and issued with a Parenting Order. The parent engaged well with the Parenting Order and attended all sessions. The Order was successful in making the parent engage with professionals and receive appropriate support. The parent needed the skills provided via parenting classes to address her son’s attendance, but refused to engage when this was provided on a voluntarily basis and she only engaged with support when it was made compulsory.

- 5.49 Providing parents with access to good quality parenting support was seen as key to the effectiveness of the measure. In addition, it was felt that these programmes had to be easily available and accessible to parents, for example through providing childcare delivered at an accessible location and a convenient time.
- 5.50 Establishing clear processes for dealing with breaches of Parenting Orders was also reported to support the effectiveness of the measure. Although there was limited evidence of this being done across the case study authorities, one LA provided an example of any breaches being dealt with by the Anti-social Behaviour Teams on behalf of the Attendance Service. Officers in the Attendance Service felt that the development of this relationship ensured greater consistency in how breaches were dealt with and that responsibility for the measure lay with services wider than the Attendance Service.
- 5.51 Parenting Orders were felt to work well where there was an effective assessment of a case and appropriate support is prioritised within the Order to best meet the needs of parents. There was also a view by attendance officers that there was a need to balance the requirements of an Order with the needs of individual families. There was recognition by attendance officers that for some parents who were issued with an Order there were prevalent issues within the family (e.g. those with mental health or substance misuse issues). Attendance officers highlighted that it was therefore necessary to address such issues prior to addressing 'parenting' issues.
- 5.52 Parenting Orders were viewed by LA officers from other case study authorities as being less effective due to their focus on coercing parents into parenting support and they felt that a voluntary approach would be more effective. This was felt to set some parents up to fail and would result in orders being breached. The intensive monitoring and supervision of Parenting Orders required and the associated cost implications had resulted in some case study authorities not encouraging their use with magistrates. However, it was recognised that the ultimate decision on whether a Parenting Order is granted lies with the court.

"Parenting Orders are very intensive and therefore expensive meaning that we as a LA cannot afford to administer a large amount." (Head of Attendance, Case study authority A)

- 5.53 A lack of parenting support had deterred some LAs from suggesting to magistrates that they might want to consider granting a Parenting Order. For LAs that had more limited parenting support or did not feel that the parenting support available would be appropriate, there was a reluctance to recommend the issuing of a Parenting Order.

5.54 Case study LA stakeholders also felt that the potential for support offered through an Order to add value or provide additionality to support previously offered to parents prior to court proceedings was an issue influencing effectiveness. The use of Parenting Contracts, support from Parent Support Advisors and referrals to parenting programmes (e.g. Webster Stratton, Triple P) was used by the majority of case study authorities as an early intervention strategy. In cases where parents may have chosen not to engage in this type of pre-intervention support, a Parenting Order could clearly offer compulsory parenting support that could be of value. However, in cases where parents had already engaged in some form of parenting support and this was unsuccessful prior to a Parenting Order, the ability for this Order to add value was felt to be an issue in some case study authorities.

Parenting Contracts (Behaviour)

5.55 Low usage of Parenting Contracts for behaviour means that it is difficult to comment comprehensively on the effectiveness of this measure. However, the case study research was beneficial in providing illustrations of how Parenting Contracts for behaviour can be effective.

5.56 Offering Parenting Contracts for behaviour as a supportive measure, in partnership with parents, rather than as a punitive intervention, was felt to be most effective in engaging parents in the process. The approach taken by LAs and schools in 'selling' Parenting Contracts for behaviour was felt by consultees to be particularly important in facilitating parental engagement. This had, in some cases led to changes in the terminology of Parenting Contracts to facilitate parental engagement. For example, some LAs had termed them 'parent agreements', placing a greater emphasis on the partnership approach to delivery.

"The way Parenting Contracts are offered is very important. There is the punitive versus supportive approach. Instead of talking about issuing Parenting Contracts I talk about issuing Parent Contracts, as 'parenting' implies judgement of the parent rather than support for the role. I am not part of the school so I am not seen as being in a position of conflict. Most of the kids don't know me as an 'Inclusion Officer' which is a big help."
(Inclusion Officer)

5.57 Ownership at a school level and incorporating use within existing school processes was also seen as essential to effective delivery. Consultees from all case study authorities that were using Parenting Contracts for behaviour felt that school ownership of usage was paramount. This was particularly important in ensuring that they were not viewed as an additional burden by schools, but rather that they were able to complement, or add value to existing approaches to addressing behavioural issues. The majority of LA representatives were keen that schools should take responsibility for the use of Parenting Contracts and were providing training to schools to support their implementation. In two case study authorities they were viewed as working well where their use had been incorporated into existing processes (e.g. embedding use within the Pastoral Support process).

5.58 The LA-led, independent approach was also perceived to be an effective approach to delivering Parenting Contracts for behaviour. The independence of the LA role in delivery was effective in securing parental engagement, emphasising the seriousness of the issue and was effective in resolving issues between schools and parents. The challenge for LAs however would be to establish this approach as a sustainable delivery model, due to resource and funding constraints, suggesting that a school-led approach is the only real way forward to the use of Parenting Contracts for behaviour.

Pupil Example - Parenting Contract (Behaviour)

Pupil A had received a fixed-term exclusion for taking a knife into school and there were also concerns about his mother's behaviour as she had previously threatened members of staff at school. It was decided that a Parenting Contract should therefore be put in place.

The school felt that they needed an intermediary in place to mediate between home and school and the headteacher felt that it was important that this was somebody outside of the school. The headteacher felt that the Parenting Contract had kept her and her staff safe and meant that the pupil could finish his education at school without feeling at risk.

"Having the LA involved made a big difference. It was important that it wasn't me or a senior member of school staff because at that point the parent felt that the school staff were against her." (Headteacher)

5.59 The ability for Parenting Contracts for behaviour to add value to existing support or replace existing support mechanisms was a key challenge in securing school engagement. Existing school strategies, including pastoral support plans, home-school agreements, multi-agency panels and use of CAF etc were reported through the case study research to be well established and embedded within schools. The view in those LAs and schools not using Parenting Contracts for behaviour was that it did not add any value to their existing strategies and this was the predominant reason for non-usage.

5.60 The case study authority who had established the solution-focused approach to the use of Parenting Contracts for behaviour felt that the approach had the potential to add value to existing school support mechanisms. The intention of this approach was that in order for it to be sustainable it would have to be a school-led delivery model. However it appears that case study school staff and families valued the independence of the LA professional as this independence significantly influenced the willingness of families to engage in the Parenting Contracts and for them to be delivered effectively. This was because the professional was able to work outside of the school environment in families' homes and was not affiliated to the school. This risk of moving to a school-based approach is that this loss of independence will be detrimental to the effectiveness of delivery.

Penalty Notices (Behaviour)

5.61 Evidence on the effectiveness of Penalty Notices for behaviour was limited, because the measure has only relatively recently been introduced and there is currently low usage of the measures across LAs. However, our case study research did provide an indicative overview of the potential benefits of this measure. Two of the case study authorities had used Penalty Notices for behaviour. Where the measure was seen to be effective it had increased parents' awareness of their responsibilities towards their excluded child.

5.62 Reasons for the measure being ineffective reported through the survey and case study research were linked to challenges in:

- **the collection of evidence to support the issue of Penalty Notices** for behaviour/exclusions, impacting on the potential effectiveness of use;
- **the ability to collect witness statements from appropriate school staff** was reported to be time consuming and sometimes difficult to achieve, which meant insufficient evidence and the Penalty Notices having to be withdrawn or not used; and
- **issues of non-payment** were also a concern for LAs. There were concerns that proceeding to prosecution for non-payment would be a time consuming and costly process, with potentially limited positive outcomes.

Barriers/Challenges in the Use of the PRAB Measures

5.63 There were a number of challenges and barriers identified through the survey and case study research linked to the use of the attendance and behaviour measures both individually and collectively. In this section we present the overarching challenges in the use of the attendance and behaviour measures **at LA and school level**.

Local Authority Level Barriers/Challenges

5.64 **The survey found that workload issues were a significant barrier to the effective use of the PRAB measures;** and with more than two-thirds of respondents (67%) identifying this as a barrier (see Table E:15 in Annex E). This was a view supported by the case studies particularly in relation to the attendance measures. Issues concerning staff capacity were specifically cited by case study stakeholders. Three case study authorities were experiencing staff recruitment and retention difficulties within their Attendance Services. Four of the case study authorities also had experienced staff cuts, losing both attendance practitioners and administrative support. For example, one case study authority had recently lost three Attendance Service posts due to efficiency savings, which meant they had the highest ratio of pupils to staff in the region.

5.65 Workload issues and recruitment and retention issues were shown at a case study level to impact on staff capacity to support families and use of the PRAB measures. This resulted in increased caseloads and limited opportunities for attendance officers to undertake more preventative and issue-focused work.

“We just don’t have the resources to do more early intervention work and support schools.” (EWS Lead, Case study Authority A)

5.66 Staff from three case study LAs stated that, as a result of staffing cutbacks, parents had not been prosecuted for their children’s non attendance. For example, officers from one case study LA reported not prosecuting cases where attendance was circa 80% because they had to focus their officers’ time on more entrenched attendance issues.

5.67 Staff capacity and resource issues also had a significant impact on the use of the behaviour measures. The case study research identified that there were limited structures to support the use of the behaviour measures in these LAs and the measures tended to be implemented and directed by one dedicated officer. A lack of resource and limited staff capacity significantly hindered their usage. Although there were examples of school-led approaches helping to improve take-up, there were significant challenges in ensuring consistency and raising awareness of the measures across all schools.

5.68 **Over a third of survey respondents indicated that seeking access to appropriate support and funding for families was a barrier in the use of the PRAB measures** (see Table E:15 in Annex E). The case study research further identified that delays in the development of local Parenting Strategies and the limited availability of parenting support in LAs was directly impacting on the use of Parenting Contracts (for both attendance and behaviour). Attendance officers were also less likely to suggest the use of Parenting Orders to magistrates for this reason.

5.69 However, stakeholders from case study LAs were confident that the development of LA Parenting Strategies and the deployment of Parent Support Advisors would help increase and strengthen the parenting support available at the LA level, thus encouraging the wider use of parent support measures.

5.70 Survey respondents identified a number of other additional barriers including:

- a view that other measures were more effective (37%; 31/84);
- inaccurate data/information (18%; 15/84); and
- the negative impact of the use of the measures on relationships with parents (17%; 14/84).

5.71 Additional barriers identified only through the case study research are discussed in more detail below.

5.72 **Attendance officers across all case study authorities felt that inconsistencies in disposals as a result of prosecutions under Section 444.1/1a of the Education Act 1996 undermined the impact of legal intervention.** Low fines and limited custodial sentences were felt by both LA and school staff to limit the effectiveness of the attendance measures or prosecution.

5.73 Attendance officers from the case study authorities recognised that magistrates have to operate within their disposal guidelines, but that low level fines undermined the impact of prosecution. Attendance officers who had worked intensively for long periods of time with the families prior to court proceedings found this particularly disheartening and frustrating (see below).

"A low fine puts a low value on education, which just completely contradicts the message we are trying to get across. It's very frustrating." (EWO, Case study Authority C)

"It can be very convincing to hear parents talk, they can lie blatantly and we are powerless to do anything. Sometimes we feel that the fines don't reflect the amount of work that's been put in. Legal action is not taken lightly and it only happens when we don't see any other avenue to resolve it." (Head of Attendance, Case study Authority B)

5.74 For example, officers from one case study LA provided the example of a case that had been prosecuted under the aggravated offence (Section 444.1a), having been prosecuted twice previously under Section 444.1. However because the parent was on a low income they were only fined £35 under the aggravated offence.

"The school is really upset and disillusioned which is understandable. This is a 'terminal' family that we work with every year and we are having to go through this process" (EWO)

5.75 In those LAs where custodial sentences had not yet been used, it was felt that this would act as a major deterrent to parents.

"There has never been a high-profile court case in the area. If there was, that might help to raise the profile of attendance issues. If a parent was to go to jail then it would really hit home to people and I think we would see an impact immediately." (Secondary School EWO, Case study Authority E)

5.76 **The ability of the attendance measures to address entrenched and embedded cultures of non attendance was also identified as a key challenge by case study interviewees.** This suggests that there are parents and pupils where the measures will have limited impact due to the severity of their attendance issues. This may be due to underlying family issues and/or intergenerational issues of poor attendance (with parents and grandparents having low levels of school attendance) which impacts on the value placed on education. In other circumstances parental engagement may be high, but there is a lack of concern by pupils about the possibility of prosecution. All these factors may contribute to poor engagement with the measures, or limited outcomes from involvement. Where positive outcomes are achieved, these are likely to be short-term in nature and not maintained over the longer-term.

5.77 **Attendance officers from case study research highlighted the challenge they faced in balancing the use of punitive or legal intervention with the existence of underlying family issues.** The majority of case study LAs had adopted a flexible approach to the implementation of the attendance measures that allowed for professional judgement on the efficacy of legal intervention, particularly where use may be deemed inappropriate. For example, where parents are engaged and want to improve their child's attendance, staff may decide not to use legal measures, reducing unnecessary stress on families.

Balancing the Use of Punitive or Legal Intervention with Family Issues

We deal with real pockets of deprivation where so much is going on; and attendance is the least of their worries". (Head of Attendance Service)

"Parents can often have underlying mental health issues and you sometimes get quite far along in the process before this is realised. You then have to reconsider whether you should be using the measures and the impact it could have. If it did get to court it would be a case of 'why did you penalise this family?'" (Attendance Advisor)

Pupil Example

Pupil X is a Year 11 male and his mother is a single parent. At the time of the interview, the LA had been monitoring the pupil's attendance over the previous four weeks, with a view to start Fast Track proceedings against the parent. Over the past 12-18 months, the pupil had started to display poor attendance. His mother said that he had fallen in with a 'bad crowd'. He had been drinking and smoking most nights and she suspects that he is also smoking cannabis. His mother was offered a Parenting Contract when her son's attendance first became an issue.

The LA decided to continue to monitor the pupil's attendance, rather than proceed with a Penalty Notice and Fast Track proceedings. The decision was taken after a slight improvement in attendance was seen and because the pupil was in Year 11. The LA therefore felt that the most important thing to do was to get the pupil into school rather than fining the parent.

- 5.78 Case study interviewees felt there was a challenge for Attendance service officers in meeting their statutory duties in relation to this cohort of pupils. Case study evidence suggests that a number of areas have established or are currently seeking alternatives for addressing embedded attendance issues. The establishment of structures or quality assurance processes to both ratify and suggest alternatives to prosecution (as detailed in Table 5.6) demonstrates a focus on addressing this. However, the ability for the PRAB measures to achieve positive outcomes for this cohort of pupils remains a significant challenge for LAs.

School Level Barriers/Challenges

- 5.79 Specific barriers in the use of the measures (attendance and behaviour) at a school level were also identified by the survey and case study research.
- 5.80 **Concerns about the potential impact of the use of the PRAB measures on relationships with parents was raised as an issue by more than two-fifths (45%) of survey respondents.** This was reinforced by the case study research, which identified that some primary schools were reluctant to engage with the use of the PRAB measures for this reason. This was particularly evident in relation to the use of what were felt to be more punitive measures, such as Fast Track and Penalty Notices. Case study interviewees felt that it was most likely to be an issue for higher performing schools and primary schools where staff had good relationships with parents.

“Schools find it difficult to challenge parents when they have spent years building up relationships, particularly at the primary level where it is still quite a close relationship. Schools do not want to set themselves up for aggravation.” (EWO)

- 5.81 **The survey data suggests that the confidence of school staff (29%) and lack of staff training (27%) was a further barrier to the use of the PRAB measures** (see Table E:15 in Annex E). At the case study level there was a view that LAs’ ownership and leadership of the measures had a negative impact on school engagement. Stakeholders suggested that this resulted in a lack of confidence and awareness of the measures at the school level, resulting in poor school engagement and a reluctance to use some of the PRAB measures.
- 5.82 **Data inaccuracies at a school level were identified by both survey and case study respondents as being a barrier in the use of the attendance measures.** This was less of an issue for survey respondents with less than a fifth reporting that accurate data was a barrier to using the measures (see Table E:15 in Annex E). However, case study stakeholders reported that these inaccuracies hindered the ability of LAs to progress cases to prosecution. Inaccuracies in registers, the impact of part-time timetables and pupils’ involvement in alternative educational provision impacted on the ability of the Attendance Service to collect accurate and sufficient evidence to support progression to prosecution. For example, the ability to issue Penalty Notices for attendance is reliant on LAs being able to meet the criteria for issue, a process which is dependent on effective register completion. The existence of inaccuracies in recording non attendance can significantly hinder LAs’ ability to progress cases to prosecution.
- 5.83 Additional barriers identified at the school level that were identified during the case study research are discussed below.

