

Out of Court Parenting Support

Guidance¹ for Police, Youth Offending Teams and local authorities

About this Guidance

This guidance is intended to:

- support local authorities in administering the *Out of Court Parenting Support*
- provide advice for the police, Youth Offending Teams and local authorities on the referral pathway for parenting support provided in conjunction with an Out of Court Disposal.

Please note: This guidance should be read in conjunction with the Children and Communities Grant guidance

Audience: Police, Youth Offending Teams and local authorities

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Section 1: Introduction

Issue

When Section 1 of the [Children \(Abolition of Defence of Reasonable Punishment\) \(Wales\) Act 2020](#) (Children Wales Act) came into force on 21 March 2022 it removed the defence of reasonable punishment. All physical punishment of children is now illegal in Wales, including by parents and anyone acting in loco parentis in any setting in Wales.

If the police (having considered the evidential and public interest tests) decide to take further action against a parent who has physically punished their child, they might offer an out of court disposal (OOC), such as a Community Resolution or Conditional Caution, to avoid the potential of prosecution through the courts for low level offences. A condition of the OOC is engagement in parenting support² which is intended to develop positive non-violent parenting practices.

Out of Court Parenting Support is a programme within the Welsh Government's Children and Communities Grant (CCG) which provides funding to enable local authorities to deliver early intervention, prevention and support services, including this tailored parenting support in conjunction with an OOC.

Background and context

The *Overarching aim* of the Children Wales Act is to help protect children's rights by prohibiting the physical punishment of children by parents and those acting in loco parentis within Wales, including visitors to Wales. The United Nations Committee on the Rights of the Child recognises that any physical punishment of children, however minor, is incompatible with the human rights of children under the United Nations Convention on the Rights of the Child (UNCRC) Article 19 (the right to protection from all forms of violence).

The *Intended effect* of the Children Wales Act, together with raising awareness and support for parents, is to bring about a further reduction in the use and tolerance of the physical punishment of children in Wales.

Since Section 1 of the Children Wales Act commenced in March 2022, the defence of reasonable punishment is no longer available within Wales to parents or those acting in loco parentis, as a defence to a charge of common assault and battery.

Parents who physically punish their children following the commencement of Section 1 of the Act will commit an offence and may, therefore, be charged with the criminal offence of assault and battery.

² Parenting support refers to the provision of support, which aims to: increase parenting skills; improve parent-child relationships; improve parents' understanding, attitudes and behaviour and increase parents' confidence in order to promote the social, physical and emotional well-being of children.

Police process

If the police receive a report that a child has been physically punished by an adult, they will investigate that report and decide what action to take, if any, based on the facts and individual circumstances of the case. In all cases the police and/or Crown Prosecution Service (CPS) will apply two tests:

- Is there sufficient evidence for a realistic prospect of conviction?
- Is a prosecution in the public interest?

They will also consider what is in the best interests of the child after multi-agency discussions with social services and other relevant agencies (e.g. schools, childcare settings, health professionals).

If there is insufficient evidence to proceed, or if it is considered not to be in the public interest to take the case forward then the police may decide to take No Further Action (NFA). In this case they could signpost to early intervention and prevention services, such as Families First.

If the police decide to take further action (e.g. where there is sufficient evidence, and it is considered to be in the public interest) then they will determine the most suitable disposal that is appropriate to the circumstances and proportionate to the offence committed. OOCs (Community Resolution³ and Conditional Caution⁴) are a way of dealing with less serious offending and provide an alternative to prosecution through the courts. The focus of OOCs is on rehabilitation and conditions are attached such as attending a course or other intervention.

Monitoring referrals for parenting support

The Welsh Government collects data⁵ from local authorities on the number of referrals for parenting support received from the police, including, take up and completion rates and outcomes for individuals. Demographic data and data about requests for the intervention through the medium of Welsh are also collected. Welsh Gov monitor referrals to out of court parenting support.

Potential Impact on children and their families

An [Integrated Impact assessment](#) has been completed for the implementation of the Children Wales Act including on Children's Rights, Welsh Language, Justice and Equalities.

³ A Community Resolution does not form part of an individual's criminal record – However it may be disclosed as part of an enhanced DBS check. Acceptance of responsibility is required. Failure to comply with any of the conditions does not result in prosecution for the offence but the police may take this into account if the person offends again.

⁴ A Conditional Caution can be offered to a person who has admitted to committing the offence and where the police have sufficient evidence to charge. It forms part of a person's criminal record. Failure to comply with any of the conditions may result in prosecution for the offence.

