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

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The Department for Children, Schools and Families (now the Department for Education) commissioned York Consulting in March 2009 to conduct an independent research. 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.

The measures ¹ were introduced in February 2004 to encourage parents ² to engage with schools and Local Authorities (LAs) in addressing their children's ³ poor attendance and behaviour in school. The measures are:

- Parenting Contracts (for attendance and behaviour) – are voluntary written agreements between a parent and either a school or LA with support provided to the parent;
- Parenting Orders (for attendance and behaviour) – impose requirements on parents to attend a parenting course /counselling for three months;
- Penalty Notices (for attendance and exclusion) – are fines issued to parents as an alternative to court action where they have failed to either ensure their child's regular school attendance or ensure that their excluded child is not found in a public place during school hours; and
- Fast Track to attendance – is a non statutory time-focused case management intervention, specifying clear actions for improvement in the child's attendance. If pupils' attendance continues to be an issue, prosecution procedures can be initiated by the LA.

¹ Anti-Social Behaviour Act 2003

² Throughout this report "parent" refers to the parent or carer of a child.

³ Compulsory school age (5-16) and registered at a maintained school, academy or pupil referral unit

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

The research had three main strands:

- Strand 1: National data analysis
- Strand 2: Local authority survey
- Strand 3: Case study research

The **national data analysis involved** a statistical exploration and analysis of aggregate LA level data of factors associated with LAs' use of the Parental Responsibility Measures for Attendance and Behaviour (PRAB) and association between the use of the measures and outcomes on pupil attendance and exclusions.

An online survey was sent to all 150 LAs. The survey was completed by 84 LAs, representing a response rate of 56%. The main aim of the survey was to explore LA approaches to the use of the measures, specifically exploring the reasons for usage of particular measures and reasons for LAs choosing not to use particular measures. The survey also captured barriers and challenges experienced by LAs and schools in their use of the measures and collated examples of effective practice. The survey explored the availability of training and support for LA and school staff, and approaches to monitoring, evaluating and assessing the impact of the measures.

Case studies of ten LAs and 40 schools (primary and secondary) were conducted as part of the research. Additionally, 46 parents and 14 pupils were consulted. The case study authorities were selected to reflect a range of experiences in using the PRAB measures and in-depth fieldwork was undertaken across these areas. Interviews were undertaken with LA and school staff involved in attendance and behaviour and parents and pupils directly involved in the measures. The case studies also explored how the measures were being used and the challenges and barriers faced in the implementation and use of the measures by authorities and schools.

Usage of the PRAB Measures

The use of all the measures for attendance and behaviour has increased nationally since 2004-05, the first year of data collection on use of the measures:

- Between 2004-08⁴ all LAs used one or more of the PRAB measures and the use increased by nearly four-fold from: 21,225 in 2004-05; to 77,873 in 2007-08;
- Fast Track was the most commonly used PRAB measure, accounting for 45% of total usage of all measures in 2007-08, followed by Penalty Notices for attendance, accounting for 27% of total usage in 2007-08;
- LAs were least likely to use Parenting Contracts for behaviour and Penalty Notices for behaviour, with these accounting for less than 4% of total usage of all measures in 2007-08; and
- No LA or school had applied for a Parenting Order for behaviour.

⁴ Data submitted by Local Authorities to DCSF

Triggers for Use of the PRAB Measures

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.

The main triggers for use of the behaviour measures were exclusion or those at risk of exclusion. Although there was some evidence of triggers used, decisions on the use of the behaviour measures were much more likely to be based on the professionals' understanding of individual families and their judgement on the appropriateness of using the measures.

Barriers and Challenges in the Use of the PRAB Measures

At a **LA level** the following barriers and concerns about the use of the measures were identified:

- **Staff workload** and **resource** issues were identified as the most significant barrier to the effective use of the PRAB measures at a LA level (for both attendance and behaviour), with more than two-thirds of survey respondents indicating that this was a barrier to use. This was a view supported by the case study research in which interviewees identified challenges associated with efficiency savings and staff retention issues resulting in increased case-loads which limited staff opportunities to undertake more preventative and issue-focused work;
- 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, for both attendance and behaviour. Over a third of survey respondents indicated that accessing appropriate support for families was a barrier to use. Delays in the development of local Parenting Strategies and the limited availability of parenting support in LAs were directly impacting adversely on the use of Parenting Contracts for both attendance and behaviour;
- LAs also said that they used **other strategies** such as pastoral support plans and the Common Assessment Framework, to address attendance and behaviour problems, which were effective and worked well, so that there was little need to use the PRAB measures;
- The case studies also raised specific **concerns about court disposals** which were cited by interviewees across case study authorities. Inconsistencies in disposals, namely low fines arising from prosecutions were felt by attendance staff as potentially undermining the impact of legal intervention;
- Interviewees also identified the limited ability of the attendance measures to address entrenched or embedded cultures of non-attendance as a key challenge. The measures are seen as successful in the short-term, but are not sustainable over a longer period of time.