- 5.84 **Attendance officers from some case study LAs felt that a lack of parental challenge by schools led to an escalation of attendance issues.** Attendance officers felt that primary school staff were reluctant to refer cases to the LA or to challenge parents sufficiently to improve attendance. It was felt that some primary schools may choose not to refer families they have positive relationships with, or that schools will authorise absence without asking for evidence. Primary schools consulted through the case study research agreed with the need for pupils' attendance issues to be addressed, but generally felt that this could be achieved without the use of more punitive intervention.

"I agree with the use of more legal measures against parents in secondary schools, but not necessarily in primary schools. Primary schools should teach parents, in a supportive manner the importance of having a child in school, whilst secondary schools should punish parents for not sticking to this." (Primary Headteacher)

- 5.85 Delays in school referral for LA intervention can lead to the development of more entrenched attendance issues, particularly when pupils transfer to secondary school. This creates difficulties as the measures were viewed by both attendance officers from case study authorities and survey respondents as being more effective when used as an early intervention measure. This also highlights the importance of LA level monitoring of attendance data.

"Primary schools are not always strong at using the measures; and I think it is because they are anxious and less confident at using them. But it doesn't do us any favours to get pupils from primary schools with attendance issues." (Secondary School Deputy Headteacher)

"Some schools tend to sit on it at an early stage. If the school doesn't want to refer a family on, they don't have to." (EWS Lead)

"Sometimes the primary heads struggle to give up control. They might think the final decision on what action to take rests with them, when actually it is the Local Authority's decision." (EWO)

5.86 The case study research also suggested that difficulties in engaging primary headteachers in the use of the attendance measures may be due to LAs historically targeting their resources at addressing attendance issues in secondary schools. In some case study LAs capacity issues meant that LA resources had been targeted at the secondary level, which had resulted in pupils entering secondary school with entrenched attendance issues. There was some case study evidence to suggest that LAs were keen for schools to both take more ownership of attendance issues through strengthening pre-intervention support, challenging schools over their approaches to addressing attendance issues and providing more LA support. Additionally, the increased focus on attendance and safeguarding through the new Ofsted criteria ¹³ will place a greater onus on primary headteachers to proactively tackle non attendance.

"In the last few years this LA did not have a lot of focus on tackling poor attendance in primary schools. But then we saw a lot of entrenched absences coming up from primary, so now this is changing. The primary schools are where you can resolve a lot of the problems, because issues are less entrenched and you can change habits early on." (EWO)

5.87 **LAs and schools experienced difficulties in effectively monitoring the use and effectiveness of the behaviour measures.** There was limited evidence of the case study authorities establishing approaches to evaluating the impacts of the behaviour measures, above ad hoc or qualitative feedback obtained from schools and staff members involved. Monitoring usage across schools was generally sporadic and a time-consuming process.

5.88 The familiarity of LA officers with experience of using more punitive measures to address behavioural issues was a key barrier to their use across the case study authorities. Culturally, the services or individuals leading on the use of the behaviour measures at LA level were experienced in the use of supportive intervention. Consequently, there was some reluctance to use what was considered a more punitive intervention.

"You're putting it (behaviour measure) in a service that's never had to use such measures. It's also a cultural thing. If I'd wanted to be a solicitor I would have been one." (Behaviour Lead)

¹³ From September 2008 schools are inspected under section five of the Education Act 2005. In the overall evaluation of pupils overall attendance, inspectors take into account overall absence and persistent absence figures, the attendance of different groups of pupils (including those with SEN, disabilities and from minority ethnic groups) and patterns of absence. In relation to safeguarding there is a key focus on schools being able to demonstrate their links with other agencies.

5.89 **The establishment of local Behaviour and Attendance Partnerships were viewed by officers in some case study authorities as potential facilitators in establishing a more consistent approach to the use of the behaviour measures.** Responsibility for addressing behavioural issues has historically been led at a school level. The establishment of these partnerships places a greater onus on schools to work in partnership with other agencies/services to address behaviour issues including the development of appropriate structures to support the use of behaviour measures. Although there is evidence from our case study research of local discussions on how the behaviour measures can be embedded within existing structures, or supported through other funding streams, these are still in the early stages of development.

“Schools need to be enabled to use Acceptable Behaviour Contracts [ABCs]¹⁴, Parenting Contracts and Parenting Orders. Schools receive various funding and they will need to explore how they are going to make best use of the funding and allow other schools access to interventions. The Behaviour Partnerships will play a key role in commissioning interventions to meet outstanding needs. For example we had BEST [Behaviour and Education Support Teams] teams in two schools previously, I would be keen to see resources and models developed that are similar to these. Schools need to be able to evidence that interventions have been offered and they haven’t been taken up.” (Head of Attendance and Behaviour)

5.90 As highlighted earlier, links between anti-social behaviour and the use of the behaviour measures also potentially provide a new avenue for use of the measures. For example, this could be through the development of joint guidance in relation to anti-social behaviour and the use of the behaviour measures.

Reasons for Non-Usage of the Behaviour Measures

5.91 As outlined in **Section 3**, the behaviour measures are the least commonly used of the PRAB measures. In particular, there have been no Parenting Orders for behaviour issued nationally since 2004 and only 45 Penalty Notices issued in 2007-08 across 12 LA areas, the first year that the measure came into use.

¹⁴ An acceptable behaviour contract (ABC), also known as an acceptable behaviour agreement, is an intervention designed to engage the individual in recognising their behaviour and its negative effects on others, in order to stop the offending behaviour. An ABC is a written agreement between an anti-social behaviour perpetrator and their LA, Youth Inclusion Support Panel, landlord or the police. ABCs are usually used for young people but can also be used for adults.

5.92 Parenting Orders for behaviour. Resources and funding constraints were identified as the main reason for non-usage of Parenting Orders for behaviour by survey respondents, with a third (28/84) indicating that this was the case. Lack of usage was also linked to uncertainty as to whether the measure would be a useful tool to address behaviour problems, with nearly a third of survey respondents (26/84) identifying this as a reason for non-usage. Other key reasons for not using Parenting Orders for behaviour identified by survey respondents included: the existence of alternative strategies (29%; 25/84); the complexity and time taken to implement the measure (26%; 22/84); and a lack of appropriately trained staff at a school/LA level (20%; 17/84).

5.93 Penalty Notices for behaviour. The key reason for low usage is because this is a fairly new measure that has yet to be embedded. Other reasons identified by survey respondents for not using Penalty Notices for behaviour were similar to those for Parenting Orders for behaviour citing resource/funding constraints and uncertainty about the usefulness of the measure. Other reasons included: a reluctance to use the measure before understanding the experience of other LAs (13%; 11/84); the complexity and time taken to implement the measure (13%; 11/84); and the existence of alternative strategies (12%; 10/84).

5.94 Parenting Contracts for behaviour: Nearly three-fifths of the LAs (49/84) that responded to the survey did not currently use Parenting Contracts for behaviour. Of these, just over a quarter (13/49) cited resource/funding constraints as the reason for non-usage and just less than a quarter reported having existing strategies that work well (12/49). Other reasons for non-usage included uncertainty about the usefulness of the tool; a lack of school support for the measure and wanting to see whether other LAs found the measure helpful (cited by 16% (8/49) of survey respondents).

6 IMPACT OF THE PRAB MEASURES

Key Messages

1. There is evidence to suggest that the PRAB measures are contributing to improvements in behaviour and attendance for pupils.
2. The impact of Parenting Contracts for attendance was found to be varied, but generally positive. They are perceived to contribute to addressing underlying issues for pupils' poor attendance and play a role in raising parental awareness about their child's attendance issues. They are less effective with cases where there is poor parental engagement, or attendance issues are more severe or entrenched.
3. Penalty Notices, when used as an early-intervention approach, showed some impact (in particular circumstances) on improving pupil's attendance in the short-term. There was less evidence to show that these impacts were sustained over the longer term.
4. The impact of Parenting Orders was viewed as being mixed across areas. Where viewed positively, the compulsory nature of Parenting Orders, and the threat of further, more severe legal intervention, was viewed as contributing to the achievement of positive outcomes.
5. Fast Track and prosecutions were viewed as being the most effective measures in achieving long-term sustainable impacts on attendance, particularly when used as an early-intervention measure.
6. Evidence of the impact of Parenting Contracts for behaviour was minimal, due to low usage and limited information available on impact. However, the case study research suggested that the behaviour contracts were beneficial in resolving issues between schools and parents, and in some cases addressing pupils' behavioural issues.
7. The ability for the attendance measures to achieve sustained improvements in attendance is directly influenced by individual family characteristics.

6.1 In this section of the report we outline the impact of the PRAB measures across the following key areas:

- **improving attendance; and**
- **reducing exclusions.**

6.2 We also discuss the contribution of warnings and pre-action and the impact of prosecution on levels of attendance.

Approach to Impact Assessment

- 6.3 The research has drawn on both the statistical analysis of LA level data and the survey and case study research, to identify the impact of the PRAB measures on improving attendance/persistent absence and on reducing exclusion. In particular, the impact assessment has drawn on the individual case studies (with parents and pupils) conducted across the ten case study authorities and quantitative impact data and evaluation findings collated by case study authorities.
- 6.4 Data analysis was undertaken at LA level to identify any statistical relationship between the usage of the measures and the change in the rate of absenteeism. The relationships found in the research are complex and interpretation is challenging when trying to ascertain evidence of the direction of causality, or understand the reasons for the existence of the relationship. The statistical findings presented should therefore be interpreted as evidence of association, rather than causality.

Pupil Profiles

- 6.5 During our case study research we undertook interviews with 46 parents and 14 pupils. This represented 46 attendance or behaviour measure cases. Over three-quarters (76%) of these cases related to secondary aged pupils; and over a fifth (22%) related to primary aged pupils. The remaining case involved a pupil from a Special School. A full profile of the parents and pupils interviewed in the research can be found in **Annex C**.
- 6.6 In order to ensure a consistent approach to the impact assessment, attendance data (for those involved in the attendance measures) was collected and analysed for the three months prior to, and three months post, involvement in the measure. This allowed us to look at the short-term impact of the attendance measures for individual cases. The parents and pupils interviewed during the case study research had been involved in a range of attendance and behaviour measures, as shown in **Table 6.1**.

Table 6.1: Case Involvement in the PRAB Measures		
	No. of cases involved	Repeat use?
Parenting Contracts - Attendance	20	1
Parenting Contracts – Behaviour/Exclusions	6	0
Parenting Orders – Attendance	2	0
Penalty Notices – Attendance	8	4
Penalty Notices – Behaviour/Exclusions	0	0
Fast Track	17	4

- 6.7 A total of fourteen cases (30% of the total number of cases) interviewed during the case study research had been involved in more than one PRAB measure. The majority (12/14) of these had been involved in two PRAB measures:
- five cases had been involved in a Parenting Contract for Attendance and had received a Penalty Notice;
 - three cases had received a Penalty Notice and had been involved in the Fast Track process;
 - three cases had been involved in a Parenting Contract for Attendance and had been involved in the Fast Track process; and
 - one case had been involved in a Parenting Contract for Attendance and had been issued with a Parenting Order.
- 6.8 The remaining two cases had been involved in three PRAB measures (Parenting Contract for Attendance, Fast Track and a Parenting Order).

Improving Attendance

- 6.9 We undertook an analysis of aggregate LA-level data to explore any statistical evidence of factors associated with LAs' use of the PRAB measures and associations between use of the measures and outcomes on attendance and persistent absence. These data focused on all PRAB measures implemented between 2004 and 2008 based on LA returns to the DCSF.
- 6.10 **There was no statistical evidence to suggest a relationship between the growth or fall in persistent absence at a LA level and the use of the PRAB measures.** There are a number of potential reasons why a statistical relationship was not observed through this data analysis. These include:
- the measures are part of a wider package of support used by LAs in addressing attendance issues; and
 - even in those LAs that are high users of attendance measures, when compared with the total pupil population this still represents a relatively small proportion of pupils within the LA. It is therefore difficult to identify impacts at an overall LA level.
- 6.11 The lack of observable statistical evidence of impact, in terms of growth or fall in persistent absence at LA level, does not mean that the attendance measures are not contributing to positive impacts on pupils' attendance. Our case study research and survey provides evidence that use of the measures can contribute to reductions in persistent absence for some pupils. In particular, use of the attendance measures, when part of a wider, integrated LA approach to addressing pupils' attendance and persistent absence is successful. We discuss the impact of the individual PRAB measures below.

Parenting Contracts (Attendance)

- 6.12 **The impact of Parenting Contracts was found to be varied, but generally positive, across Local Authorities.** The research suggests that Parenting Contracts can contribute to addressing underlying issues for pupils' poor attendance and play a role in raising parental awareness about their children's attendance issues. More than three-quarters (76%) of survey respondents (who held evidence of impact) reported that it was 'very successful' or 'fairly successful' in improving attendance amongst pupils (see Table E:16 in Annex E), a view that was supported by the case study research.
- 6.13 **The case study research suggests that Parenting Contracts can have a positive impact on pupil's attendance over the short-term.** Nearly half of our case study families (20/47) had received a Parenting Contract. Their children's average attendance three months prior to the issuing of a Parenting Contract was 48%. Average pupil attendance had increased to 78% three months after involvement in a Parenting Contract. In only three cases had attendance decreased after involvement in a Parenting Contract (on average by 10%).
- 6.14 Examples from the case study research are provided below. These illustrate the contribution of Parenting Contracts on improving pupils' attendance.

Parenting Contracts (Attendance): Pupil Profiles

Significant Improvement in Attendance

Pupil A: The pupil was in Year 11 at the time of the first interview and was bullied since she started secondary school. Although the parent took her daughter out of the secondary school where the bullying was taking place when the pupil was in Year 8, attendance issues arose at the pupil's new school in year 9.

It was unclear why the pupil's attendance was an issue. A Parenting Contract was therefore put in place to try and pinpoint reasons for the attendance issues and to improve her attendance. At the time of issuing the Parenting Contract the pupil's attendance was 72%.

The Parenting Contract involved meetings between the parent, the LA officer and the pupil to explore the reasons behind her poor attendance. These meetings occurred both at home and at school. The parent felt that the pupil would speak to the Attendance Officer rather than her teacher as she felt he had more respect for her and spoke to her on the same level. The home environment for the meetings was felt to be comfortable for both the parent and pupil.

A key role of the Attendance Officer was in emphasising the importance of the pupil attending school, whilst also keeping in close contact with the parent to highlight the consequences of continued poor attendance.

The pupil's attendance has improved significantly through the support received through the attendance officer and was 100% three months after the Parenting Contract. The parent valued the role of the Attendance Officer in supporting this process.

"If the Attendance Officer had not been there, then I don't think she would have attended school, let alone got her grades. Everyone gave it 110%, it was a two-way process between me, the school and the Attendance Officer. Everyone kept in contact". (Parent)

The pupil has since gone on to achieve good GCSE grades and is now attending college and studying for her A levels.

"She settled down and got the grades. She'll be going to University and wants to be a Social Worker to help others." (Parent)

Some Improvement in Attendance

Pupil B: The pupil is in Year 9 and has had attendance issues since primary school. Originally his attendance dropped because of illness. However, the pupil continued to have issues with his attendance when illness was no longer a problem. The pupil was displaying violent behaviours towards his parent and sibling, in addition to refusing to wake up in the morning.

The parent had attended a series of school meetings to discuss her son's attendance. The health and behaviour of the pupil was discussed and the outcomes identified were to adapt the pupil's timetable around his needs. He is now in receipt of some home tutoring and only has lessons in the afternoon. In September 2009 the pupil's attendance had not improved

Parenting Contracts (Attendance): Pupil Profiles

and an Attendance Panel was held. At this meeting his mother said that her son's behaviour had become unsafe and he was acting violently towards her and his brother. As a result of this the pupil was referred to the Social Care Team and began working with an Adolescent Support Worker. The EWS has referred his mother to a parenting course and both the EWS and the mother thinks this will help her to learn to discipline her son.

The mother had been threatened with prosecution for her son's non attendance for a number of years but she did not feel that prosecuting her would make any difference as she is unable to control her son. She tells him she is going to be prosecuted and at times he seems "*devastated*", but at other times it achieves nothing. The EWS decided not to prosecute the mother because she was too distressed and it was decided that the violent behaviour was a more pressing concern which needed addressing first.