⁵ [Monitoring data for The Children \(Abolition of Defence of Reasonable Punishment\) \(Wales\) Act 2020](#)
[| GOV.WALES](#)

Benefits of providing tailored parenting support in conjunction with an OOC

Having appropriate tailored parenting support in conjunction with an OOC will contribute to

- the objective of reducing the use and tolerance of physical punishment;
- beneficial outcomes for parents (e.g. increased confidence, and well-being) and children (e.g. reduced emotional and behavioural problems); and
- preventing individuals being taken to court and reducing reoffending rates which ultimately should have a positive effect on their longer term social and economic prospects.

Section 2: Core purpose and eligible costs

The purpose of the *Out of Court Parenting Support funding* is to provide;

i. Employment of a parenting worker

The highly skilled parenting worker employed in each local authority should:

- Liaise with the police; keep records and provide monitoring feedback to the police, Welsh Government and their own local authority as appropriate;
- Take referrals from the police and work with parents (including those under 18) and carers such as grandparents, who have agreed to engage in tailored 1:1 parenting support in conjunction with an OOC; and
- Provide a co-ordination role for wider family support services to work holistically with the individual and child(ren) where other needs have been identified.

The parenting worker should be:

- highly skilled, trained⁶ and experienced in delivery of parenting programmes/interventions that facilitate behavioural change;
- sufficiently experienced to deliver parenting support that is tailored to take account of each individual's specific family context;
- able to draw on evidence based positive parenting⁷ strategies, behaviour change theories (e.g. social learning theory; Stages of Change Model) and theories of child development to create a bespoke package of support;
- competent to provide support to parents with children across the age range;
- skilled in making sessions an inclusive experience, communicating in a way so as to avoid stigmatising, blaming, or discouraging parents.
- adept at motivating and empowering parents to build on their efficacy through the use of techniques such as motivational interviewing; and
- knowledgeable about what additional support might be on offer in the local area.

It is expected that the individual in this role should co-ordinate the delivery of the provision as well as providing the tailored parenting support.

Local authorities may like to use the attributes of the parenting worker as set out in this section to create a person specification for the role and the tasks set out in this section could be used to develop a job description.

⁶ Including safeguarding training to a level commensurate with their role and responsibilities.

⁷ Positive parenting refers to parental behaviour based on the best interests of the child that is nurturing, empowering, non-violent and provides recognition and guidance which involves setting of boundaries to enable the full development of the child.

This support should be provided:

- In each local authority area, with flexibility on where the tailored support would best 'sit' within early intervention services.
- On a one-to-one basis by a highly skilled parenting worker able to provide parenting support across the continuum of need and tailored to each individual's specific family context.

There can be flexibility in how the parenting worker role described in this guidance is accommodated in each local authority. A specific individual may be employed or the specifics of the role may be added to the job descriptions of individuals already employed in the local authority. The essential criteria are that:

- there is clarity over who the police should liaise with when they need to make a referral;
- referrals from the police are given priority;
- the parenting worker who will be expected to provide the tailored support as part of their existing role has capacity to undertake the support; and
- monitoring feedback is provided to the police and Welsh Government.

Note: Priority must be given to referrals from the police in conjunction with an OOCB but if the parenting worker has capacity they can support the delivery of the universal parenting offer within the local area.

ii. Training and supervision

Funding can also be used for training and supervision of the parenting worker and training for the wider parenting support workforce in the local authority. Please see section 5 for further information.

iii. Share learning and good practice

Local authorities may like to work together to facilitate the sharing of learning and good practice.

iv. Supporting parental engagement

To support parents to engage with the tailored parenting support the funding may be used to pay for:

- **Language interpretation** - where individuals have limited English or Welsh language skills or are deaf. Working with language interpreters (including Sign Language interpreters) may reduce communication barriers between the parenting worker and the individual.
- **Crèche Facilities** – should this be required to enable a parent to attend the sessions.

- **Venue and refreshment costs** – Where possible rooms should be used in the local authority where no costs are incurred but if that is not possible the local authority may use the funding to cover venue costs. The funding may also be used for the cost of refreshments.
- **Purchase of ICT** that can be used to for the parenting worker to carry out their role (the value of the work/goods must fall below your organisation's capitalisation threshold as determined by your own policies. This is a revenue grant).

Non Eligible Expenditure

- Contribution towards redundancy costs
- Any large scale capital costs or costs normally met via existing sources, for example Flying Start, Families First and the Healthy Child Wales Programme (applicants will need to demonstrate additionality).

Section 3: Eligibility for the tailored parenting support

The Children Wales Act applies to anyone in Wales caring for children (under the age of 18 years) in their care. This may be the:

- Parent, legal guardian or person who has parental rights of the child or young person.
- Person who has responsibility of the child or young person at the time of the incident (for example aunts, uncles, grandparents, au pairs, friends and babysitters, adults who run clubs or other groups for children, including unregulated places of learning, worship, play, or leisure).

