

Status: This version of this provision is prospective.

Changes to legislation: Education and Skills Act 2008, Section 40 is up to date with all changes known to be in force on or before 14 May 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

40 Parenting contracts

- (1) This section applies where a person to whom this Part applies (“the young person”) is failing to fulfil the duty imposed by section 2.
- (2) A [^{F1}local authority] in England may enter into a parenting contract with a parent of the young person—
 - (a) if the parent is resident in England, and
 - (b) the authority considers that entering into the parenting contract would be desirable in the interests of the young person's fulfilment of that duty.
- (3) A parenting contract is a document which contains—
 - (a) a statement by the parent that the parent agrees to comply with such requirements as may be specified in the document for such period as may be so specified, and
 - (b) a statement by the [^{F1}local authority] that it agrees to provide support to the parent for the purpose of complying with those requirements.
- (4) The requirements mentioned in subsection (3) may include (in particular) a requirement to attend a counselling or guidance programme.

Status: This version of this provision is prospective.

Changes to legislation: Education and Skills Act 2008, Section 40 is up to date with all changes known to be in force on or before 14 May 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](#)

- (5) A parenting contract must be signed by the parent and signed on behalf of the [^{F1}local authority].
- (6) A parenting contract does not create any obligations in respect of whose breach any liability arises in contract or in tort.

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)**

Status:

This version of this provision is prospective.

Changes to legislation:

Education and Skills Act 2008, Section 40 is up to date with all changes known to be in force on or before 14 May 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.

[View outstanding changes](#)

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\(3\)](#)