The pupil's attendance is improving slightly. It went from 0% in the Summer Term of 2008/09, to 19% in the Autumn Term 2009/10. Whilst his attendance is still low, this is suggesting some positive impact. The pupil is reported to be more open and communicative with his family.

- 6.15 **There was also evidence through the national data analysis to support the survey and case study finding of the contribution of Parenting Contracts in improving pupils' attendance.** There was statistical evidence to suggest that the use of Parenting Contracts for unauthorised absence in 2006/07 was associated with lower growth in the percentage of half days missed in secondary school between 2006/07 and 2007/08 (see Table D:9 in Annex D).
- 6.16 The data analysis also suggests that nationally, higher usage of Parenting Contracts for attendance was associated with a fall in the percentage of primary absence in a LA. The statistical evidence suggests that higher usage of Parenting Contracts for attendance in a LA since the measure was first introduced is associated with it being more likely that a LA experienced a fall in the percentage of primary half days between 2006/07 and 2007/08.
- 6.17 **Parenting Contracts were perceived to have limited impact where parents were not willing to engage, or when addressing more entrenched or severe attendance issues.** A small number of LAs (case study and survey research) perceived Parenting Contracts to be unsuccessful in improving attendance in these circumstances; and commenting that evidence collected locally had not showed any improvements in attendance. Other survey respondents noted that they had evidence of impact for individual cases or at an individual EWO level, but had not analysed LA wide levels of impact or did not collect impact at that level.
- 6.18 The pupil example provided below illustrates the impact of poor parental engagement on the potential success of Parenting Contracts.

Pupil Profiles – Parenting Contracts for Attendance

No Impact:

Pupil C: This Year 11 pupil's attendance issues had started in Year 7. The pupil did not attend at all in Year 7 due to an eating disorder. She returned to school in Year 8 but in Years 9 and 10 her non attendance issues escalated as she had difficulties reintegrating back into school and making friends. Her mother felt that the school were making 'empty promises' about support for her child. For example, the mother said that she had requested support from the school nurse for her daughter which was not forthcoming. The mother also stated that the school had suggested the possibility of her daughter attending a work experience placement, but this had not yet happened. A Parenting Contract was put in place when the pupil's attendance was 13%, with the aim of resolving the attendance issues. The EWO working with the family felt the mother was condoning her daughter's absence and that the mother would benefit from strengthening her parental discipline.

The Parenting Contract aimed to try and resolve the issues through greater liaison between the school and the mother and through support offered to the pupil. The mother attended numerous meetings with the school and changes were made to the timetable. The mother was also offered the opportunity to attend parenting classes but she felt that this was a waste of time because she had already raised six children (note: all of the children had attendance issues).

The Parenting Contract had no impact on the family and the case is now progressing to a Parenting Order. The pupil's attendance three months after the Parenting Contract was 9%.

Penalty Notices (Attendance)

- 6.19 **Penalty Notices, as an early intervention approach, were associated with some improvements in attendance in the short-term**, but with impacts being more difficult to sustain over the longer-term. This finding was supported by both our survey and case study research. Over three-quarters (79%) of survey respondents viewed Penalty Notices as being 'very successful' or 'fairly successful' in improving attendance. However, 14% (8/58) of survey respondents indicated that they did not know how successful Penalty Notices were in improving attendance (see Table E:16 in Annex E). Evidence of the success of Penalty Notices was provided by three-fifths of survey respondents (who held evidence of impact), generally suggesting that impact was dependent on early use.
- 6.20 The case study research provided much greater detail on the impacts of Penalty Notices on pupils' attendance. Analysis of attendance data for pupils (eight) whose parents were issued with a Penalty Notice found that, on average, pupils' attendance increased from 56% three months prior to issue, to 67% three months after issue. In only two cases however were impacts sustained more than three months after the Penalty Notice had been issued.

6.21 As the pupil examples illustrate, in some cases Penalty Notices were effective in improving attendance over the longer-term. However, there were also cases where the Penalty Notice initially led to an improvement in a pupil's attendance, but this improvement was not always maintained.

Penalty Notices Impact: Pupil Profiles
Improving attendance – Penalty Notices
<p>Pupil H: There was a history of poor attendance within the family. The parent experienced challenges in setting boundaries for her children. The relationship between the parent and the school was good. The pupil's overall attendance in 08/09 was 73% (unauthorised absence 23%). The major issue with the pupil was punctuality (both before and after the register closing). Both parents were fined in July 2009, and the Penalty Notice did improve attendance. The pupil's attendance currently is 91%.</p> <p>The pupil reported being unhappy when his mother was fined, and that his mother was angry when it happened. It appears that the fine was a 'wake-up' call for the pupil, as he commented that he realised that he needed to improve his grades if he wanted to go to college, so that the Penalty Notice had helped him address his attendance issues.</p>
Fluctuating attendance
<p>Pupil F: The parent is a single parent who has mental health issues and suffers from depression. The EWS has worked with the family for a number of years and there is CAMHS involvement because of the pupil's behavioural issues (anger management). The parent usually attends School Attendance Review meetings (school, EWS meetings with parents to discuss attendance issues) and is co-operating in support.</p> <p>A Penalty Notice was issued in February 2009 when the pupil's attendance was 66%. Attendance improved after the Penalty Notice was issued, with the family's EWO noting that his attendance had been much better, and by June 2009 it had risen to 75%. Older siblings in the family had also received Penalty Notices. However, another Penalty Notice was issued in June 2009 as the pupil had another 10 days unauthorised absence. His mother did not pay the Penalty Notice as she claimed she did not receive notification of the Penalty Notice. However, after being told that if her son's attendance did not improve the case would proceed to legal action, the pupil's attendance improved to 88%.</p> <p>The EWO felt that the children's attendance would be maintained as long as their mother was well, as her mental health had a direct impact on her children's school attendance. The support of the extended family in engaging her son in positive activities was also felt to help the pupil.</p>

6.22 Locally gathered data from a number of case study authorities also supports the survey findings. This data shows that although Penalty Notices may in some cases facilitate a short-term improvement in attendance, there were cohorts of pupils where improvements in attendance were not achieved, or where initial improvements were not sustained.

6.23 The limitations of this data analysis are in understanding the long term impacts of the use of Penalty Notices. LAs have predominately focused their analysis on the impact on attendance in the short-term (generally 28 days and 42 days after a Penalty Notice has been issued). This limits our understanding of the potential impact and sustainability of this measure on attendance over the longer-term. **Figure 6.1** provides an example of the impact data collected by one of the case study authorities.

Figure 6.1: Case Study - Penalty Notices Impact Data

Case study authority D had undertaken analysis of attendance 28 days and 42 days after a Penalty Notice was issued. This data relates to 75 Penalty Notices that were issued in the 2007-08 academic year.

The data suggests that on average Penalty Notices were successful in improving attendance in 39% (29/75) of cases after 28 days, increasing to 47% (35/75) of pupils after 42 days of a Penalty Notice being issued. This does mean that in more than half the cases (55%, n=41) attendance had decreased 28 days after a Penalty Notice had been issued.

6.24 Although the data produced is clearly context and LA specific, it does support the wider research which showed a mixed picture regarding the sustainability of impact. This is also supported by evidence in another case study authority which had undertaken an evaluation of a specific Penalty Notice scheme in a secondary school targeting pupils in the 70-85% attendance bracket (see **Figure 6.2**).

6.25 **Penalty Notices were seen to be less effective in circumstances where there were underlying family issues** or where attendance issues were more entrenched. In such circumstances, although Penalty Notices may be beneficial in boosting pupils' attendance in the short term, improvements may not be sustained in the longer term. In other cases, the existence of underlying issues at a pupil or family level may directly impact on improved attendance levels being maintained.

6.26 Improvements in attendance following the issuing of a Penalty Notice were not sustained (after three months) for half of the pupils (four) involved in our case study research. In all of these cases this was due to underlying issues that were evident, either at a family or pupil level. The case study examples provided below are useful in illustrating the circumstances in which Penalty Notices may have limited or no impact.

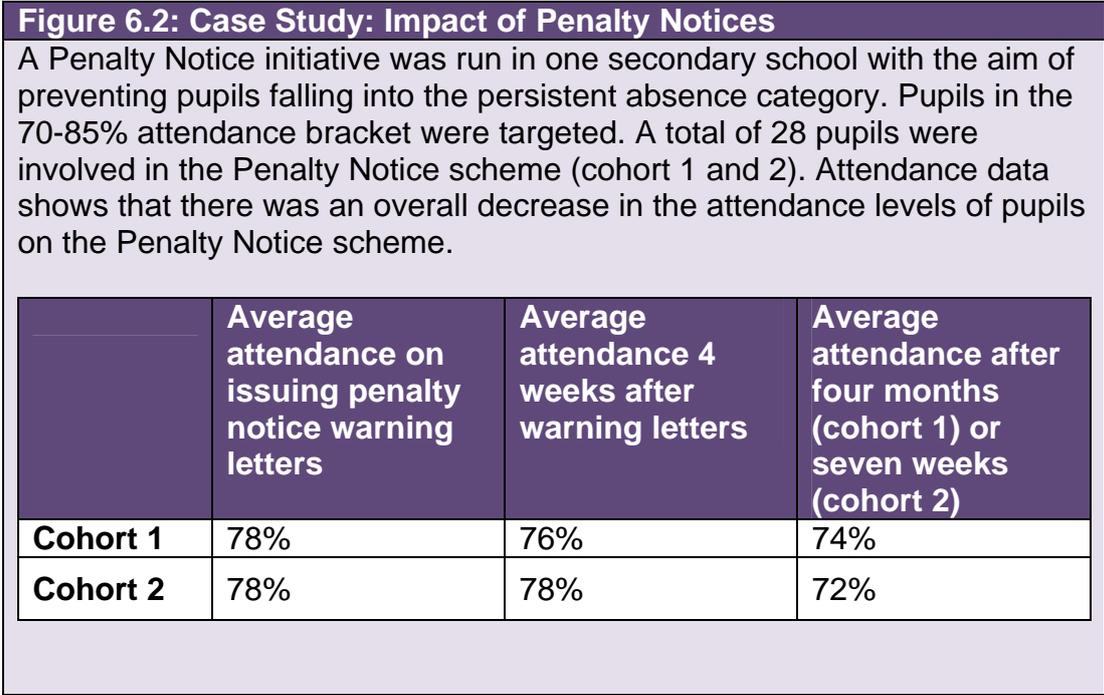


Table 6.2: Pupil Profiles – Penalty Notices

Penalty Notices - No Impact:

Pupil D: The pupil is in Year 9. Attendance Service officers noted a lack of parental control and there was also social care involvement due to parental alcohol issues. The mother said that she was often unable to get her daughter out of bed to attend school and when she did get up she was often late for school. Both the mother and her daughter had already received support from the school to try to address the attendance issues. Strategies included: the mother attending parenting classes; the pupil being escorted to school by her mother; and a reduced timetable. However this additional support had no impact on her levels of attendance.

The pupil's attendance issues continued and the parent was issued with a Penalty Notice when her daughter's attendance was 68%. The pupil had to pay the fine out of her pocket money. However, the Penalty Notice did not lead to an improvement in her attendance and three months after the notice was issued, the pupil's attendance had dropped to 52%. At the time her mother commented:

"I know that it will end up in court, but I don't think that will get her to attend school."

The pupil has now been permanently excluded from school due to threatening another pupil with a knife and is attending a pupil referral unit. However, her attendance had improved at the time of last visit to 83%.

Pupil E: This Year 10 pupil had a significant amount of unauthorised sickness and her mother was told by the school that she was required to obtain a doctor's note to verify the illness. The parent said that she had informed the school and had provided a doctor's note for the unauthorised illness, but then received a court summons for non-payment of a Penalty Notice. The parent said that she did not receive the Penalty Notice and that, if she had, she would have "paid the fine". The parents were prosecuted under Section 444.1 and the mother received a £65 fine and the father was fined £200 (as he was in employment). The mother did not agree with the need to provide the school with evidence of her daughter's illness.

"I'm not a stupid naïve mother. I don't agree with having to have verification just for a tummy upset for example. It would be a waste of the doctor's time."
(Parent)

6.27 Positive impacts were more likely to be achieved in the following circumstances:

- **when using Penalty Notices to address less entrenched attendance issues** or to improve attendance for certain age groups or over particular time periods such as Key Stage 4 pupils during examination periods after;
- **when the perceived impact of the fine on pupils or parents is sufficient to raise awareness of the severity of the issues**, leading to improvements in attendance.

Impact of Penalty Notices

“We have undertaken research demonstrating that our Education Penalty Notice system reduces levels of absence significantly when the 100 sessions prior to the intervention are compared with the 100 sessions after the intervention.” (LA Survey respondent)

“Penalty Notices improve attendance in specific cases e.g. unauthorised holidays, Year 11s, cases where poor attendance is not entrenched.” (LA Survey respondent)

“The data is mixed and some is less quantifiable than others. Where a Penalty Notice is used correctly (early stage) then the warnings are effective in approximately 40% of cases. We do not find any real impact from payment of a Notice, it is the warning phase that works best. There is a clear deterrent effect to Penalty Notices.” (LA Survey respondent)

- 6.28 **There was limited evidence that Penalty Notices issued for unauthorised holidays are effective in discouraging families from taking holidays during term time.** Although a number of case study authorities reported that issuing Penalty Notices for unauthorised absence could in some cases deter other families from taking unauthorised holidays, the evidence of impact was limited.

Fast Track

- 6.29 **Fast Track was viewed as being the most effective measure in achieving long-term, sustainable impacts on attendance if used as an early intervention approach with less entrenched cases.** Although there is also some evidence that the Fast Track process was also beneficial in improving more entrenched attendance issues. For example, from the 17 cases involved in Fast Track during our case study research, the average pupil attendance three months prior to involvement in Fast Track was 58%. This increased to 75% three months after involvement. Nearly all (92%) of LA survey respondents felt that Fast Track was either ‘fairly’ or ‘very successful’ in improving pupils’ attendance (see Table E:16 in Annex E).
- 6.30 The national LA data analysis supports the potential contribution of Fast Track in improving pupils’ attendance. Statistical evidence found that greater growth in the usage of Fast Track between 2006/07 and 2007/08 by a LA was associated with lower growth in the percentage of half days missed in secondary school between the two years. This suggests that between 2006 and 2008 the greater the use of Fast Track in a LA, the less likely the growth of half days missed at the secondary level.

6.31 **As an early intervention approach, the case study research suggests that the Fast Track process itself was often sufficient to facilitate an improvement in attendance, preventing the need for progression to prosecution.** The views of LA stakeholders through the case study research suggests that this was most common for cases that had less severe attendance issues (generally greater than 75%) and for whom there were no identifiable reasons for poor attendance. For example, in case study authorities that had established a prescriptive delivery model, placing families in the Fast Track process was often sufficient to facilitate an improvement in attendance.

6.32 **The case study research highlighted the contribution of the Fast Track process itself in improving pupils' attendance.** Eight of our 17 case study Fast Track cases did not proceed to prosecution. Seven of these eight cases had attendance levels of 70% or more three months prior to their involvement in Fast Track. In these eight cases, engagement in Fast Track had a positive impact because:

- the clear legal consequences non-compliance with Fast Track provided parents and/or pupils with the impetus to address attendance issues;
- meetings with parents throughout the Fast Track process were important in discussing and addressing family needs and highlighting the importance of pupils' attendance; and
- the Fast Track process increased parental awareness of the severity of their children's attendance issues.

6.33 The remaining (nine) Fast Track cases had resulted in prosecution. Further details on the impact of these prosecutions can be found from paragraph 6.52 onwards.

6.34 As discussed in **Section 3** of this report, the case study authorities had varying approaches to using Fast Track, with some using it as an early intervention approach to addressing attendance issues (Prescriptive Delivery Model authorities), whilst others used it as a 'last resort' prior to prosecution. **Table 6.3** illustrates how the Fast Track process contributed to improvements in pupils' attendance in individual cases.

Table 6.3: Fast Track – Improvements in Attendance: Pupil Profiles

Non attendance due to illness

Pupil I: The parent had received a letter informing her that her child was in the Fast Track process. The letter stated that if she could not authenticate absences with medical proof, they would be classed as unauthorised and if the absences did not improve she would be prosecuted.

The EWO commented that this was a simple case as the parent understood the system and that she had to obtain medical proof for all absences, there were no more attendance issues for her child. The parent reacted very badly to Fast Track at first, commenting that she felt like an “*innocent victim*” who had been “*branded and accused as a bad parent*”. However, she then talked to other parents at the school and discovered that they had been through a similar experience. She then accepted that the Fast Track process was necessary to tackle “*bad parents*.”