As with other laws it will also apply to visitors to Wales.

If the police (having considered the evidential and public interest tests) decide to take further action against an individual who has physically punished their child, they might offer an out of court disposal (OOC), such as a Community Resolution or Conditional Caution, to avoid the potential of prosecution through the courts.

A condition of the OOC would be engagement in parenting support which is intended to develop positive non-violent parenting practices.

In establishing eligibility the police will:

- determine whether individuals who have committed an offence in relation to the Children Wales Act would be suitable for a Community Resolution⁸ and whether it would be appropriate to refer them into the tailored parenting support delivered by the local authority. The offence should be a first, low level (1-2 on the Gravity Matrix)⁹ offence of common assault at the previous reasonable punishment level.
- consider the individual's offending history during the assessment process to support consistency of police decision making.
- follow normal guidelines governing the use of OOCs¹⁰ and be guided by factors including acceptance of guilt, sufficiency of evidence, whether it is in

⁸ It is assumed that community resolution will be the primary out of court disposal used in conjunction with the tailored parenting support. On occasions the police or CPS may decide that a conditional caution would be a more appropriate disposal, for example if an individual committed a further offence and it was in the public interest and best interests of the child to offer a further opportunity to engage in parenting support.

⁹ The Gravity matrix is a decision making tool to assist in deciding if an adult offender can be dealt with by the use of an Out of Court disposal. It is based on the offence committed, taking into account any aggravating or mitigating factors, as well as the harm that the offender may present based on their previous offending history. In addition where the victim's views are obtainable, these should be taken into account. Source: National Police Chief's Council [Child Gravity Matrix v2.3](https://www.npcc.police.uk/2019%20FOI/Counter%20Terrorism/061%2019%20Gravity%20Matrix.pdf)

<https://www.npcc.police.uk/2019%20FOI/Counter%20Terrorism/061%2019%20Gravity%20Matrix.pdf>

<https://www.npcc.police.uk/Publication/Charging%20and%20Out%20of%20Court%20Disposals%20A%20National%20Strategy.pdf>

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the public interest, best interests of the child and whether the offence and the individual committing it is suitable and eligible for an OOC.

- assess whether the individual who has committed the offence is willing to engage in the parenting support and gives their consent for their details to be passed to the local authority.¹¹
- consider the factors which might affect the ability of the individual committing the offence to comply with the conditions of the OOC.

Individuals will only be eligible for tailored parenting support in conjunction with an OOC if they:

- accept responsibility for the offence they have committed, admit guilt and have expressed genuine remorse.
- are the parent, guardian, step-parent or have a close family tie to the child, for example grandparent, aunt, uncle or close family friend. The tailored parenting support provided by the local authority is not considered suitable for other individuals acting in loco parentis who run clubs or other groups for children, including unregulated places of learning, worship, play, or leisure.
- are resident in Wales.

The tailored parenting support will operate on an all-Wales basis. Whatever police force area the offence was committed in, the individual would be eligible to access the tailored parenting support in the local authority where they are resident.

If the individual is a parent under 18:

- They should be dealt with via a welfare referral as their maturity and development should be taken into account (e.g. through the existing Single Point of Access (SPOA) referral pathway). However that would depend on what action the police considered to be appropriate or warranted in a particular case.
- They will need to be considered on an individual basis (offending history and sanctions/outcomes to date) and Youth Offending Teams (YOTs) in Wales will work with the relevant police force to agree the way forward each time.
- If an OOC is considered the most suitable outcome the police should use the existing framework¹² regarding the practical application of OOCs for young people under 18.
- If it is considered appropriate the YOT will refer the young person into the parenting support provided by the local authority in conjunction with an OOC and liaise with the local authority in terms of monitoring engagement.

¹¹ Voluntary engagement ties in with the importance of an individual wanting to change, which, it is believed, is more likely to strengthen the motivation of the individual to successfully participate in the scheme and change their behaviour.

