



Department
for Education

Parental responsibility measures: attendance data collection (PRM-A) 2014

**Guide to the collection of attendance
penalty notices, parenting contracts,
parenting orders and fast-track for
attendance**

August 2014

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1 Introduction

1.1 Background

The PRM-A data for attendance penalty notices, parenting contracts, parenting orders and fast-track for attendance is an annual collection.

The 2014 data collection has been updated to reflect amendments to the penalty notices regulations. From 1 September 2013 the timescale for payments stated on penalty notices reduced to 21 and 28 days from 28 and 42 days.

You are asked to make data return reports on the provisions relating to the use of attendance penalty notices, fast-track, parenting contracts and parenting orders by your local authority (LA) during the school academic year 2013 to 2014.

Where schools in your area use the attendance measures please also include these in your return. In particular section 23 of the Anti-social Behaviour Act 2003 gives head teachers the power to issue penalty notices and they must send copies to the local authority. We therefore expect local authorities to include these in their data returns to avoid under reporting on usage.

This data collection covers the school year **1 September 2013 to 31 August 2014**.

The deadline for submission of PRM-A data to the DfE by LAs is **31 October 2014**.

All 152 LAs are expected to provide the data by the deadline above.

This document is published on the gov.uk [website](#) and LAs/Agents may choose to use it directly with their schools or amend it to suit their local needs.

1.2 What is in the scope for the PRM-A data collection?

Attendance Measures

Penalty Notices – academic year 2013-14

Penalty notices can be issued for section 444(1) offence under the Education Act 1996. Penalty notices can only be issued to parents of pupils who are of compulsory school age (5-16) and where the LA has published a local code of conduct. All penalty notices issued must be paid in full within 28 days. If a penalty is unpaid after 28 days the LA must withdraw the notice and decide whether to prosecute the parent for the offence under section 444 (failing to ensure their child's regular school attendance).

Withdrawal provisions for Penalty Notices

The Education (Penalty Notices) (England) Regulations 2007 sets out the circumstances in which a penalty notice issued under section 444(1) can be withdrawn. The grounds for withdrawing a penalty notice are:

- Penalty Notice has been issued outside of the terms of the local code of conduct (Q4a);
- It ought not to have been issued or issued to the person named as the recipient (Q4b);
- Penalty Notice contains material errors (Q4c); or
- where after the expiry of 28 days the penalty notice is unpaid and the LA has not started legal proceedings or wishes to take such action under section 444 (Q4d).

Please be aware that once a penalty notice is issued it can only be withdrawn because of one of the reasons listed above. LAs should not issue penalty notices unless they are willing to prosecute parents for the original offence of failing to secure their child's regular school attendance following non-payment. LAs' local codes should contain the grounds for withdrawal.

Please read [statutory guidance 'Parental responsibility measures for behaviour and attendance'](#) for further information.

Parenting orders

LAs can request a parenting order following a successful prosecution of parents for offences under sections 444(1) or 444(1A) of the Education Act 1996, for irregular school attendance. The courts can grant a parenting order as an ancillary order.

Parenting orders are imposed by the court and consists of 2 elements:

- (i) parent must attend a parenting programme or counselling for three months; and
- (ii) parent must comply with any other requirements that the court deem is necessary. The order should last for 12 months.

Requirements of parenting contracts

The law allows LAs and schools to enter into a parenting contract with parents in respect of school attendance. Section 19 of the Anti-Social Behaviour Act 2003 states that the contract is a formal agreement between a parent and either the LA or the governing body of a school and **must contain both:**

- a) a statement by the parent that he agrees to comply for a specified period with whatever requirements are specified in the contract; and

b) a statement by the LA or governing body agreeing to provide support to the parent for the purpose of complying with the contract.

The contract is voluntary. It is a two-way agreement between the school /LA and a parent and support **must** be provided which can include parenting skills classes /counselling/referral to other agencies for help/support. The school or LA must provide support to parents where they agree to comply with the terms of the contract.