“I felt that I was being picked out, but I found out that a lot of parents were having similar meetings and so I felt OK about it. At the end of the day it’s a bit ridiculous to have to take them to the doctors, but it is good because there are parents who don’t care and this stops that.” (Parent)

Poor Parental Control/Discipline

Pupil J: This pupil’s attendance had been poor for a couple of years and the parents had struggled to address the issues. This, coupled with the pressure from the EWS, had caused great stress for the family and the father was signed off sick from work last year because of their child’s attendance problems. Both parents worked and the pupil had to get himself to school, which he was not doing. The parents did not know what to do to address this problem and felt they lacked the parenting skills to address the issues they were facing.

The pupil’s attendance was 2% on starting the Fast Track process. His mother attended a series of meetings about her child’s attendance. Several types of support were offered but these were unsuccessful. The pupil was offered counselling at one meeting, but when they saw a doctor for the referral, the doctor did not feel it was necessary. The parents were also offered, and attended, a parenting course, but stopped attending the course because they felt it was inappropriate as they felt their child’s attendance problems were not as severe as the other families at the group.

The parents then received a letter telling them that if the attendance issues were not resolved within six weeks they would be prosecuted. The parents were “*gobsmacked*” and felt this came completely out of the blue. They felt that they had been offered a lot of support but that none of it was appropriate, and then the LA suddenly changed their approach and decided to “*punish*” them instead.

“We knew there was a possibility it could happen, but we didn’t expect it to be so soon. it frightened us both. We didn’t want to go to prison. We were at our wits end.” (Parent)

They were very distressed about this because they were on a low income and so were worried that, if fined, they would not be able to pay the fine. They were worried that this would either lead to them losing their house or going to prison.

Table 6.3: Fast Track – Improvements in Attendance: Pupil Profiles

The attendance issue was resolved when another family member spoke to their son about the consequences of his non attendance at school and that his parents would be prosecuted and/or forced to move back to where they used to live another area (where the pupil was unhappy). The parent commented *“he was at school within 20 minutes and has had a 100% attendance record since”*. It was felt that the pupil’s attendance had been sustained because the pupil was aware of the consequence of his non attendance and his attendance is currently at 84%.

“He knows that there’s a chance that if he doesn’t attend school we will move back to the other area.” (Parent)

- 6.35 The Fast Track process was seen by case study stakeholders and survey respondents as contributing to achieving short-term improvements in pupils’ attendance. However, stakeholders’ views were more mixed about whether these short-term improvements were sustained in the longer term. This was particularly felt to be the case for ‘waiverers’ and ‘disengaged’ groups of pupils.

“Some pupils play the Fast Track system. They know that they are only allowed five unauthorised absences during the monitoring period so they will have four unauthorised absences as a way of avoiding the fine. We can see that and know that we should keep monitoring them” (School Deputy Headteacher)

Parenting Orders

- 6.36 **The impact of Parenting Orders on attendance was felt to be mixed.** Across our case study LAs and survey respondents, evidence of the impact of Parenting Orders was either minimal, or views on impact were disparate. For example, in those LAs where Parenting Orders had been used, a third (33%) of survey respondents felt that the measure had been ‘fairly successful’; and with no respondents indicating that the measure was ‘very successful’. Conversely, nearly half (46%) of survey respondents felt that the measure was ‘not very successful’ or ‘not at all successful’ in improving attendance (see Table E:16 in Annex E). Furthermore, survey respondents had limited evidence of the impact of Parenting Orders, with only just over a third indicating that they had such evidence.

“More have been successful than not. Some have been very successful particularly on younger siblings and on parents’ co-operation.” (LA Survey Respondent)

“The pupils’ attendance situations can be closely followed and action undertaken when necessary, cases do not fall though the net.” (LA Survey Respondent)

- 6.37 Our case study research provided limited evidence of the impact of Parenting Orders as only two of our cases had received a Parenting Order. Both of these cases had already been involved in a Parenting Contract (attendance) and Fast Track and both pupils' attendance improved as a result of the Parenting Order being issued. Three months prior to the Order attendance for Pupil A was 2% and for Pupil B it was 41%. Attendance three months after completion of the Order was 53% and 79% respectively.
- 6.38 Evidence from these two cases (see **Figure 6.3**) shows there were a number of key features of delivery and focus of the Parenting Orders that contributed to the achievement of these positive outcomes. These were:
- the compulsory nature of the Parenting Order ensures that parents have to engage in support. This was beneficial in Pupil A's case as previously parental engagement had been poor;
 - the threat of further, more punitive legal action is sufficient to sustain attendance levels after; and
 - support offered through parenting courses allows parents to mix with other parents in similar situations, developing their confidence and skills to address their child's attendance issues.
- 6.39 The benefits of these key features in contributing to improvements in attendance were reflected in the wider views of case study stakeholders and survey respondents.

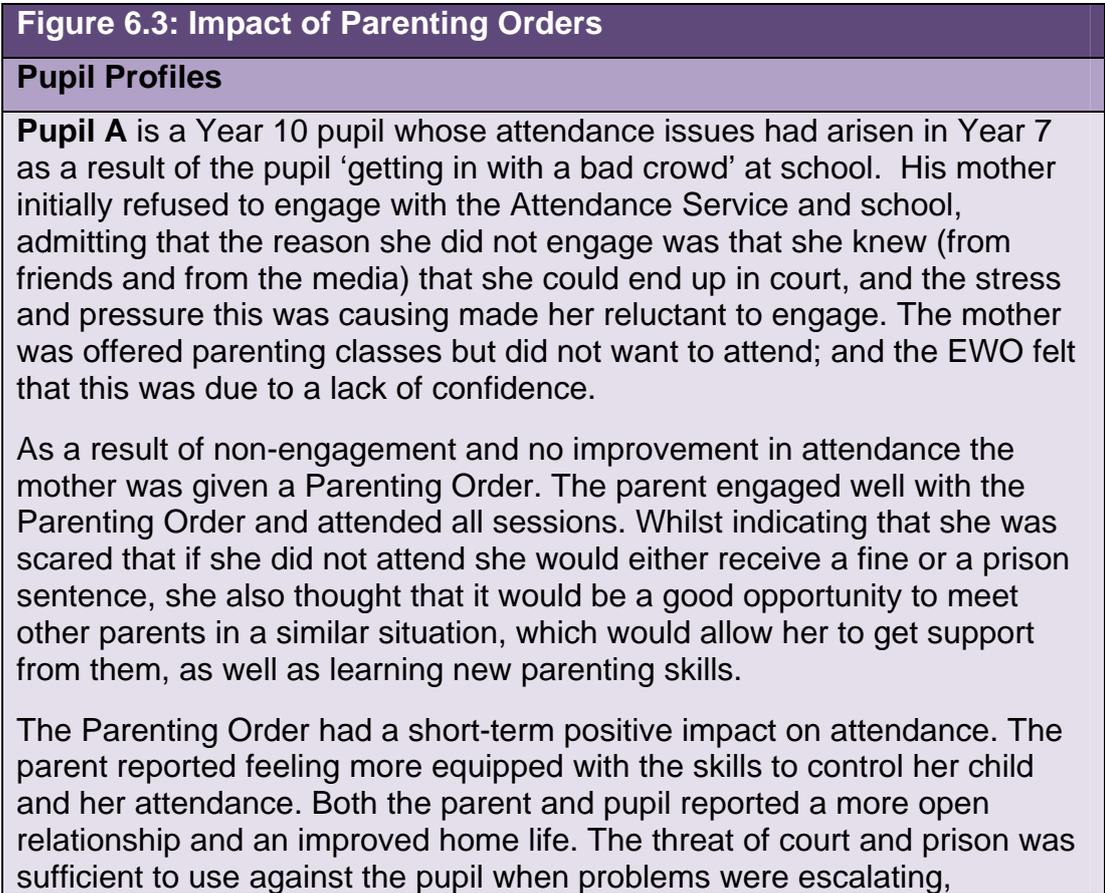


Figure 6.3: Impact of Parenting Orders

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particularly that the parent could end up in prison.

However, a few months after the Parenting Order had finished, the situation deteriorated again. The relationship between the parent and her daughter worsened and the pupil's attendance decreased. The pupil commented that there were still problems at school and until they had been addressed, the attendance issues would remain. At the last time of speaking to the family, the pupil had just been suspended from school.

Pupil B is a Year 9 pupil whose attendance has been below 80% since Year 7. Initially the case was referred to the Attendance Service in Year 8 when the pupil's attendance was approximately 53%. The parent was prosecuted at the end of Year 8 and received a fine and a Parenting Order.

The parent was initially very unhappy about the Parenting Order, as she saw it as 'very offensive' that she had to go on an Order. However, the parent soon realised the benefits of the Order. She had a very positive experience of the parenting classes and found the course to be extremely useful. The course gave her more confidence which has helped her to be more assertive and disciplined with her son.

"I now know I will be in more trouble for bunking off. If my mum hadn't have gone to court I'd still be truanting." (Pupil)

The pupil's attendance improved considerably. The parent feels that the impact on attendance will be sustained because she knows that if she is prosecuted again the outcomes will be more severe and this is encouraging her to continue to pressure her son to attend school.

- 6.40 The case study examples also highlight the following positive impacts linked to Parenting Orders: improved parental discipline; and the development of parenting skills and improved relationships between children and parents.

"I was more equipped with the skills to control her" (Parent of Pupil A)

"The course was extremely helpful. It gave me more confidence which has helped me to become more assertive and disciplined with him." (Parent of Pupil B)

Reducing Exclusions

- 6.41 **The impact or contribution of the behaviour measures on reducing exclusions is difficult to conclude from the research because of the lack of usage of the measures and general lack of awareness.** The analysis of the national data suggested there was no statistical evidence to suggest a link between use of behaviour measures and either the rates of permanent and fixed-term exclusions, or the growth or fall of exclusions within LAs.

6.42 There is, however, qualitative evidence from both the survey and case study research to highlight the potential contribution of the behaviour measures on reducing exclusion and improving behaviour. We recognise that for many LAs the use of the behaviour measures is still evolving and further research into the impact and contribution of the behaviour measures on reducing exclusions and improving behaviour would be beneficial.

Parenting Contracts (Behaviour)

6.43 Evidence of the impact of Parenting Contracts for behaviour was limited, due to low usage of the measure within LAs and limited information available on impact from LAs (across both the case study and survey research).

6.44 The national data analysis found no statistical evidence of any association between the fall or growth of permanent exclusions at a secondary level and the use of the behaviour measures (2006-07 to 2007-08). The survey responses provide an indication of perceptions at LA level of the impact of Parenting Contracts. Most of the survey respondents (who had used Parenting Contracts for behaviour) reported that it was a 'fairly successful' measure (nine out of 15 respondents to this question, see Table E:16 in Annex E). However, due to this small sample size it is difficult to draw any firm conclusions from this.

6.45 Six of the families interviewed as part of our case study research had been involved in Parenting Contracts for behaviour. Two of the families were from a LA that had adopted a solution-focused approach to the use of Parenting Contracts (Area G) and the remaining four were from a case study authority that adopted a LA-led approach to the use of Parenting Contracts for behaviour. In all six cases the LA had taken lead responsibility for the delivery of the contracts.

6.46 In three of the six cases the use of a Parenting Contract for behaviour had a positive impact on the parent's relationship with their child's school. In these cases, although the underlying reasons for establishing a Parenting Contract was the pupil's behaviour. There were also issues with the relationship between the school and the parent which had broken down, or the parent was in some disagreement with the school about their approach in dealing with their child's behaviour. The lead role the LA played to delivering these Parenting Contracts and the independence they offered was felt to be successful in resolving issues between the school and the parent. As the case study examples demonstrate, even if a Parenting Contract was not successful in achieving significant or sustained impacts for pupils, improvements in the relationship between parents and schools were generally sustained.

Pupil Profiles

Pupil A: Solution-focused Approach

The parent and the school had a difficult relationship exacerbated by the parent's misuse of alcohol. For example, the parent would phone up school when under the influence. The school ended up issuing a solicitor's letter saying that the parent was not allowed on school premises. The LA officer for Parenting Contracts acted as an intermediary between the school and the parent.

His parent was initially referred for a Parenting Contract because of concerns about the pupil's behaviour and because the relationship between the parent and the school had broken down. The pupil received a fixed-term exclusion for bringing a knife into school. The parent was a concern as she had threatened members of school staff. The Parenting Contract was therefore used as a way of working with the parent and re-establishing a relationship with clear guidelines and addressing safety issues for the school, rather than there being concerns about the pupil's behaviour.

The school felt they needed an intermediary in place who was able to communicate with the parent and who could discuss the child's welfare. The headteacher was positive about the Parenting Contract as it was very specific and descriptive, and felt that as it came from the LA it was also seen as independent and unbiased by both sides.

The Parenting Contract was used to prevent further fixed-term exclusions, particularly because the headteacher was concerned that there were a lot of issues at home, and therefore felt it would be in the pupil's best interests to remain in school if at all possible.

The Parenting Contract detailed who the parents needed to contact at the school if they had any issues or concerns. The headteacher felt the contract was effective because all parties knew what the expectations were on them and everyone had copies of paperwork. The headteacher felt a Parenting Contract 'lessens ambiguities' so people understand the expectations on them. The Parenting Contract also provided the parent with an opportunity to have input and she was able to name the person who was her named contact at school.

Although the parent's behaviour did deteriorate due to health problems the headteacher felt that the Parenting Contract kept her and her staff in touch. It also meant that the pupil could finish his education without the headteacher feeling at risk.

Pupil B: LA-led Approach

The pupil is in Year 10 and had experienced low level behavioural problems in school for a long time (not wearing school uniform for example). The behaviour of the pupil had deteriorated prior to the school making a referral to the LA. It was decided that a Parenting Contract should be issued. The parent was very angry that her child's behaviour had deteriorated to such a level that it was felt a contract was required and

Pupil Profiles

blamed the school for the situation. The Parenting Contract meeting gave the parent an opportunity to speak to the headteacher and the Parenting Contract put in place actions to keep the pupil's disruptive behaviour to a minimum.

The Parenting Contract was reviewed six weeks after implementation and, although the pupil's behaviour was felt to be more manageable, there were still behavioural issues. The Parenting Contract however was more successful for the parent as it allowed her to resolve her issues with the school and helped develop the relationship she had with the school.

"Pupil A is the sort of pupil where she doesn't want to go to school, but it's a case of keeping her there, in lessons, and her attendance maintained" (Inclusion Officer)

The pupil continues to receive support from the Inclusion Officer.

Impact of Warnings/Pre-Action

- 6.47 **Penalty Notice Warning letters can have a positive impact on attendance.** Warning letters were perceived by LA and school representatives (involved in the case-studies and survey) as contributing to improvements in attendance for pupils with less entrenched attendance issues and for whom there are no specific issues or reasons underpinning low attendance. Stakeholders also highlighted the benefits of these 'warnings' in addressing 'broken' weeks of attendance and punctuality issues. The threat of the fine was often considered to be sufficient to improve attendance without a Penalty Notice being issued.
- 6.48 Locally available data on the impact of Penalty Notice warning letters, collated through the case study research, supports LA and school stakeholders views on the contribution of these approaches in achieving positive impacts on pupils' attendance. Data from two case study authorities is presented in **Table 6.4**. The data highlights the proportion of Penalty Notice warning letters that were issued that did not result in a Penalty Notice, illustrating that the warning was sufficient to improve pupils' attendance in more than half of cases. However, this was not consistent across all LAs. For example one case study authority commented that 25% of Penalty Notices issued result in non-payment and subsequent prosecution. As **Table 6.4** demonstrates the Penalty Notice warning letters in these two case study authorities successfully improved their pupils' attendance in between 53% and 64% of cases.

Table 6.4: Impact of Penalty Notice Warning Letters

	Number of Penalty Notice Warning Letters Issued	Number of Penalty Notice Warning Letters that resulted in a Penalty Notice	Number of Penalty Notice Warning Letters that <u>did not</u> result in a Penalty Notice	Success rate of Penalty Notice Warning Letters
Case study Authority F¹⁵	469	220	249	53%
Case study Authority D¹⁶	216	77	139	64%

6.49 This data is useful for providing headline figures on the potential impact of Penalty Notice warning letters. However, it does have limitations as it does not tell us the percentage improvement in attendance and whether improvements were sustained in the longer-term. For example, further analysis of the attendance data of pupils who had been issued with a Penalty Notice warning letter in Case study authority D found that, 28 days after issuing a warning letter, attendance levels had:

- increased in 45% of cases;
- decreased in 48% of cases; and
- remained the same in 7% of cases.

