

DUNDEE CITY COUNCIL

REPORT TO: Policy and Resources Committee – 17 October 2005

REPORT ON: Parenting Orders

REPORT BY: Depute Chief Executive (Support Services)

REPORT NO: 632-2005

1.0 PURPOSE OF THE REPORT

This report provides committee members with details of the national pilot on Parenting Orders. It seeks approval for the submission to the Scottish Executive of a local protocol on the approach to be used in Dundee.

2.0 RECOMMENDATIONS

It is recommended that

2.1 Members note the content of this report.

2.2 Members approve the submission of the Dundee City Council multi-agency 'Protocol on Parenting Orders' to the Scottish Executive by the Director of Social Work.

3.0 FINANCIAL IMPLICATIONS

3.1 There are no financial implications arising directly from this report.

4.0 LOCAL AGENDA 21 IMPLICATIONS

4.1 It is hoped that the implementation of Parenting Orders in cases of antisocial behaviour, or where young people have committed offences, will contribute to promoting a City where people live without fear of crime or personal violence.

5.0 EQUAL OPPORTUNITIES IMPLICATIONS

5.1 The approach taken in this local protocol will ensure that people are not discriminated against because of their race, colour, gender, sexuality, age, class, ethnic or religious beliefs, basic skills, disability, trade union activity, long term unemployment or because they have AIDS or are HIV positive.

6.0 MAIN TEXT

6.1 This Protocol has been developed in response to the implementation of Part 9 of the Antisocial Behaviour (Scotland) Act 2004, which makes provision for Parenting Orders by way of a 3-year national pilot. The Protocol sets out an agreed multi-agency approach to the application of Parenting Orders in Dundee.

Parenting Orders

Parents may need help and support at some point with their parenting task and many parents will receive this help from within their own family. Others will seek help from agencies and organisations on a voluntary basis. However some parents, who have been recognised to need additional help, may be unable or unwilling to engage with that support and their behaviour may have a negative impact on their child.

Parenting Orders are about the behaviour of parents and getting them to change their behaviour positively in respect of their child and to take appropriate parental responsibility. A Parenting Order is designed to provide the help and support a parent needs to change their behaviour. It will direct the parent as to how he or she should behave in respect of their child. It will require the parent to undertake certain actions, which should lead to improvements in reducing the offending or anti-social behaviour of their child, improve the welfare of the child, or improve their attendance at school.

Parenting Orders will be made in respect of individual parents. If there are serious concerns about the behaviour of both parents of a child, two Parenting Orders will be sought whether the parents are co-habiting or living apart. These Orders could have different contents and compliance with them will need to be monitored separately. Orders with different requirements could also be made in respect of two or more children within a family.

When Might a Parenting Order be Used?

In most cases, the parent for whom a Parenting Order is being considered will be well known to relevant local agencies. Where the parent has been offered relevant and targeted services, and has shown that they will not engage with those services on a voluntary basis, and where the behaviour of the parent continues to cause concern, an application for a Parenting Order might be appropriate.

Parenting Orders are a last resort in the process of trying to change parental behaviour. The Scottish Executive's guidance indicates that there should be a range of strategies tried before consideration is given to applying for an Order. Failure to comply with the requirements of a Parenting Order can result in a breach of that Order and, ultimately, in a custodial sentence.

It is therefore expected that one or more of the targeted services (as outlined in Appendix 1 of the Protocol) will have been offered to a parent. Such services will ensure that all reasonable steps are taken to engage the parent with their service and start the process of addressing parenting behaviour.

Local Application and Implementation Processes in Respect of Parenting Orders

Only the Reporter can make applications on welfare grounds, whereas either the Reporter or the Council can make an application on grounds of criminal conduct or antisocial behaviour by the child. However, neither Dundee City Council nor the Reporter is required to apply for Parenting Orders, either at all, or in particular circumstances.

Recommendations about seeking Parenting Orders in cases where a child's welfare is the main concern will be made at relevant multi-agency meetings or conferences, such as child protection conferences. Where antisocial behaviour or criminal conduct by a child or young person is the main concern, such recommendations will be made by the Antisocial Behaviour Act Liaison Group.

Dundee City Council is responsible for delivering parenting services and support for those made subject of a Parenting Order. However, the services themselves may well be delivered by other agencies. A member of Council staff will be nominated as the responsible officer. This will be a qualified and registered social worker in cases of welfare.

The responsible officer will provide or arrange for the provision of support services and will supervise any other requirements in the order. The responsible officer also has a duty to seek a breach of order if a parent fails to comply.

Dundee City Council Protocol on Parenting Orders

The Protocol, which is available in the members lounge provides detailed guidance on the proposed use of Parenting Orders in the City. It will be used for staff training and guidance purposes and will also provide the Scottish Executive with details of our local approach.

7.0 CONSULTATION

- 7.1 This Protocol has been developed by a multi-agency steering group including representatives from the following Council Departments: Education, Housing, Social Work, and Support Services. The group also included representatives from Tayside Police, NHS Tayside, Dundee Voluntary Action and the Scottish Children's Reporters Authority.
- 7.2 The Chief Executive, Director of Social Work and Director of Education have been consulted in the preparation of this report.

8.0 BACKGROUND PAPERS

None.

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Date: 10 October 2005