



Anti-social Behaviour Act 2003

2003 CHAPTER 38

PART 3

PARENTAL RESPONSIBILITIES

Truancy and [^{F1}misbehaviour at] school

20 Parenting orders in cases of exclusion [^{F1}or potential exclusion] from school

- (1) [^{F2}Subsection (2)] applies where—
- a pupil has been excluded on disciplinary grounds from a relevant school for a fixed period or permanently, and
 - such conditions as may be prescribed in regulations made by the appropriate person are satisfied.
- (2) [^{F3}A relevant body] may apply to a magistrates' court for a parenting order in respect of a parent of the pupil.

[^{F4}(2A) A relevant body may also apply to a magistrates' court for a parenting order in respect of a pupil at a relevant school if—

- it appears to the body making the application that the pupil has engaged in behaviour which would warrant the exclusion of the pupil from the school on disciplinary grounds for a fixed period or permanently, and
- such conditions as may be prescribed in regulations made by the appropriate person are satisfied.

(2B) For the purposes of subsection (2A), there are to be disregarded—

- any practice restricting the use of exclusion at a particular school, or at schools of a particular description, and
- any grounds that might exist for not excluding the pupil, to the extent that those grounds relate to his education or welfare after exclusion.]

[^{F5}(3) If an application is made under subsection (2) or (2A), the court may make a parenting order in respect of a pupil if it is satisfied—

*Changes to legislation: There are currently no known outstanding effects for the
 Anti-social Behaviour Act 2003, Section 20. (See end of Document for details)*

- (a) in the case of an application under subsection (2A), that the pupil has engaged in behaviour of the kind mentioned in that subsection, and
 - (b) in any case, that the making of the order would be desirable in the interests of improving the behaviour of the pupil.]
- (4) A parenting order is an order which requires the parent—
- (a) to comply, for a period not exceeding twelve months, with such requirements as are specified in the order, and
 - (b) subject to subsection (5), to attend, for a concurrent period not exceeding three months, such counselling or guidance programme as may be specified in directions given by the responsible officer.
- (5) A parenting order under this section may, but need not, include a requirement mentioned in subsection (4)(b) in any case where a parenting order under this section or any other enactment has been made in respect of the parent on a previous occasion.
- (6) A counselling or guidance programme which a parent is required to attend by virtue of subsection (4)(b) may be or include a residential course but only if the court is satisfied that the following two conditions are fulfilled.
- (7) The first condition is that the attendance of the parent at a residential course is likely to be more effective than his attendance at a non-residential course in improving the behaviour of the pupil.
- (8) The second condition is that any interference with family life which is likely to result from the attendance of the parent at a residential course is proportionate in all the circumstances.
- [^{F6}(9) In this section “a relevant body” means—
- (a) a [^{F7}local authority] ,
 - (b) the governing body of any relevant school in England at which the pupil to whom the application relates is a pupil or from which he has been excluded.]

Textual Amendments

- F1** Words in s. 20 heading inserted (1.9.2007 for E., 31.10.2010 for W. for specified purposes and 5.1.2011 so far as not already in force) by [Education and Inspections Act 2006 \(c. 40\)](#), **ss. 98(7)**, 188(3); S.I. 2007/1801, art. 3(c); S.I. 2010/2543, arts. 2(h), 3(a)
- F2** Words in s. 20(1) substituted (1.9.2007 for E., 31.10.2010 for W. for specified purposes and 5.1.2011 so far as not already in force) by [Education and Inspections Act 2006 \(c. 40\)](#), **ss. 98(2)**, 188(3); S.I. 2007/1801, art. 3(c); S.I. 2010/2543, arts. 2(h), 3(a)
- F3** Words in s. 20(2) substituted (1.9.2007 for E., 31.10.2010 for W. for specified purposes and 5.1.2011 so far as not already in force) by [Education and Inspections Act 2006 \(c. 40\)](#), **ss. 98(3)**, 188(3); S.I. 2007/1801, art. 3(c); S.I. 2010/2543, arts. 2(h), 3(a)
- F4** S. 20(2A)(2B) inserted (1.9.2007 for E., 31.10.2010 for W. for specified purposes and 5.1.2011 so far as not already in force) by [Education and Inspections Act 2006 \(c. 40\)](#), **ss. 98(4)**, 188(3); S.I. 2007/1801, art. 3(c); S.I. 2010/2543, arts. 2(h), 3(a)
- F5** S. 20(3) substituted (1.9.2007 for E., 31.10.2010 for W. for specified purposes and 5.1.2011 so far as not already in force) by [Education and Inspections Act 2006 \(c. 40\)](#), **ss. 98(5)**, 188(3); S.I. 2007/1801, art. 3(c); S.I. 2010/2543, arts. 2(h), 3(a)
- F6** S. 20(9) inserted (1.9.2007 for E., 31.10.2010 for W. for specified purposes and 5.1.2011 so far as not already in force) by [Education and Inspections Act 2006 \(c. 40\)](#), **ss. 98(6)**, 188(3); S.I. 2007/1801, art. 3(c); S.I. 2010/2543, arts. 2(h), 3(a)

Changes to legislation: There are currently no known outstanding effects for the Anti-social Behaviour Act 2003, Section 20. (See end of Document for details)

F7 Words in ss. 19-21 substituted (5.5.2010) by [The Local Education Authorities and Children's Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\)](#), art. 1, **Sch. 2 para. 52**

Commencement Information

I1 S. 20 in force at 27.2.2004 for E. by [S.I. 2003/3300](#), **art. 4(b)**

I2 S. 20 in force at 11.5.2006 for W. by [S.I. 2006/1278](#), **art. 2**

Changes to legislation:

There are currently no known outstanding effects for the Anti-social Behaviour Act 2003, Section 20.