6.50 The data supports the view of survey and case study stakeholders from both LAs and schools that Penalty Notice warning letters were successful in improving attendance for pupils who have less entrenched attendance issues and for whom there are no specific issues or reasons underpinning their low attendance.

6.51 Our ability to understand the long-term impacts of issuing Penalty Notice warning letters on pupils' attendance is difficult to fully ascertain from the research. As discussed, although LA data can identify the proportion of warning letters that did not proceed to a Penalty Notice, implying an initial improvement in attendance, understanding whether impacts in attendance are sustained over the longer-term, and to what extent, require further investigation.

¹⁵ 2007-08 data

¹⁶ 2007-08 data

Impact of Prosecution under Section 444.1/1a

- 6.52 The case study research explored the impact of prosecution, based on the perceptions of LA and school stakeholders, and the interviews undertaken with parents and pupils within these case study authorities. We have already explored the contribution of Fast Track to improving pupils' attendance for those cases that do not proceed to prosecution. We now present an overview of the impact of prosecution on pupils' attendance.
- 6.53 The case study research suggests that prosecution can be beneficial in improving pupils' attendance. However, prosecutions tend to be less successful in securing positive impacts for pupils with more entrenched attendance issues. Nine of the Fast Track cases involved in the case study research had resulted in prosecution; and average pupil attendance across these nine cases prior to Fast Track was 24%. Average attendance increased to 68% three months after prosecution. This does show an improvement in attendance for these nine cases, although attendance levels were still relatively low. Attendance across these nine cases prior to prosecution was wide-ranging from 0% to 84%. Post prosecution, five of the nine cases had improved their attendance to over 80%, although these were the cases that had the higher levels of attendance prior to prosecution. Of these, three pupils had attendance levels at over 90% after their involvement in Fast Track.

Positive Impact on Attendance through Prosecution

Pupil A: The parent is a single parent and her son who is in Year 11 has limited contact with his father. The pupil's attendance was around 80% at the start of Year 11, having had good attendance throughout school until that point. The pupil made various excuses for not attending school, and the view of the EWO was that the pressure of exams "brought everything to the surface" and had an impact on the pupil's attendance.

Prior to prosecution the EWO had tried a range of initiatives, including incentives, to encourage the pupil to attend school: Connexions PA support, a learning mentor and pastoral support. His mother also attended a parenting course.

The pupil thought that the court summons was a 'laugh at first' and did not appreciate how serious it was. When the final summons came through with the magistrate's stamp on, the pupil finally realised how serious the implications of his poor attendance were.

During the LA's '10 week Summons Monitoring Period' the pupil's attendance increased a little to 84% but this was insufficient to prevent the parent being prosecuted under Section 444.1. By the time the case reached court the pupil's attendance had improved to 94% and was 97% for the 10 weeks, post-prosecution.

The pupil finished Year 11 and had a much higher attendance rate during the final four months of the term. He attended all of his exams at school, despite not being well prepared for them. He now attends college where his attendance has been good.

The parent felt that it may have been helpful from her son's point of view if the court action had occurred earlier. She also felt that there should be some form of punishment for the young person, rather than the parents:

"You have to punish the children. Boot camp or National Service would be good, teach them some discipline and manners." (Parent)

Positive Impact through repeat prosecution

Pupil B: The family came to the attention of the Attendance Service five years ago. They have three children; and all of whom have been poor attenders. The parents have been prosecuted twice but it has made no difference to the children's pattern of attendance. The parents were prosecuted for the second time because of the poor attendance of the pupil and his younger primary aged sibling.

The pupil's attendance prior to involvement in the Fast Track process was 80%. Before being prosecuted the family were offered a range of support, including the parent attending a parenting course. The parents were fined £180 and following the prosecution the pupil's attendance improved.

"He is now taking himself to school every day; and he gets himself up in the morning. He is very good now." (Father)

Positive Impact on Attendance through Prosecution

The father is confident that the improvement in attendance will be sustained. The pupil is now getting positive feedback from the school and he is *“one of the most improved pupils in school.”*

The pupil’s attendance is currently 100%.

6.54 LAs data on the impact of Section 444.1 prosecutions showed that prosecution was successful in the majority of cases (more than half). The greatest improvements in attendance were seen in Key Stages 1-3 and those with less entrenched attendance issues (i.e. over 70%; see **Figure 6.4**).

Figure 6.4: Impact of Section 444.1 Prosecutions (Area H)

In Area H, 56 prosecutions took place in 2007-08. Of the 56 prosecutions:

- attendance improved in 59% of cases (33/56) 4 weeks following prosecution; and
- attendance improved in 61% of cases (34/56) 12 weeks following prosecution.

Of the 22 cases where attendance did not improve, nearly three-fifths (59%) were Year 10 and Year 11 pupils. This suggests that prosecution is more likely to have a positive impact if implemented before Year 10.

In cases where attendance was higher than 70% prior to the prosecution (12 cases), the success rate was 75%, in cases where attendance was lower than 70% (44 cases) the success rate was 57%.

6.55 **Parental concern about being prosecuted is a contributing factor in improving pupils’ attendance.** Families in Fast Track interviewed during our research and for whom involvement had not led to prosecution, said parents’ and pupils’ fear of prosecution had played a significant role in improving their children’s attendance. For cases that had gone on to prosecution, the court experience itself also helped to improve pupils’ attendance. The parents found court to be a highly stressful experience. The impacts on pupils’ attendance appeared to be greatest when parents were committed to not being prosecuted again.

6.56 The impacts of prosecution were limited when parents or pupils had no fear of prosecution or where there was an embedded culture of non attendance. In these circumstances prosecution (in some cases) may result in an immediate improvement in attendance, but these improvements are not generally maintained over the long-term. Examples of cases where the impact of prosecution was limited are provided as follows:

Pupil Example: Limited Impact on Attendance Through Prosecution

Pupil D: The Year 10 pupil has persistent absence issues which have been an issue since primary school. The parent is a single parent, and both the parent and the pupil have received a significant level of support from school and the Attendance Service. The pupil is currently on a part-time timetable and attends alternative provision for two days a week.

The mother previously received a Penalty Notice for her son's low levels of attendance. The mother has also been through the Fast Track process and she was prosecuted under Section 444.1 in November 2008 and given a 12 month conditional discharge. The pupil's attendance in 2007-08 was 69%, and his attendance in October 2009 was 69%.

Prosecution has shown a limited impact on the pupil's attendance. The pupil felt very strongly that his mother should not be punished for his non attendance at school. When asked why he does not attend school, the pupil was not able to provide concrete reasons for his non attendance, he claimed he liked school, that he has no specific issues with school, but there are times when he would prefer to stay at home or spend time with his friends. The pupil does not agree with the stress that the situation is putting his mother under and commented that she suffers from a mental illness and this is not helping her illness.

"They should lay off my mum; and to me it feels like she is being singled out. Whereas other kids are allowed to get away with it. She is co-operating with them, so why are they punishing her rather than me?"
(Pupil)

It is clear that the parent is very concerned about what impact the pupil's ongoing attendance issues will have on her, and appeared very nervous and concerned that she may be prosecuted again. His mother spoke very positively about the support that she received from school, particularly from the EWO based at the school, commenting that: *"they have been brilliant."*

The issue appears to be that the mother struggles to control and discipline her child and, because she also has a mental illness, she is having real difficulty in having any influence over her child's attendance.

"I can't physically drag him into school as he is too big. The problem is that he stays up late. I am dreading it in September as there is going to be another year of this. He has no heart for school, and I really don't want him to be kicked out." (Parent)

The parent is particularly concerned that she will end up back in court, as her conditional discharge specifies that her son must attend school. It appears that the Social Worker has hinted that there is the potential that she could go to prison if it did go back to court. However, the Attendance Advisor commented that this would be unlikely, unless it could be proved that the parent without reasonable doubt is preventing her son from attending school.

Pupil C: The parents of this pupil had already been prosecuted in a previous LA for their child's poor attendance. The parents had difficulties in disciplining their children and the father noted the difficulties he had in

Pupil Example: Limited Impact on Attendance Through Prosecution

getting them to attend school.

“It’s difficult getting them to school on time, but they can be rather stubborn.” (Father)

The parents were very dissatisfied with the support they received from the school. There were conflicting views about the support provided from the parents and the EWO; and whereas the parents said that they had received no support from the school, the EWO commented that a significant amount had been provided both from the Attendance Service and the school.

“I explained the problems I was having, but they just said: “well it’s your responsibility.” (Father)

The parents were also critical of the court process and said that they were unclear of the process, how it worked or what the potential outcomes were.

The daughter’s attendance prior to prosecution was 62%. For the first half-term following the prosecution the pupil’s attendance improved to 93%. However, four months after prosecution the pupil’s attendance had dropped to 74%. The school commented that the pupil had “returned to her old tricks” and had been significantly late every day for two weeks, and had two weeks off school absent. The father had therefore re-entered the Fast Track process.

“They improved brilliantly at the start of the term, but it’s just gone to pot again.” (School Staff)

6.57 Attendance Service officers felt that the potential impact of prosecution was severely limited when the disposals made were not felt to sufficiently reflect the severity of the attendance issues. Repeat prosecutions were felt to be unsuccessful in facilitating an improvement in attendance.

Views on Fines

“The effect is lost after the first summons; and parents know that they are just going to be fined a minimal amount. They already have a criminal record for it so it’s not going to make much difference.” (EWO)

“When they see that the fine only amounts to £5 to £10 a week they aren’t bothered anymore.” (EWO)

6.58 Prosecutions under Section 444.1a were much less prevalent across the case studies and therefore information on impact is limited. None of the families who were interviewed as part of the research had been prosecuted under Section 444.1a.

6.59 Section 444.1a prosecutions were felt by Attendance Service officers to have the greatest impact where community orders or custodial sentences were imposed. For example, the Attendance Lead from one case study authority provided the example of a parent for whom other forms of intervention had not worked. The Year 9 pupil had not attended secondary school at all and therefore his mother was prosecuted under Section 444.1a. This process was reported by the Attendance Lead to ‘wake up’ the mother, and she was given an 8-week suspended sentence. The pupil’s attendance at school after this was 80%.

6.60 In one case study authority, the evidence showed a negligible improvement in attendance post prosecution (six of the ten prosecutions taken under Section 444.1a in 2007). In another case study authority, attendance was reported to improve on average by 5% post prosecution again suggesting a negligible impact (see **Figure 6.5**).

Figure 6.5: Impact of Section 444.1a Prosecutions (Case Study, Authority E)

Of the eight cases (five female and three male) where parents were prosecuted under Section 444.1a, on average there was a 5% increase in attendance 18 weeks after the final court hearing. Girls’ attendance was more likely to improve than boys’.

Family Variation and Sustainability of Impacts

6.61 The types and characteristics of families involved in the attendance measures were extremely varied. As demonstrated from the case study examples presented here, the potential effectiveness of the attendance measures was directly influenced by the characteristics and needs of individual families. A specific attendance measure may achieve positive impacts for one family, but have little or no impact on another family with similar circumstances. Similarly, for some families PRAB usage may secure a long-term impact on attendance, whereas for another family short-term impacts may be achieved but not sustained.

6.62 For those pupils with less entrenched attendance issues, there is evidence to suggest that involvement in a specific measure can contribute to improvements in a pupil’s attendance. For example, issuing a Penalty Notice for pupils with broken weeks of attendance, or who are consistently late, can be sufficient to improve attendance over the longer term.

- 6.63 For those pupils with more entrenched attendance issues the research suggests that it is very rarely the case that an attendance measure can be used in isolation to achieve a positive and sustainable impact on a pupil's attendance. It is instead more realistic to suggest that in some circumstances one or more attendance measures can be used with families, in partnership with other forms of school and LA intervention, and can potentially achieve positive impacts.
- 6.64 The sustainability of impacts achieved through the use of the PRAB measures is directly influenced by family circumstances. The case study research identified three distinct groups of parents and pupils who were involved in the PRAB measures, these were:

Disengaged: There is likely to be a culture of non attendance for the pupil and within the family as a whole. Older siblings may have been poor attendees, as may parents. There are likely to be other prominent family issues evident and there is likely to be involvement from other services. The pupil is more likely to be in the older age group (Year 10/11).

Waiverers: Pupils in this cohort of families have cycles of poor attendance and family engagement with attendance service officers and compliance with the measures also tends to be cyclical. Although there are attendance issues, these are generally not severe enough to prosecute. Involvement in the attendance measures will have a short-term impact, but impacts are unlikely to be sustained over the longer-term.

Fearful: For this cohort of families there may be a lack of awareness about the severity of their child's non attendance prior to intervention. There is concern at both a pupil and parent level about the threat of prosecution and this facilitates a change in a pupil's attendance through involvement in the attendance measures.

7 CONCLUSIONS AND RECOMMENDATIONS

- 7.1 Nationally, the use of the PRAB measures has increased significantly since 2004, increasing by nearly four-fold. This increase illustrates the importance at both LA and school level of the use of the PRAB measures in addressing attendance and behaviour issues.
- 7.2 The ability of the attendance measures to address entrenched and embedded cultures of non attendance is a key challenge for LAs and schools. The research suggests that there is a cohort of parents and pupils for whom the use of the attendance measures may have limited impact due to the severity of pupils' non attendance.
- 7.3 Although the contribution of the attendance measures in improving pupils' attendance will always be linked to context and individual circumstances, the challenge for LAs is in balancing the use of punitive or legal intervention with addressing underlying family issues while still meeting their statutory duties in relation to this cohort of pupils with severe non attendance problems. There was evidence that some LAs were considering or already had quality-assurance processes to both ratify and/or suggest alternatives to prosecution. However, there is a clear message from the research that the ability of any of the attendance measures to achieve positive outcomes for some pupils remains a significant challenge.
- 7.4 Although usage of the behaviour measures has grown significantly nationally it is still much lower than use of the attendance measures. There was a general lack of strategic direction about how the behaviour measures are used locally. Although there were good examples of how individuals in LAs were promoting and delivering the use of Parenting Contracts for behaviour, use of the measure was found to be sporadic and inconsistent, with limited evidence of how use may be linked to wider strategies to support sustainability. Limited resources and funding to support the use of the behaviour measures had hindered LAs' ability to embed and support the use of such measures.

Delivery Models

- 7.5 The case study LAs were using **attendance measures** in varying ways. The research identified three distinct delivery models in the use of the attendance measures:
- **prescriptive** (Model A);
 - **discretionary** (Model B); and
 - **holistic** (Model C).

- 7.6 Each delivery model offered a structured approach to the use of the measures, with variation regarding flexibility, timescales and triggers for use.
- 7.7 Across the case study LAs, structures to support the use of **behaviour measures** were limited. Within most LAs, usage of behaviour measures was directed by one dedicated officer. However, lack of strategic direction and resource issues had significantly hindered their usage. Within three case study LAs the promotion of school-led approaches had helped improve take-up. However, even within these LAs there were significant challenges in ensuring consistency and raising awareness of the measures across all schools.

Challenges and Barriers in Effective Use of the PRAB Measures

- 7.8 Although overall use of the PRAB measures has increased since 2004, there are also a number of LAs where usage is low or non-existent. For example, between 2004 and 2008, nearly two-fifths of LAs (59/150) had not used Parenting Contracts for behaviour, and Parenting Orders for attendance had not been used in 16% of LAs (24/150). Our research found a number of issues which impacted on LAs' ability and willingness to use the measures. These were:

- **workload staff capacity and resources:** commonly reported by survey respondents and case study stakeholders. The recruitment and retention of Attendance Service officers and budgetary cuts had increased caseloads and reduced early intervention and preventative support in the majority of case study authorities;
- **access and availability of support and funding to support the use of the attendance and behaviour measures:** delays in the development of local Parenting Strategies were directly impacting on LAs use of Parenting Contracts (for both attendance and behaviour);
- **school concerns about the impact of use of the measures on relationship with parents:** more than two-fifths of survey respondents identified this as a barrier to use. This was particularly evident in the use of 'punitive' measures (e.g. Fast Track, Penalty Notices);
- **ownership and leadership of the use of the measures at LA level had impacted on school engagement in the use of the measures.** This was reported to result in a lack of school staff confidence and awareness of the measures leading to poor engagement and reluctance to use some of the measures;
- **data inconsistencies at a school level** were reported to be detrimental in supporting the use of some attendance measures. For example, inconsistencies in register completion impacted on LAs' ability to issue Penalty Notices or proceed to prosecution, due to concerns about the accuracy of the attendance data presented; and
- **court disposals:** inconsistencies in disposals and low levels of fines were felt by attendance officers to limit the potential impact of legal intervention.