At **school level**, specific barriers relating to the use of the measures were identified as:

- The negative impact on **relationships with parents**. This was particularly evident at the primary school level and in the use of what were felt to be more punitive measures, such as Fast Track and Penalty Notices;
- **Limited awareness and confidence** in the use of the measures amongst school staff leading to poor school engagement and reluctance to use some of the measures;

- **Data inaccuracies** (in registers, part-time timetables and pupils' involvement in alternative provision) were identified as negatively impacting on effective use of the attendance measures. In particular this hindered the ability of LA attendance staff to collect accurate and sufficient evidence to support progression of cases to prosecution; and
- Difficulties faced by schools and LAs in the **effective monitoring** of the behaviour measures. There was limited evidence through the case study research that LAs have established approaches to evaluating the impacts of the behaviour measures. Monitoring of use across schools was generally sporadic and viewed as a time consuming process.

Reasons for Non-Usage of the Behaviour Measures

The behaviour measures are the least commonly used of the PRAB measures. The research therefore explored further the reasons behind this:

- **Parenting Orders for behaviour:** No LA (or school) had applied for an Order. Lack of resources and funding constraints were identified as the main reason for non-usage by survey respondents (33%). Nearly a third (31%) reported uncertainty about the usefulness of Parenting Orders for behaviour and indicated that they had alternative strategies that worked well. Just over a quarter (25%) 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 staff;
- **Penalty Notices for behaviour:** Only a few LAs nationally had used this measure. A quarter (25%) of survey respondents indicated that the measure was not used because of resource/funding constraints and uncertainty about the usefulness of the measure to address behaviour; and
- **Parenting Contracts for behaviour:** About 60% of LAs who responded to the survey had not used this measure. Of these, just a quarter (25%) of respondents indicated that the measure was not used because of funding/resource constraints and just less than a quarter reported having existing strategies that work well. Uncertainty about the usefulness of the measure and a lack of school support were other reasons identified.

Models of Practice

Models of practice in the use of the attendance and behaviour measures were explored through the case study research. LAs most commonly (seven LAs) operated a centrally-based team structure to address **attendance** issues. In this approach staff 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.

Only four of the ten case study LAs were using behaviour measures (specifically Parenting Contracts). There were two models of delivery for operating the behaviour-based measures: individual led (three LAs) or an integrated approach (one LA). Where the LA-led approach is used, a key LA officer takes overall responsibility for engaging schools and managing and implementing the measure in schools. The integrated approach meant the measures are promoted and managed through a multi-agency team including the school, LA and other agencies/services.

LAs', Schools', Parents' and Pupils' Experiences of the PRAB Measures

LAs and Schools

Findings from the research show that the attendance and behaviour 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. 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** is integral to addressing underlying reasons for poor attendance;
- **strong ownership and commitment at a school level** encourages the early identification of attendance and behaviour issues, 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 use by all staff on the use of the measures is also considered central to effective implementation;
- **establishing a time focused process and procedures** that are clear to parents, pupils, schools and LA staff ensures that cases do not drift;
- **establishment of quality assurance or gate-keeping processes by LAs** supports the use of the legal measures e.g. 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, strong LA legal support and the identification of dedicated attendance staff with responsibility for the use of the legal measures.

The use of the attendance measures by LAs is generally high nationally and more than 66% of respondents reported that they had processes in place for monitoring and evaluating the use and effectiveness of the measures. Where the measures are used, survey respondents indicated that the LA and school generally administered these jointly.

In relation to use of the behaviour measures, the case study research identified that schools generally had responsibility for implementation, but there were often limited structures in place to support the use of the measures. There was also a lack of strategic leadership from LAs in terms of implementing the behaviour measures.

Parents and Pupils

As part of the case studies, interviews were conducted with 46 parents and 14 pupils to explore the impact of the measures on individual families. The research team used a range of strategies to engage pupils, but it was only possible to consult with a relatively small number of children and young people. As a result of speaking with fewer numbers of pupils than anticipated a larger number of parents were involved in the research instead.

Over three-quarters (76%) of the cases interviewed (involving one or more of the PRAB measures) related to secondary aged pupils (Key Stages 3 and 4) and over a fifth (22%) related to primary aged pupils. However, there was no evidence from the case study research that LAs were choosing to target specific age groups or school phases for involvement.

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. 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 staff also tends to be cyclical. Although there are attendance issues, these are not severe enough to prosecute; and
- **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 and there is concern by both pupil and parent about the threat of prosecution which facilitates changes.