If **Pastoral Support Plans** and **Individual Education Plans** are arranged to address pupils' poor attendance and have a parenting support element to them (ie the parent is offered specific support as detailed above by either the school/LA) then these should be included in your return as a parenting contract. However, if such plans do not offer any support to the parent and addresses only the pupils' needs then these should **not** be included in your returns as a parenting contract.

Parenting contracts as part of fast-track

Where LAs enter attendance cases into the fast-track case management system they can also offer parenting contracts to parents at any time during the process, but prior to prosecution. If this is the case then you should record both the entry into fast-track at questions 6 to 8 and the use of the parenting contract at questions 12 and 13.

1.3 Rationale behind the PRM-A data collection

Parenting contracts, parenting orders and penalty notices are interventions available to promote better school attendance and behaviour. Good behaviour and attendance are essential to children's educational prospects.

The PRM-A data collection provides information at both regional and LA level on the volumes of parenting contracts, parenting orders and penalty notices issued to address poor attendance and behaviour in school to enable analysis of the effectiveness of these tools.

1.4 Data protection & security

Data kept on pupils (in any medium, including within a MIS) are personal data. The data must be managed in accordance with the requirements of the Data Protection Act 1998. All staff that have access to personal data should be aware of their responsibilities under the Act. LAs should advise schools about their responsibility to hold data in line with the Act.

1.5 Data quality

It is important that the data collected by LAs, for onward transmission to the department, is both accurate and complete. In Section 2, there is a complete list of data items that need to be submitted, together with an explanation of each of them.

2 Data required

Please include any relevant data provided to you by schools, including the numbers of parenting contracts offered and those that were accepted by parents/carers and cases entering and leaving fast-track at school level.

The questions are asking for '**in period**' data and therefore we are looking at numerical information within the period rather than case tracking/case specific (see notes to specific questions).

We are no longer collecting data regarding PCs, POs and PNs in cases of behaviour/exclusions. However, local authorities should continue to keep such data for their own records in case of court action.

Further information on all the legal measures is available in the [Statutory Guidance](#) on the gov.uk website

2.1 Explanation of measures

See Appendix 1 for a full list of the questions contained in the data collection exercise.

Penalty notices (for unauthorised absence)

Question 1 is asking for the total number of penalty notices that were issued during the period of this return, due to unauthorised absence. This should also include where a penalty notice is issued in relation to pupils attending an alternative provision in a pupil referral unit and who fail to attend that provision.

Question 2 to question 4 is asking for the numbers of penalty notices issued for unauthorised absence that were paid, unpaid or withdrawn during this period. It is unlikely that the total of Q2 to Q4 will equal the number in Q1 as some of the penalty notices referred to will have been issued in the previous accounting period. Likewise, some of the penalty notices issued in Q1 will not be 'resolved' yet, and will appear in the next data collection return.

Question 5 is asking for the number of cases prosecuted for non payment of the penalty notice during this period and should include the number of summons served for unauthorised absence.

Fast-track case management (for absence from school)

Question 6 should include, where possible, data on pupils being case managed within a fast-track process at both a school and LA level. If a parenting contract is offered as part of the fast-track process then please record this at questions 12 and 13 as appropriate.

Question 7 refers to the number of parents prosecuted (so, for example, where you bring a prosecution against both parents for a child's unauthorised absence, record '2'). The figure in question 7 (total number of cases prosecuted during the period) should refer to the number of fast-track cases heard in court. Please do not include prosecution cases that fall outside of the fast-track process or cases that were withdrawn.

Question 8 should include data on pupils that left the process having been case managed at either a school or LA level. Also, the figures in question 8 (total number of fast-track cases withdrawn, before prosecution ie before they are heard in court, or before they reached the prosecution stage): should refer to fast-track cases only - please do not include cases that fall outside of the fast-track process. Please also remember to complete the reasons for withdrawal as set out in questions 8a and 8b.

Parenting orders (for unauthorised absence)

Question 9 should include the total number of parenting orders made by the courts following either a section 444(1) or 444(1A) prosecution.