Effectiveness of the PRAB measures

7.9 The research was beneficial in drawing out, at both LA and school level, key effectiveness factors in the use of the individual PRAB measures, as well as identifying common effectiveness factors in the use of the measures at a local level. These effectiveness factors were viewed by stakeholders (in the case study and survey research) as integral to ensuring use of the measures is embedded within wider LA approaches to addressing attendance issues, whilst at the same time maximising the potential impact of the measures on parents and families. Although these factors are context dependent, they are useful in understanding how the PRAB measures may be implemented and managed at a local level.

7.10 Where the measures were deemed to be effective, the following factors were present:

- **access to appropriate pre-intervention and early intervention support** is integral to addressing underlying reasons for non attendance;
- **strong ownership and commitment at a school level to addressing attendance issues** is important in the early identification of pupils' attendance and behavioural issues and ensuring that the use of attendance measures are seen as a partnership approach between LAs and schools;
- **nature of the intervention/process**: a time-focused process and procedures that are clear to parents, pupils, school and LA staff, ensures that cases do not drift;
- **establishment of quality assurance processes or gate-keeping processes by Local Authorities** supports the use of the legal measures: for example using multi-agency panels to ratify decisions on legal intervention;
- **effective LA management, through ongoing monitoring and evaluation** and seeking alternatives for addressing embedded attendance issues and; and
- **effective legal support and liaison with courts** through raising awareness raising to magistrates and appointing dedicated attendance officers with responsibility for the use of the legal measures.

Impact of the PRAB Measures

- 7.11 The PRAB measures are achieving positive impacts for some pupils with attendance and behavioural issues.
- 7.12 There is some evidence to suggest that Parenting Contracts and Penalty Notices (for attendance) can contribute to improvements in pupils' attendance. Used as an early intervention approach, Parenting Contracts can be successful in addressing underlying issues for poor attendance and raising parental awareness about their child's attendance. They were, however, found to be less effective when parents were not willing to engage in support or when addressing more entrenched or severe attendance issues.
- 7.13 Penalty Notices can also contribute to improvements in pupils' attendance in certain circumstances. Used as an early intervention approach they are successful in raising parental awareness about attendance issues and reinforcing the consequences of non attendance. They are less effective in addressing severe attendance issues. In such cases, issuing a Penalty Notice may result in a short-term improvement in attendance, but impacts are unlikely to be sustained over the longer-term. In many cases this leads to further fines or progression to prosecution. Although only based on a small sample of families, three-quarters (six out of eight) of case study cases who received a Penalty Notice were involved in additional Attendance Service intervention and other attendance measures; and with two cases leading on to prosecution.
- 7.14 The Fast Track process (and subsequent prosecutions) was perceived to be the most effective measure in achieving long-term, sustainable impacts on pupils' attendance. Over nine tenths of survey respondents reported that Fast Track was 'very successful' or fairly successful' in improving pupils attendance (see Table E:16 in Annex E). In more than two-fifths of Fast Track cases, from areas that had established a prescriptive and early intervention approach to the use of Fast Track, the process itself was sufficient to facilitate an improvement in attendance. Although this was only for cases that had less severe attendance issues (greater than 75%), and for whom there were no particular issues linked to poor attendance.
- 7.15 Parents' and pupils' concerns about the threat of prosecution appeared to be a major factor in improving attendance. The threat of prosecution, evident through involvement in the Fast Track process, is successful in improving attendance in the majority of cases. For all Fast Track cases (8/17) that had not proceeded to prosecution, parents' or pupils' fear of prosecution had played a significant role in improving attendance. For cases that had progressed to prosecution, the court experience, rather than the disposal, helped to improve attendance.

- 7.16 The ability for improvements in attendance to be sustained through the use of the measures is directly influenced by individual family characteristics. The research highlighted that some families had repeatedly been involved in the attendance measures, which showed that they were not always successful in achieving positive impacts. This reflects the difficulties faced by LAs more widely in being able to address entrenched and embedded cultures of non attendance.
- 7.17 It is more difficult to conclude on the impact of the behaviour measures across case study authorities due to their low usage and limited awareness of the measures. However, the evidence suggests that Parenting Contracts for behaviour can be beneficial in improving relationships between the school and parents and can also contribute to improvements in pupil behaviour. Local Authorities and schools should ensure that their use of Parenting Contracts is consistent.

Recommendations

- 7.18 The recommendations presented below should be considered in the future use of the PRAB measures.
- R1:** The DfE should ensure that Local Authorities and schools using Parenting Contracts meet all the requirements in Section 19 of the Anti-social Behaviour Act 2003, and make more accurate PRAB data returns to the Department, as currently variations exist.
- R2:** The majority of LAs have developed networks and contacts to share practice on their use of the PRAB measures. However, more could be done in this area to provide additional opportunities for sharing practice through the use of locally developed forums or meetings focusing on the use of the measures, particularly the behaviour measures.
- R3:** Local authorities should improve their monitoring and evaluation processes to measure the impact of the behaviour measures. Monitoring and evaluation processes, although effective in some LAs, are not consistent across all areas. Strengthening these processes will give authorities a much greater knowledge and awareness of the impact of the measures which will help strengthen their evidence based practice.
- R4:** Local authorities and schools should consider how the behaviour measures can be used to provide early intervention to reduce the need for exclusions. Local authorities need to consider how the measures can be embedded within wider LA strategies, increasing awareness and use. Schools need to be able to see the benefits of the behaviour measures, how they are distinct or could complement existing strategies, whilst connecting their use with improved outcomes.

Annex A: Profile of Case Study Authorities

1. The case study authorities were selected to reflect a range of experiences in using the PRAB measures. Five of the case study authorities were some of the highest users of individual PRAB measures nationally (Areas A, E, G, H and I). Area E was the highest the user of Fast Track in 2007-08.
2. Area J was selected as a case study because it was a low user of PRAB measures and therefore it was felt would provide useful insights into why LAs do not use particular PRAB measures. Other case study LAs, for example Area A, were chosen because they were high users of particular PRAB measures (Parenting Contracts for behaviour) which have low rates of usage nationally.
3. **Table A.1** provides an overview of the case study LAs usage of PRAB measures during the academic year 2007-08. It also provides usage of PRAB measures per 1000 pupils in order to give an overview of the intensity of usage within individual LAs.
4. The data shows that overall **Fast Track** was the most common PRAB measure used, accounting for more than a half (51%) of all the measures taken across the case study LAs in 2007-08. **Parenting Contracts for unauthorised absence** were the next most frequently used measure (23% of the measures taken), followed by **Penalty Notices for unauthorised absence** (17% of the measures taken).
5. Relatively small numbers of **Parenting Orders** for unauthorised absence (0.7% of the measures taken) were issued and only three **Penalty Notices for behaviour/exclusions** were used during this period. These figures broadly reflect national trends of usage during 2007-08.

Table A.1: Use of Parental Responsibility Measures 2007-08

LOCAL AUTHORITY	PARENTING CONTRACTS			PARENTING ORDERS				PENALTY NOTICES			FAST TRACK	
	Unauthorised absence	Number per 1000 pupils	Behaviour/ Exclusions	Number per 1000 pupils	Unauthorised absence	Number per 1000 pupils	Unauthorised absence	Number per 1000 pupils	Behaviour/ Exclusions	Number per 1000 pupils	Unauthorised absence	Number per 1000 pupils
Area A	182	4.5	702	17.4	13	0.32	88	2.18	0	0.0	181	4.5
Area B	241	2.1	66	0.6	4	0.04	120	1.06	1	0.01	313	2.8
Area C	112	2.8	21	0.5	8	0.20	73	1.82	0	0.0	1010	25.2
Area D	5	0.1	0	0.0	0	0.0	124	2.99	0	0.0	72	1.7
Area E	201	4.8	0	0.0	5	0.12	295	7.09	0	0.0	1873	45.0
Area F	356	12.2	1	0.0	3	0.10	215	7.39	0	0.0	41	1.4
Area G	799	16.4	21	0.4	2	0.04	86	1.77	0	0.0	799	16.4
Area H	730	3.5	0	0.0	19	0.09	126	0.60	2	0.01	1380	6.6
Area I	11	0.3	73	2.2	22	0.66	941	28.04	0	0.0	261	7.8
Area J	0	0.0	0	0.0	4	0.10	0	0.00	0	0.0	71	1.8
TOTAL	2637		884		80		2068		3		6001	

6. Some case study LAs were high users of one particular PRAB measure, for example Area A (Parenting Contracts for behaviour) and Area I (Parenting Notices for unauthorised absence) but not high users of other measures. In contrast, case study LAs such as Area E were relatively high users of all the PRAB measures.
7. Usage of each measure is now discussed in turn. The most commonly used attendance measures are discussed first, followed by the behaviour measures.
8. **Fast Track:** as already identified, Area E was the highest user of Fast Track in 2007-08, followed by Areas H and C. However, when we look at usage per pupil, although Area E is still the highest user with 45 Fast Track cases per 1000 pupils, Area C is proportionally a higher user of Fast Track than Area H, with 25.2 cases per 1000 pupils, compared with Area H's 6.6 cases per 1000 pupils.
9. Area E's usage of Fast Track is much greater than other authorities due to the trigger point for the start of the Fast Track process. Pupils enter the Fast Track process if their child's attendance falls below 90%. This attendance level is much higher than across the other case study authorities.
10. **Parenting Contracts for unauthorised absence:** in terms of absolute numbers the top users were Areas G and H. However, when we examine usage per 1000 pupils, Areas G and F were the highest users. However, it should be noted that what LAs termed Parenting Contracts varied. In Area G any meeting between a school, parent and the Education Welfare Service where outcomes were agreed, was classified as a Parenting Contract. Whereas in Areas F and H, Parenting Contract specific meetings were held between the parent and the Education Welfare Service (EWS) are classed as Parenting Contracts. In Area H the School Attendance Meetings held with the EWS, parents and the school were classed as Parenting Contracts. In Area F, the initial assessments (home visit) undertaken by the EWS were classed as Parenting Contracts.
11. **Penalty Notices for unauthorised absence:** Table A.1 shows that Area I was by far the highest user of Penalty Notices, being nearly four times more likely to use them than the next highest user Area E. Area I's use of Penalty Notices is particularly interesting given its relatively low usage of other PRAB measures. Area I in particular used Penalty Notices regularly outside of EWO (Education Welfare Officer) casework to address punctuality issues and unauthorised holidays, alongside their use to address attendance issues.
12. **Parenting Orders for unauthorised absence:** although overall numbers were low, Parenting Orders for unauthorised absence were most commonly issued in Area I and this LA also had the highest rate of Parenting Orders issued per 1000 pupils.

13. **Parenting Contracts for behaviour/exclusions:** the data shows that usage of this measure was extremely variable across the case study LAs with half of the case study LAs not using the measure in 2007-08. As previously highlighted, Area A's usage of this measure was markedly higher than in the other case study LAs that used the measure. A parent in Area A was nearly eight times more likely to receive this measure than a parent in Area I, the next highest user of the measure. Area A have incorporated the use of Parenting Contracts within the school's Pastoral Support programme: if a parental role is identified (i.e. there is a role of the parent to play in addressing the pupil's behavioural issues) then this is classed as a Parenting Contract.
14. **Penalty Notices for behaviour/exclusions:** only two case study LAs had used this measure and only three notices were issued in 2007-08.

Rates of Attendance and Persistent Absence

15. **Tables A.2 and A.3** provides an overview of rates of attendance and persistent absence (secondary and primary) across the case study LAs (2005-2008).
16. Overall, the data shows a positive picture with overall levels of secondary attendance improving in all case study LAs and levels of persistent absence dropping. The best improvement was seen in Area C with an overall increase in secondary attendance of 1.93% and a drop in persistent absence of 4.1%.
17. Despite the positive trends, (**Table A.2**) also shows that in 2007-08 secondary school attendance in four-fifths of the case study LAs was lower than the national average (92.64%). This trend was also reflected in levels of persistent absence in the case study areas in 2007-08. In 2005-06 and 2006-07 attendance was lower than the national average and persistent absence was higher than the national average in seven out of the ten case study LAs.

Table A.2: Secondary Attendance (2005-2008)						
Local Authority	Attendance 05/06	Attendance 06/07	Attendance 07/08	PA 05/06	PA 06/07	PA 07/08
Area A	92.52%	92.38%	93.29%	5.00%	5.20%	3.90%
Area B	90.58%	90.83%	91.66%	10.10%	9.80%	8.90%
Area C	90.52%	90.67%	92.45%	10.70%	10.00%	6.60%
Area D	91.75%	92.39%	92.47%	7.40%	6.30%	5.80%
Area E	90.10%	90.54%	91.11%	11.00%	10.40%	8.90%
Area F	90.69%	89.70%	92.33%	9.80%	11.70%	8.40%
Area G	91.86%	92.02%	92.53%	7.50%	7.00%	6.10%
Area H	91.68%	91.77%	92.32%	7.10%	7.20%	5.80%
Area I	91.70%	92.02%	92.47%	6.70%	6.80%	6.20%
Area J	92.26%	93.01%	92.79%	6.40%	5.50%	4.80%
National Average	91.76%	92.13%	92.64%	7.1%	6.7%	5.6%
Case Study Average	91.37%	91.53%	92.34%	8.17%	7.99%	6.54%

18. Nevertheless, nationally between 2005 and 2008 there was an overall improvement in attendance of 0.88%, whereas the average improvement in attendance across the case study areas during this period was slightly higher at 0.98%.
19. Overall, the data provided in **Table A.3** shows a more mixed picture for primary levels of attendance (2006-08) across the case study LAs. Prior to 2006/07 attendance data for primary schools was derived from the Absence in Schools Survey, collected at a school level. Absence data from 2006/07 onwards was collected on the basis of individual pupil records rather than percentages for schools as a whole. This means that the Primary data available for 2005-06 is not directly comparable with the 2006/07 and 2007/08 attendance data. We have therefore chosen to exclude this data to ensure consistency.

Table A.3: Primary Attendance Levels (2006-2008)				
Local Authority	Attendance 06/07	Attendance 07/08	PA 06/07	PA 07/08
Area A	95.10%	95.40%	1.20%	0.90%
Area B	94.79%	94.67%	2.00%	2.00%
Area C	94.26%	94.31%	2.60%	2.10%
Area D	94.87%	94.56%	1.70%	1.70%
Area E	94.12%	94.02%	3.00%	2.70%
Area F	93.74%	93.98%	3.10%	2.60%
Area G	94.49%	94.57%	1.70%	1.80%
Area H	94.83%	94.79%	1.60%	1.50%
Area I	94.56%	94.79%	2.00%	1.70%
Area J	94.59%	93.96%	1.90%	1.70%
National Average	94.82%	94.74%	1.8%	1.7%
Case Study Average	94.54%	94.51%	2.08%	1.87%

20. Between 2006 and 2008, levels of primary attendance improved in half of the case study LAs and dropped in half. Levels of persistent absence were more positive dropping in seven of the case study areas, remaining the same in two and only increasing in one (Area G).
21. The greatest improvement in primary attendance was seen in Area F (an increase of 0.24%), which had also seen positive improvements in secondary attendance during this period. The greatest reduction in primary persistent absence was seen in Areas C and F (a reduction of 0.5%) which had also seen the greatest reduction in secondary persistent absence.
22. When compared with national averages, Table A.3 shows that levels of primary school attendance were lower than the national average in seven of the ten case study LAs across the two years. Levels of persistent absence were also higher than the national primary average in three-fifths of the case study LAs between 2006 and 2008.

Annex B: Method and Study Issues

A. Overview

1. The research commenced in March 2009, with fieldwork taking place between April 2009 and December 2009. The research was designed to:
 - review national patterns of usage of the four main parental responsibility measures (Parenting Contracts, Fast Track, Parenting Orders and Penalty Notices) and corresponding national patterns of attendance/exclusions across local authorities (LAs);
 - formulate a sense of local authorities' experience of implementing the measures, including any issues (facilitators, barriers etc.) around their implementation;
 - examine in-depth the use of the measures in a selection of local authorities and the impact of those measures on attendance and behaviour at a school level and across the LA; and
 - recommend how parental responsibility (PRAB) measures should be best applied in the future, in order to improve attendance and behaviour.
2. Research activity was designed under three strands, comprising a mix of qualitative and quantitative techniques. The strands are as follows:
 - **Strand 1: National Data Analysis** – involving a statistical exploration and analysis of aggregate LA level data to find statistical evidence of factors associated with LAs' use of the PRAB measures and association between the use of the measures and outcomes on attendance and exclusions;
 - **Strand 2: Local Authority Survey** – a census survey to gather LA's experiences and views on using the PRAB measures; and
 - **Strand 3: Case Study Research** – in-depth fieldwork in ten LAs involving schools, Attendance Service staff, and case-studies involving 46 parents and pupils who had been involved in one or more PRAB measure.

