

*Status: This version of this provision is prospective.*

*Changes to legislation: Education and Skills Act 2008, Section 44 is up to date with all changes known to be in force on or before 18 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*



# Education and Skills Act 2008

## 2008 CHAPTER 25

### PART 1

#### DUTY TO PARTICIPATE IN EDUCATION OR TRAINING: ENGLAND

### CHAPTER 4

#### PARENTING CONTRACTS AND PARENTING ORDERS

PROSPECTIVE

#### **44 Parenting contracts and parenting orders: further provisions**

- (1) [F<sup>1</sup>local authorities] in England and responsible officers must, in carrying out their functions in relation to parenting contracts under section 40 and parenting orders under section 41, have regard to the extent to which any failure by, or anything done by, a parent of a person to whom this Part applies is affecting, or is likely to affect, that person's fulfilment of the duty imposed by section 2.
- (2) Regulations may make further provision about the exercise by [F<sup>1</sup>local authorities] in England of their functions relating to—
  - (a) parenting contracts under section 40, or
  - (b) parenting orders under section 41.
- (3) The provision that may be made under subsection (2) includes—
  - (a) provision limiting the power of a [F<sup>1</sup>local authority] to enter into a parenting contract, or apply for a parenting order, in prescribed cases;
  - (b) provision requiring one [F<sup>1</sup>local authority] to consult with another before taking any prescribed step;
  - (c) provision requiring the provision of information by one [F<sup>1</sup>local authority] in England to another;

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- (d) provision as to how the costs associated with parenting contracts under section 40 or parenting orders under section 41 (including in each case the costs of providing counselling or guidance programmes) are to be met.

(4) In this Chapter—

“parent”, in relation to a young person, is to be construed in accordance with section 576 of the Education Act 1996 (c. 56), but does not include a person who is not an individual;

“responsible officer”, in relation to a parenting order, means an officer of a <sup>F1</sup>local authority] who is specified in the order.

#### Textual Amendments

- F1** Words in Act substituted (5.5.2010) by [The Local Education Authorities and Children’s Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\)](#), **Sch. 2 para. 15(2)**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 91(3)(c) inserted by [2022 asc 1 Sch. 4 para. 22\(3\)](#)