The types of support given to parents and pupils using Parenting Contracts and Orders in respect of attendance were:

- referral to parenting programmes or support groups;
- signposting to other services/support e.g. CAMHS, family support, Voluntary and Community Sector Services, use of CAF;
- solution focused support for parents and pupils e.g. on setting boundaries;
- school based action or support e.g. alternative provision, reduced timetables etc; and
- pupil based actions e.g. peer separation, review of punctuality and behaviour in lessons.

The support and engagement of parents was viewed by case study stakeholders as being central to the effective delivery of the 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. The legal action, provision of support and fear of further legal action if an Order is breached encouraged parents to improve their child's attendance.

The research found that the sustainability of impacts achieved through the use of the attendance measures is directly influenced by family circumstances. Parental concerns about prosecution were a contributing factor in improving pupils' attendance. Most parents found prosecutions highly stressful and did not want to go through this experience again. LAs were monitoring parental take-up of, and compliance with, the measures.

Impact of the PRAB Measures

The research drew on both the statistical analysis of LA-level data and the survey and case study research to identify the impact of the measures on improving attendance/persistent absence and on reducing exclusion. In particular, the impact assessment drew on individual case studies conducted across the ten case study authorities and forty schools (with parents and pupils) and quantitative impact data and evaluation findings collated by case study authorities.

Impact of the Attendance Measures

There is evidence to suggest that the measures are contributing to improvements in attendance for pupils. The survey and case study research suggest that the use of the attendance measures, when used early or as part of a wider integrated LA approach to addressing irregular attendance and persistent absence, can be successful. The research identified the following impacts across the measures:

- **Parenting Contracts for attendance:** impact was found to be varied, but generally positive across LAs, contributing to addressing underlying issues for pupils' poor attendance and playing a role in raising parental awareness about pupils' attendance issues. More than three-quarters (76%) of survey respondents reported that they were 'very successful' or 'fairly successful' in improving attendance amongst pupils. The measure was felt to have limited impact where parents were unwilling to engage, or in addressing more severe or entrenched attendance issues;
- **Penalty Notices for attendance:** 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. Penalty Notices were less effective in circumstances where there were underlying family issues or where attendance issues were more entrenched;
- **Parenting Orders for attendance:** impact was mixed across LAs. A third (33%) of survey respondents viewed the measure as 'fairly successful' in improving pupils' attendance. Where Parenting Orders were felt to have an impact, their compulsory nature and the warning of further severe legal intervention (for example, prosecution under Section 444.1a of the 1996 Education Act), were viewed by LA officers in the case-studies as the key facilitators in achieving positive impacts;
- **Fast Track to attendance programme** was viewed as being the most effective measure in achieving long-term sustainable impacts on pupils' attendance. Nearly all (92%) of LA survey respondents said that it was 'fairly successful' or 'very successful' in addressing attendance issues. 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; and
- **Prosecution** was generally regarded as beneficial in improving pupils' attendance and LAs' data on impact shows that more than half were successful. However, prosecutions tend to be less successful in securing positive impacts for pupils with more entrenched attendance or a culture of non attendance within the family. LA officers felt that the potential impact of prosecution was severely limited when the disposals (low fines) made did not sufficiently reflect the severity of the attendance issues.

Impact of the Behaviour Measures

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. Of the survey respondents who had used Parenting Contracts for behaviour, two-thirds (66%) reported that it was a 'fairly successful' measure.

The impact or contribution of the behaviour measures on reducing exclusions is difficult to conclude from the research, due to low use and awareness across schools and LAs. Qualitative evidence from the case study and survey research did however highlight the potential contribution of the behaviour measures on reducing exclusion and improving behaviour. The contribution of Parenting Contracts for behaviour in achieving positive impacts on parents' relationships with schools was reported throughout the survey and case study strands of the research.

Conclusions

Overall this research has shown that the use of the PRAB measures has increased significantly in recent years, illustrating the importance of the use of the measures in addressing attendance and behaviour issues, at both a LA and school level. Although the contribution of the PRAB measures to improving pupils' attendance is linked to context and individual circumstances, there was a clear message from the research that the ability of any of the measures to achieve positive outcomes for pupils with severe non-attendance problems remains a significant challenge.

Limited funding and resources to support the use of the behaviour measures has hindered LAs' ability to embed and support the use of these measures. Although there were good examples of LAs promoting and delivering the behaviour measures in some LAs, current evidence of impact and outcomes achieved was limited.

Recommendations

- R1:** The DfE should ensure that LAs and schools using Parenting Contracts meet all the requirements set out 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 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 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:** Recommendation 4: 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.
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Additional Information

The full report can be accessed at www.education.gov.uk/research

Further information about this research can be obtained from
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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.