B. Strand 1: National Data Analysis

3. The aim of this strand of the research was to investigate factors that affect the use of PRAB measures ('the measures') and what impact the measures have on school attendance and behaviour ('the outcomes').
4. This strand involved an exploration and analysis of aggregate LA level data of:

- Factors that may be statistically associated with the use of a measure within a LA area; and
- Whether there is any statistical relationship that measures are associated with rates of, and growth in the 'outcomes'.

The Measures

5. The measures considered in the analysis were:
 - Parenting Contracts (Exclusion and Unauthorised Absence);
 - Penalty Notices (Exclusion and Unauthorised Absence);
 - Fast Track; and
 - Parenting Orders (Unauthorised Absence).
6. Data on use of the measures by LAs from Autumn term 2004 to Summer term 2008 are publicly available on the TeacherNet website¹⁷. The PRAB data not only covers the use of measures by LA but also, where relevant, the numbers withdrawn, prosecuted, or accepted.

The Outcomes

8. Deciding on the data to use in the analysis of the outcomes was a crucial step in the analysis process. Whilst the measures relating to absence focus on *unauthorised absence*, it has been well publicised that protocols until at least 2006/07 for recording unauthorised absence vary by school¹⁸. Whilst the introduction of absence codes should improve accuracy, concerns over historical quality makes analysis of unauthorised absence problematic. The statistical analysis therefore used published rates of overall absence and levels of persistent absence which should be less prone to differences in recording practice¹⁹. Rates of absence were analysed and included for primary and secondary pupils separately.
9. Rates of permanent and fixed-term exclusion in LAs were also included as outcomes²⁰. Beyond rates of exclusion, there are no readily available statistics at LA level for the behaviour of pupils.

LA Characteristics

10. A range of variables were included in the analysis that could potentially influence, directly or indirectly, the use of the measures or impact on outcomes.
11. It was recognised from the outset that there are many factors that will influence use of the measures and outcomes experienced in an LA that cannot be captured, such as the culture and philosophy of a council and its staff. There were also some factors, such as deprivation, that may be associated, but where comparable statistics are limited at best to variables

¹⁷ <http://www.dcsf.gov.uk/behaviourandattendance/about/data.cfm>

¹⁸ See, for example: [http://www.ofsted.gov.uk/Ofsted-home/Publications-and-research/Browse-all-by/Education/Inclusion/Behaviour/Attendance-in-secondary-schools/\(language\)/eng-GB](http://www.ofsted.gov.uk/Ofsted-home/Publications-and-research/Browse-all-by/Education/Inclusion/Behaviour/Attendance-in-secondary-schools/(language)/eng-GB)

¹⁹ <http://www.dcsf.gov.uk/rsgateway/DB/SFR/s000832/index.shtml>

²⁰ <http://www.dcsf.gov.uk/rsgateway/DB/SFR/s000793/index.shtml>

such as free school meal eligibility. Variables were therefore included that could potentially act as proxies to underlying important factors that could be explored further in the next phase of the research.~

12. LA characteristics included:
 - % of pupils with statements of Special Educational Need and all pupils with Special Educational Needs (2007-08);
 - % of pupils eligible for free school meals (2007-08);
 - Comprehensive Performance Assessment (CPA) Children and Young People's judgements and changes in judgements (2004-07);
 - % of primary and secondary Black and Minority Ethnic (BME) pupils (2007-08);
 - expenditure per pupil overall and in key areas, such as on Education Welfare Service (EWS) staff (2007-08);
 - the number of pupils (2007-08); and
 - attainment at Key Stage 4 (2007-08).
13. Outcome data from 2006/07 and 2007/08 were also classed as LA Characteristics when the use of the measures was analysed.

Analysis

14. Basic descriptive statistics were produced on each measure as a starting point for analysis. This covered:
 - the number of measures used/issued;
 - the number of LAs using the measures;
 - the rate of usage; and
 - (where relevant) the numbers of measures accepted by parents; the numbers of measures withdrawn (for example, because attendance improved); the numbers of prosecutions following use of a particular measure.
15. Initial analysis revealed strong correlations within the outcomes, measures and characteristics. This confirmed an initial belief that simple correlation analysis would be insufficient to explore the significance and direction of relationships and could lead to misleading analysis of the research questions and could potentially be spurious as a method to answer the research questions.
16. Statistical methods were therefore chosen to identify the most significant relationships, whilst keeping a focus on producing the simplest models that would allow ready interpretation.

17. The raw data on the numbers of measures used/issued; the outcomes (i.e. attendance and behaviour); and relevant LA characteristics were transformed into the following variables:
 - the number of times a measure was used per 1,000 pupils (usage);
 - a binary variable showing whether a measure was used in an authority or not (use);
 - the annual growth in the usage of the measures and rates of outcomes; and
 - a binary variable of whether falls were experienced in outcomes.
18. For the rates and growth in rates of the measures and outcomes, multiple linear regression was used. Multiple linear regression is a method whereby the relationship in data between an outcome of interest and a single factor thought to influence the outcome can be explored, whilst taking into account all the other factors influencing the outcome.
19. For the analysis of the binary variables, discrete choice modelling, using logistical regression was undertaken.
20. Discrete choice modelling is a modelling method where the outcome of interest is one of a finite number of possibilities. For example, the outcome is recorded as either falling over a period as opposed to increasing or staying the same. For mathematical reasons, it is not appropriate to use linear regression in such cases and so therefore a process called logistical regression was used. This method generates estimates that can be interpreted as the effect of individual factors on how likely it is that a particular value of the outcome is experienced. The regression analysis was undertaken in two phases.
21. Firstly, regressions were run on sets of variables that were both correlated statistically but also logically related. For example, pupil expenditure rates, free school meal rates and percentage of BME pupils were all part of the same set.
22. Those variables in each set found to be the most important in explaining variation in individual outcome or measure variables were identified using a process known as 'backward stepwise removal'. Essentially, this process involved starting with a model that included all the variables in a set and then testing the statistical impact of removing the one that was least important to the overall precision of the model. If the impact was small, then the variable was removed and the impact of removing the next least important variable was analysed. This process continued until only those variables remained where removal of any one would have a sufficiently large impact on the accuracy of the model.
23. In some cases, this process left no variables in a set to be carried forward to the next phase, meaning that no statistical evidence was found that any of

the variables in the set were associated with the outcome or measure in question.

24. The second phase of the analysis involved incorporating the identified variables from the first phase into one large model. Backward stepwise removal was then used to test which of these variables were the most important statistically in explaining variation in the measures and outcomes.
25. Not all variables included in the final models were individually statistically significant, although their inclusion improved the precision of the model sufficiently for inclusion. Such variables are shown as footnotes below each table summarising the model findings.

A Note on Interpretation and Limitations of the Analysis

26. Estimated relationships between variables in regression analysis, both multivariate and logistic, should be interpreted as the relationship between the outcome and the individual factor, should all other factors in the model be held constant.
27. Statistical analysis is therefore a process to identify relationships in data – it provides *evidence* of the existence of a relationship in the data, not *proof* of the existence of a relationship in reality. This should always be borne in mind when interpreting any statistical findings.
28. For example, that variables are found to be statistically significantly related at the 5% level does not mean that there is a 95% or more probability that the variables are related in actuality. Rather, it means, assuming the model constructed is accurate and the assumptions of distributions of the data hold, there is a 95% or more probability that the *relationship found in the data* exists and has not occurred by chance.
29. The model and techniques chosen are often as much an art as a science and different techniques and models can sometimes yield conflicting results: especially so given the relatively small data set and levels of correlation between some of the factors.
30. The ‘gold standard’ for research to identify the impact of an intervention is the randomised control trial, allowing researchers to isolate the importance of specific factors, whilst controlling for others. The data analysis undertaken here is based upon a retrospective, aggregate cohort. There are many factors that have not been identified that may impact on the outcomes and measures and the effect on the individual pupil and their families cannot be isolated. The absence of these variables may also have an unknown but significant impact on the relationships identified.
31. As stated above, many of the variables are correlated, which makes analysis difficult. This can lead to some peculiar parameter estimates, as the exclusion of correlated variables can lead to one being a proxy for a very complicated, dynamic relationship.

32. To take an example from another field: lung cancer rates are correlated with deprivation, but deprivation is also correlated with alcohol abuse and smoking. If only aggregate data was available at LA population level, it would be difficult to disentangle the effect of, and interplay between, each of these factors on lung cancer rates.
33. Interpretation of parameter values should, therefore, be done with care and be considered as indicative of evidence of a relationship and the direction and potential strength of a relationship. Importantly, failure to find statistical evidence of an association between a factor and outcome in the data does not mean that this factor fails to exert an influence in reality. The reverse is true for those factors where a statistical association in the data is found.
34. In the analysis of factors associated with use and usage of individual measures, no interpretation of what the findings may mean is attempted or causal links hypothesised.
35. Providing evidence of causality in statistics, rather than correlation is problematic. To reiterate, all the findings presented, especially due to the potential implications for practice, should be interpreted as evidence of statistical association, rather than causality.
36. Despite the limitations described above, the statistical analysis presented provides an important first piece of evidence on the use and impact of the measures. The analysis also gives guidance on the next phase of the research project to explore the relationships found, which in turn will generate information that can potentially be included in a re-analysis of the statistical data.

C. Strand 2: Local Authority Survey

37. The aim of this strand of the study was to undertake a census survey to all LAs to explore the following key themes:
 - usage of measures (1 September 2007 to 31 August 2008);
 - whether LAs promote the use of particular measures and reasons for this;
 - measures not used and reasons why;
 - usage of related measures and numbers of prosecutions and education supervision orders (ESOs) undertaken (2007/08);
 - training and development for staff in implementing the measures;
 - criteria/triggers for use;
 - mechanisms for monitoring, evaluating and measuring impact of measures; and
 - identification of effective practice in usage of the measures.
38. The online survey was designed in conjunction with the then DCSF and piloted with LAs. The piloting provided an opportunity to refine the questions asked and highlight any amendments required. Prior to sending the survey

out, respondents (PRAB contacts) received an email informing them that the survey was due to be undertaken.

39. The surveys were sent out to PRAB contacts²¹ within each LA with a unique link. Where there was more than one contact within a LA, the survey was sent to the officer with responsibility for attendance²². Emails were sent to the other LA contacts informing them of the survey and that their colleague might approach them for additional information in order to complete the survey.
40. There were a number of methodological challenges, which will inevitably have impacted on the response rate:
 - the PRAB contacts were not always up to date or the PRAB contact was not the most appropriate person to complete the questionnaire;
 - it was not always possible to identify whether a PRAB contact was responsible for attendance or behaviour;
 - given that we were asking respondents to provide information on up to four PRAB measures, it was inevitable that the survey was going to be lengthy;
 - respondents found the complexity of some of the data requested challenging;
 - furthermore, in order to obtain some of the information requested on **both** attendance and behaviour, respondents needed to consult with other colleagues (e.g. behaviour, exclusion or inclusion colleagues). This made the process more time consuming and might have put some people off completing the survey; and
 - some respondents experienced difficulties in accessing the online survey due to the security settings on LA IT systems.
41. In order to counteract these challenges, the following strategies were employed:
 - the DfE deferred two PRAB data collections (Autumn 2008 and Spring 2009) until September 2009, in order to give respondents time to complete the online questionnaire;
 - the survey response period was extended to June 2009 in order to allow respondents to gather information from other colleagues;
 - the surveys also included some pre-coded information: the numbers of measures used and which measures were used so that respondents did not have to provide this information;
 - respondents had the option of completing their survey in a Microsoft Word document or completing the survey over the phone; and
 - the survey was designed so that respondents could come back to it at any time to provide additional information;

²¹ DfE list of PRAB contacts who are responsible for sending in LA PRAB data.

²² As these officers are usually the main contact for the PRAB returns given the greater number of attendance measures used by LAs.

- email reminders and telephone follow-ups were employed to maximise the response to the survey.

42. **Table B.1** provides an overview of the number and percentage of respondents by LA type. It shows that 84 responses were received representing a response rate of 56 per cent, which is very good considering the length and complexity of the survey.

Table B.1: Overview of Survey Respondents			
LA type (N=84)	No. of respondents	% of responses	Proportion by type of LA nationally %
County Council	12	14	44
Metropolitan	23	27	64
Unitary	34	40	63
London Borough	15	18	45

43. Table B.1 shows that the greatest responses were received from metropolitan and unitary LAs, with nearly two-thirds of these LAs responding. Responses from county councils and London boroughs were lower, but nevertheless more than two-fifths of these LAs responded.

44. In order to establish how representative respondents were of LAs nationally, we looked at rates of permanent exclusion and persistent absence for both respondents and non-respondents (see **Table B:2**). We looked at the proportion of respondents/non-respondents falling into each quartile for both persistent absence and permanent exclusion, as well as comparing average figures for respondents and non-respondents. This suggests that respondents were broadly representative of LAs nationally, as there was very little difference in the numbers falling within each quartile and the average figures across the two groups were almost identical.

45. The distribution of use of the measures for the LAs that responded to the survey, compared to national distribution trends was also explored. The purpose of this was to ensure that those responding to the survey were generally representative.

Table B.2: Use of Measures – Survey Respondents and Nationally		
	% (and no) of survey respondents who used the measures	Proportion nationally²³ %
Parenting Contracts (Attendance)	80% (67)	81%
Parenting Contracts (Behaviour)	23% (35)	37%
Penalty Notices (Attendance)	50% (75)	87%
Penalty Notices (Behaviour)	0	8%
Fast Track	47% (70)	85%
Parenting Orders (Attendance)	35% (52)	57%

46. It was not deemed appropriate to undertake statistical significance testing on the survey responses due the number of responses received.

C. Strand 3: Case Study Research

47. The aim of this strand was to explore in detail how the PRAB measures were being used in LAs. Ten LAs were selected for involvement in this strand of the research.
48. The case study authorities were selected to include authorities that were prevalent users (of all or some) of the PRAB measures and covered a range of geographical areas and contexts. One London Borough involved as a case study LA was a low user of the measures and was included to allow the research team to understand alternative approaches to the use of the measures.
49. The following issues influencing the direction and delivery of the case study strand of the research should be taken into consideration when interpreting the findings.
50. Maintaining LA engagement in the research and engaging pupils in the research were the key issues faced. In order to compensate for these issues a greater number of parents were engaged in the research than originally planned, and we ensured that we had sufficient coverage across the case study LAs.

²³ 2007-08 PRAB Data

Maintaining Engagement: Differential Levels of Engagement

51. The engagement of the majority of case study LAs in the research has been excellent. However, capacity issues within a number of LAs has meant that some of those initially selected as case studies were unable to participate in the research: this resulted in the selection of alternative LAs. In other instances it resulted in delays in case study activity, or in the amount of time LAs were able to allocate to support the research.

Engagement of Pupils in the Research

52. Pupils were difficult to engage in the research. The research team used various strategies for engagement, in particular adopting a very flexible approach to undertaking interviews in locations chosen by the pupils. However, due to issues faced by many of the pupils involved in the PRAB measures and the transient and chaotic lifestyles of some, it was only possible to engage a small number of pupils in the research.
53. A much greater number of parents were involved in the research. As the PRAB measures are focused on parental behaviour we feel that the level of involvement from pupils has not hindered the research findings.

Annex C: Parent and Pupil Profiles

1. We undertook consultations with 46 parents and 14 pupils: representing 46 cases that had been involved in PRAB measures. 76% (n=35) of these cases related to secondary school pupils; 22% (n=10) of these cases related to primary school pupils. One case involved a Pupil Referral Unit (PRU) pupil.
2. There was a fairly equal involvement of males and females in the research. 54% (n=25) of pupils with involvement in the PRAB measures were male and 46% (n=21) were female. The majority of cases interviewed were of White British ethnicity (91%; n=42).
3. The majority of pupils involved in the research were in Key Stage 4. Involvement of primary school aged pupils was much less common. The breakdown of ages was as follows:
 - 46% (n=21) were aged 15-16;
 - 35% (n=16) were aged 13-14;
 - 7% (n=3) were aged 10-12; and
 - 13% (n=6) were aged 5-8.
4. 56% of those interviewed received free school meals. Special Educational Needs (SEN) were not found to be prevalent across the cases interviewed. Only 30% of cases had a SEN and 30% were lone-parent families.
5. Underlying family issues were common across the cases interviewed; the most commonly reported of these are presented in **Table C.1**.