Question 10 is asking about the number of parenting orders that the LA was able to implement.

Question 11 should include the total number of parenting orders (PO) not implemented during this period. This should identify the reasons why there may be a discrepancy between questions 9 and 10:

Question 11a should include POs that have not begun within 6 months of the order being made due to a lack of the necessary parenting provision within the LA. However, **do not** include details of POs that cannot be implemented during the statistical period because a parenting programme does not start until the next statistical period but include it in your next return.

Question 11b - should include POs that could not be implemented because of breach by the parent.

Parenting contracts (for unauthorised absence)

Question 12 should include the total number of parenting contracts offered within the LA which includes those offered by schools. However it should only include cases where a parent has formally been offered a parenting contract (PC). Please only count cases where a contract has been offered in a face to face meeting with the parent.

Question 13 should record the number of parenting contracts that were accepted by the parents and again should include those offered by either the LA or schools.

3 'How to make a return'

This section provides information about the process of submitting your data to the department.

3.1 Collection dates

The collection:

- opens on Tuesday 2 September 2014
- closes on Friday 31 October 2014.

You can only make a return during this period. No amendments can be made to your return after the collection closes on 31 October 2014.

3.2 COLLECT

You should submit your data using COLLECT, our centralised data collection and management system. A separate [COLLECT guide](#) is available to help you use the system to complete and submit your return.

Please ensure that you have completed all the return fully before submitting your data.

You may save your data and return to it later, so long as you have not pressed the submit button.

You may use the 'Enter/return' key, the 'tab' key or a mouse to move between boxes and when moving between questions.

3.3 Secure Access

User names and passwords for COLLECT are managed by the [Secure Access](#) system. Your local authority has a number of delegated approvers who can allocate you access to departmental systems that use Secure Access.

You should contact one of your local authority approvers, if you need a username and password to submit data for the PRM-A 2014 collection.

More information is available on the [Secure Access help screen](#).

You can also get help using the [Secure Access service request form](#)

3.4 Legal & policy issues

For enquiries regarding the legal measures or attendance policy please contact:

- Vicci Lavery (Vicci.Lavery@education.gsi.gov.uk) or
- Karen Kennedy (Karen.Kennedy@education.gsi.gov.uk)

3.5 General issues

If you have any COLLECT or PRM-A queries of a general nature, please contact us by using the [service request form](#)

4 Appendices

4.1 Appendix 1: Parental responsibility measures - attendance data collection

Penalty notices (for unauthorised absence)

1. How many penalty notices were issued during the period?

During the period:

2. How many penalty notices were paid within 21 days?

3. How many penalty notices were paid between 22- 28 days?

4. How many penalty notices were withdrawn during the period?

Reasons for withdrawal:

4a. PN has been issued outside of the terms of the local code of conduct (total number);

4b. It ought not to have been issued or issued to the person named as the recipient (total number);

4c. It appears that the notice contains material errors (total numbers); or

4d. Where after the expiry of 28 days the penalty is unpaid and LA does not wish to bring legal proceedings under s444 (total numbers)

5. How many cases have been prosecuted following non-payment within the period?

Fast-track case management (absence from school)

6. Total number of cases entering the Fast-track case management system during the period?

7. Total number of Fast-track cases prosecuted during the period?

8. Total number of Fast-track cases withdrawn, before prosecution?

Reasons for withdrawal:

8a. Attendance improved (total number)

8b. Other (please specify) (total number)

Parenting orders (for unauthorised absence)

9. Number of Parenting Orders made following unauthorised absence prosecution (ancillary orders) within the period?

10. Number implemented following unauthorised absence prosecution within the period?

11. Number not implemented within the period?

Reasons for non-implementation

11 a. lack of provision (total numbers)

11 b. breach by parent (total numbers)

Parenting contracts (for unauthorised absence)

12. Number of parenting contracts offered within your LA during the period?

13. Number of parenting contracts, offered in question 12, accepted by the parent?



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