Table C.1: Pupil/Family Issues		
	No	% of overall cases
Poor parental control/parenting skills	11	24%
Parent/family separation	7	15%
Pupil behavioural issues (e.g. aggression, threatening behaviour, disruption at school)	7	15%
Parental mental health issues	6	13%
Pupil emotional issues (mental health issues, school phobic etc)	6	13%
Parent health issues	4	9%

Involvement in the PRAB Measures

6. The cases interviewed had been involved in a range of PRAB attendance and behaviour measures, as shown in **Table C.2**.

Table C.2: Case Involvement in the PRAB Measures		
	No of cases involved	Repeat use?
Parenting Contracts – Attendance	20	1
Parenting Contracts – Behaviour/Exclusions	6	0
Parenting Orders – Attendance	2	0
Penalty Notices – Attendance	8	4
Penalty Notices – Behaviour/Exclusions	0	0
Fast Track	17	4

7. Fourteen of the cases had been involved in more than one PRAB measure. Of these, 12 had been involved in two PRAB measures as follows:
 - five cases had been involved in a Parenting Contract for Attendance and had received a Penalty Notice;
 - three cases had received a Penalty Notice and had been involved in the Fast Track process;
 - three cases had been involved in a Parenting Contract for Attendance and had been involved in the Fast Track process; and
 - one case had been involved in a Parenting Contract for Attendance and had been issued with a Parenting Order.
8. Two of the cases had been involved in three PRAB measures (Parenting Contract for Attendance, Fast Track and a Parenting Order).

Annex D: Strand 1: National Data Analysis Tables

National Data Analysis Tables

Table D.1: Factors Statistically Associated with Usage of Parenting Contracts for Unauthorised Absence

Factor	For Every... The Factor is Higher	The Use of the Measure per 1,000 pupils ...
Parenting Orders for Unauthorised Absence were Used in an Area (07/08)	N/A	... is higher by 1.6
Usage Fast Track (07/08)	One case/1,000 pupils	... is higher by 0.1

Table D.2: Factors Statistically Associated with the Likelihood of Use of Fast Track

Factor*	For Every...The Factor is Higher	The Likelihood of Using the Measure...
Rate of Secondary School Persistent Absentees (07-08)	One percentage point	...is higher by 149.4%
% of Children Statemented	One percentage point	...is lower by 82.9%

*Not individually significant: Percentage of children with SEN, growth in half days missed in primary schools 05-06 to 06-07

Table D.3: Factors Statistically Associated with Usage of Fast Track

Factor	For Every ... the Factor is Higher	The Use of the Measure per 1,000 pupils ...
% Primary School Pupils Persistent Absentees (07-08)	One percentage point	... is lower by 3.01
% of Pupils Eligible for FSM (Secondary)	One percentage point	... is higher by 0.35
% of Pupils with SEN	One percentage point	... is higher by 0.86
Expenditure per Pupil (Youth Service)	£1 increase	... is higher by 0.04
Expenditure per Pupil (ISB)	£1 increase	... is higher by 0.03
Expenditure per Pupil Squared (ISB)	£100,000 increase	... is lower by 0.39

Table D.4: Factors Statistically Associated with the Usage of Penalty Notices for Unauthorised Absence

Factor*	For Every...The Factor is Higher	The Use of the Measure per 1,000 pupils ...
% of Pupils Eligible for FSM (Secondary)	One percentage point	...is higher by 0.20
% of Primary Pupils BME	One percentage point	...is higher by 0.04
Expenditure per Pupil (Excluded Pupils)	£1	...is higher by 0.29

*Not individually significant: expenditure per pupil (EWS)

Table D.5: Factors Statistically Associated with the Likelihood of Use of Penalty Notices for the Presence of an Excluded Pupil

Factor*	For Every ... the Factor is Higher	The Likelihood of Using the Measure ...
Number of Pupils	1,000 pupils	... is higher by 1.3%
Rate of Secondary Fixed Term Exclusion 06/07	One percentage point	... is higher by 19.4%

*Not individually significant: % of secondary BME pupils, 2007 CPA CYP Judgement 3 or 4

Table D.6: Factors Statistically Associated with the Growth in the Usage of Parenting Contracts for Unauthorised Absence 06-07 to 07-08

Factor	For Every... The Factor is Higher	The Growth in Usage of the Measure between 06-07 and 07-08 ... cases/1,000 pupils
% of Children with SEN	One percentage point	... is higher by 0.18
The CPA CYP Judgement Improved in 2007	N/A	... is higher by 1.95
% Primary School Pupils Persistent Absentees (07-08)	One percentage point	... is lower by 1.93

Table D.7: Factors Statistically Associated with the Likelihood of Use of Parenting Contracts for Exclusion

Factor*	For Every...The Factor is Higher	The Likelihood of Using the Measure...
Expenditure per Pupil (Excluded Pupils)	£1	... <i>is lower</i> by 25.3%
% of Pupils 5 or more GCSEs A*-C	One percentage point	... <i>is lower</i> by 5.5%
Usage of Parenting Contracts (unauthorised absence) 07/08	One case/1,000 pupils	... <i>is higher</i> by 16.9%
CPA CYP Judgement 3 or 4 (2007)	N/A	... <i>is higher</i> by 261.8%

**Not individually significant: expenditure per pupil (EWS)*

Table D.8: Factors Statistically Associated with the Growth in the Usage Fast Track 06-07 to 07-08

Factor	For Every ... the Factor is Higher	The Growth in Usage of the Measure between 06-07 and 07-08 ... cases/1,000 pupils
Usage Penalty Notices for Unauthorised Absence 07-08	One case/1,000 pupils	... <i>is lower</i> by 1.91
% Primary School Pupils Persistent Absentees (07-08)	One percentage point	... <i>is lower</i> by 2.20
% of Pupils Eligible for FSM (Secondary)	One percentage point	... <i>is higher</i> by 0.14
Growth in Rate of Secondary School Persistent Absentees (05-06 to 06-07)	One percentage point	... <i>is higher</i> by 4.55

Table D.9: Factors Statistically Associated with the Growth in the Rate of Half Days Missed (Secondary School)

Factor	For Every ... the Factor is Higher	The growth in half days missed ... percentage points
% of Pupils Eligible for Free School Meals	Ten percentage points	<i>... is higher by 0.04</i>
Expenditure per Pupil (Individual School Budget)	£10,000	<i>... is lower by 0.04</i>
Percentage of half days missed (secondary) 2006/07	One percentage points	<i>... is lower by 0.02</i>
If Used Parenting Contracts (Unauthorised Absence) 2006-07	N/A	<i>... is lower by 0.02</i>
Growth in Usage of Fast Track 06/07 to 07/08	Increase in usage by 10 cases per 1,000 pupils	<i>... is lower by 0.02</i>

Annex E: Strand 2 – Local Authority Survey Tables

Table E.1: Active Promotion of the Measures by Local Authorities

“Do you actively promote the use of a particular measure?”	Yes	No	Don't know
Parenting Contracts (PC's)	68 (81%)	15 (18%)	1 (1%)
Parenting Orders (PO's)	33 (39%)	47 (56%)	4 (5%)
Penalty Notices (PN's)	75 (89%)	8 (10%)	1 (1%)
Fast Track (FT)	64 (76%)	17 (20%)	3 (4%)
Base=84			

Table E.2: Reasons for Parenting Orders and Penalty Notices for Behaviour not being used by Local Authorities

“Please could you provide reasons why each measure has not been used?”	No. of LAs	
	Parenting Orders (behaviour)	Penalty Notices (behaviour)
Resource/funding constraints	28	21
We are unsure that it is a useful tool	26	21
We have our own alternative strategies that work well	25	10
The measure is too complex/ time consuming to implement	22	11
A lack of appropriately trained staff (school/LA level)	17	9
Perceptions amongst staff that use will have a negative impact on relationships with parents	14	7
We want to see whether other authorities using them find them helpful	11	11
It is not a priority here	10	6
It is not seen as effective in improving attendance/behaviour	9	5
A lack of awareness amongst staff (school/LA level)	9	8
A lack of school support for the measure	9	7
Staff (LA/school) attitudes towards using the measures	8	2
A lack of LA endorsement of/support for the measure	7	4
Other	23	42
Base=84		

Table E.3: Number of LAs planning to use Measures in the Next Six Months

“Does your authority plan to use any of the measures below within the next six months?”	No. of LAs
Penalty Notices for behaviour	19
Penalty Notices for attendance	7
Parenting Orders for behaviour	9
Parenting Orders for attendance	7
Parenting Contracts for behaviour	5
Parenting Contracts for attendance	2
Fast Track	3
None	26
Don't know	20
Base=81	

Table E.4: Number of LAs who had undertaken Prosecutions and Education Supervision Orders in 2007/08

“During the academic years 2007/08 did the LA undertake any prosecutions under Section 444 91 or 1a) of the 1996 Education Act which did not follow the issue of a Penalty Notice?”	Yes	%	No	%
Prosecutions	75	89	9	11
Education Supervision Orders (ESOs)	17	20	67	80
Base=84				

Table E.5: Lead Responsibility for Delivery of the Measures

“Who is responsible for administering the measures?”	FT (N = 70)	PC (Attendance) N = 67	PC (Behaviour) N=35
Local Authority	50	28	10
Jointly	20	34	14
School	0	5	9
Don't know	0	0	2

Table E.6: Support or Signposting provided to other Services for those Families in Receipt of Parenting Contracts (Attendance and Behaviour) and Parenting Orders (Attendance)

“What type of support or signposting to other services is provided for parents in receipt of a Parenting Contract and/or Parenting Order?”	PCs N = 69	POs N = 52
Parenting classes/programme	61	48
Mental health services	54	32
Assistance in getting child(ren) to school	51	32
Housing/accommodation advice	51	33
Alcohol treatment	47	30
Drug treatment	46	30
Counselling	45	31
Assistance in getting parents to meetings	43	30
Money/benefits advice	42	30
Other types of family support	33	23
Other	29	11
None	2	3
Don't know	1	1

Table E.7: Alternative Strategies to the use of the PRAB Measures

“What alternative strategies has your LA used in place of parental responsibility measures to tackle poor behaviour and attendance?”	No. of LAs
Pre-intervention work is effective e.g. meetings, warning letters	75
Common Assessment Framework (CAF)	73
Using school partnerships to address issues of attendance and behaviour	67
Behaviour/attendance consultants	64
Work with police to identify anti-social behaviour	63
Using inclusion support officers or equivalent	56
Education Supervision Orders (ESOs)	32
Family Group Conferencing (FGC)	32
Other	25
None	1
Base=84	

Table E.8: Use of PRAB Measures (Attendance) – Key Stage of Pupils the Attendance Measures are most regularly used with

“At what key stage are the measures most regularly used with?”	PCs N=67	POs N=52	PNs N=75	FT N=70
Key Stage 1 (KS1)	0	1	0	0
Key Stage 2 (KS2)	5	5	4	2
Key Stage 3 (KS3)	23	20	19	22
Key Stage 4 (KS4)	13	13	35	24
Don't know	26	13	17	22

Table E.9: Criteria/Triggers for the Use of the Measures (Attendance Measures)

“What are the criteria/triggers for intervention for using each of the measures within your authority?”	PCs N=69	POs N=52	PNs N=76	FT N=70
Persistent absence	64	40	66	66
Persistent lateness	48	19	45	50
Failure of parents to engage with school voluntarily	42	25	33	42
Holidays taken during term without school's permission	13	6	67	19
Holidays delayed return without school's permission etc	10	5	40	17
Poor behaviour short of exclusion	23	4	1	1
First exclusion (fixed term)	12	6	3	1
Second exclusion (fixed term)	13	6	3	1
Acceptable Behaviour Contracts (ABCs) from police	12	2	3	1
Other	10	8	11	7
None	1	7	1	1
Don't know	1	2	1	2

Table E.10: Use of PRAB Measures (Behaviour) – Key Stage of Pupils the Behaviour Measures are most regularly used with

“At what key stage are the measures most regularly used with?”	PCs N=35	POs N=52
Key Stage 2 (KS2)	2	1
Key Stage 3 (KS3)	11	5
Key Stage 4 (KS4)	5	20
Don't know	17	13

Table E.11: Training and Support Provided for LA and School Staff

“Please highlight below the types of training and support provided for LA staff and school staff?”	Yes	%
LA Staff		
Sharing of good practice/documentation	74	88
Service training days	68	81
External training/conferences	50	60
Legal services training	49	58
Other	11	13
Don't know	1	1
School Staff		
Online or paper based resources	68	81
Staff INSET	55	65
Training for governors	50	60
Conferences	33	39
Development days	27	32
Other	15	18
Don't know	2	2
Base=84		

Table E.12: Monitoring of Parental Compliance and Take-up by LAs

“Are parental compliance and take-up monitored within your LA?”	Parental Take-up	Parental Compliance
Yes	49	54
No	18	15
Don't know	17	15
Base-84		

Table E.13: Issues in Monitoring Usage of the PRAB Measures

“What are the main issues in monitoring usage?”	No. of Respondents
It is a time consuming process	52
Obtaining returns from schools	32
We do not have enough time to analyse the data	31
Incomplete returns from schools	23
Coding problems	23
Incomplete data from LA staff	11
Other	12
None	6
Don't know	4
Base=84	

Table E.14: Areas of Effective Practice in the Use of the PRAB Measures Identified by LAs

“Please identify any particular areas where you feel that the LA or schools within your LA are involved in effective practice regarding the use of parental responsibility measures?”					
... implementation	No. of LAs	... monitoring & evaluation	No. of LAs	... impact	No. of LAs
Raising awareness of guidance/criteria/ disseminating good practice	55	Using evidence to inform practice	58	Measuring impact	39
Guidance/information materials produced for staff	52	Data analysis	53	Using evidence to inform practice	38
Training and support for staff	47	Systems for data collection	49	evidencing impact	31
Effective implementation of the measures	46				
Other	7	Other	3	Other	4
None of the above	4	None of the above	7	None of the above	11
Don't know	9	Don't know	6	Don't know	15

Table E.15: Barriers to using the PRAB Measures at a LA and School Level (incorporating behaviour and attendance measures)

“What are the main barriers to using the measures?”	LA Staff	School Staff
Workload issues	57	39
Views that other measures are more effective	31	15
Access to support/funding to provide appropriate support for families	29	25
Inaccurate data/information	15	6
Impact of use on relationships with parents	14	38
Staff confidence	12	24
Staff turnover	11	12
Ensuring staff training is up to date	9	10
Lack of staff training	3	23
Lack of awareness	3	21
Other	12	7
None	11	9
Don't know	1	15
Impact of use on relationships with community	-	19
Base=84		

Table E.16: LA Respondents’ Views on the Success of the Measures

“In your view how successful has this measure been in improving attendance/behaviour in your local authority?”	PCs (attend) N=59	PCs (behav) N=15	POs N=39	PNs N=58	FT N=61
Very successful	9	-	-	7	22
Fairly successful	36	9	13	39	34
Not very successful	8	2	12	2	3
Not at all successful	1	-	6	2	-
Don't know	5	4	8	8	2

Table E.17: LAs Reasons for Not Using Measures

“Please could you provide reasons why each measure has not been used?”	PCs (attend) N=17	PCs (behav) N=49	POs (attend) N=32	PNs (attend) N=9	FT N=14
Resource/funding constraints	6	13	6	3	1
We are unsure that it is a useful tool	4	8	11	1	2
It is not seen as effective in improving attendance/ behaviour	4	1	6	1	1
We want to see whether other authorities using them find them helpful	3	8	2	-	-
The measure is too complex/time consuming to implement	3	7	3	-	-
A lack of appropriately trained staff (school/LA level)	2	6	3	-	-
A lack of school support for the measure	2	8	1	-	2
Perceptions amongst staff that use will have a negative impact on relationships with parents	2	6	2	-	-
It is not a priority here	1	6	1	1	1
A lack of awareness amongst staff (school/LA level)	1	7	1	-	-
A lack of LA endorsement of/support for the measure	1	6	1	-	-
Staff (LA/school) attitudes towards using the measures	1	5	1	-	-
We have our own alternative strategies that work well	1	12	5	1	8
No particular reason	1	1	1	-	1
Don't know	0	4	2	-	-
Other	6	17	13	5	3

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