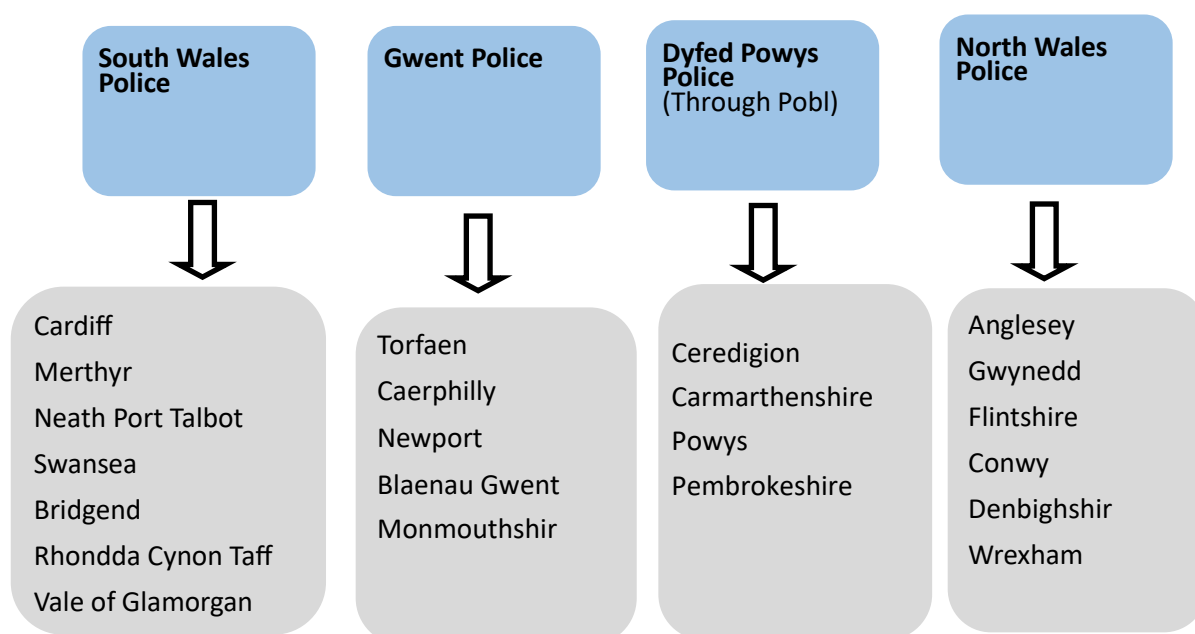
¹² [Youth Out-of-Court Disposals: Guide for Police and Youth Offending Services \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

Section 4: Referral Pathway

i. Roles and responsibilities

Police role:

- Consider eligibility (see section 4)
- Assess the needs of the individual who has committed the offence (initial screening) to form a picture of the child and the family circumstances. This should be informed by information from other agencies (for example through the safeguarding hub where appropriate). The Custody Sergeant will assess high level needs - victim vulnerability should be built into the assessment.
- Discuss the case with Social Services and engage with other relevant agencies (e.g. health and education/childcare providers) to ascertain whether any underlying issues should be taken into account when deciding whether the tailored parenting support would be appropriate.
- Make it clear what is expected of the individual when engaging in the tailored parenting support and ensure that the individual fully understands the consequences of non-compliance and the benefits of engagement.
- If eligible police to refer into the relevant local authority parenting support service provided through the *Out of Court Parenting Support programme*. This will be the local authority where the individual is resident.
- Police referral into the parenting support should be through existing standard procedures.
- Gain consent from the individual for their details to be passed to the local authority.
- Ensure that satisfactory information and data sharing protocols are in place to share relevant information about the individual with the local authority.



Youth Offending Teams (YOTs) role

YOTs will be involved if the individual is a parent under 18

- The young person will need to be considered on an individual basis (offending history and sanctions/outcomes to date) and YOTs in Wales will work with the relevant police force to agree the way forward each time.
- If an OOCd is considered the most suitable outcome the police should use the existing OOCd framework¹³ regarding the practical application of OOCds for young people under 18.
- The YOT will refer the young person into the parenting support provided by the local authority in conjunction with an OOCd.

Social Services role

- Social Services to discuss the case with the Police.
- Undertake a proportionate assessment of the child and family as part of the Assessment for Care and Support process. It would be beneficial for the parenting worker to be included in this activity.
- Social Services should be aware of families engaging in the parenting intervention as a condition of an OOCd because the police should have discussed the case with them.

Local authority role

- Deliver tailored parenting support within 3 months of referral from the police¹⁴.
- Report back to the police on whether the individual receiving parenting support in conjunction with an OOCd engaged with the support on offer.
- Report back to Welsh Government on levels of demand for the tailored parenting support service and measure distance travelled outcomes.
- If the parent is already receiving parenting support from the local authority (e.g. from Flying Start, Families First) then the parenting worker should consider how this support would complement the tailored 1:1 sessions. If it is decided that those already providing parenting support should continue to work with the parent instead of the parenting worker(s) employed for purposes the *Out of Court Parenting Support* then they should ensure that the sessions cover the key topics set out in section 8. It will remain the responsibility of the parenting worker employed for the purposes of *Out of Court Parenting Support* to liaise with the police.

¹³ [Youth Out-of-Court Disposals: Guide for Police and Youth Offending Services \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

¹⁴ There may be flexibility around this if the individual is engaging well but it is felt a longer period is needed to provide support or because further safeguarding concerns have been identified. Local authorities should discuss this with the police.

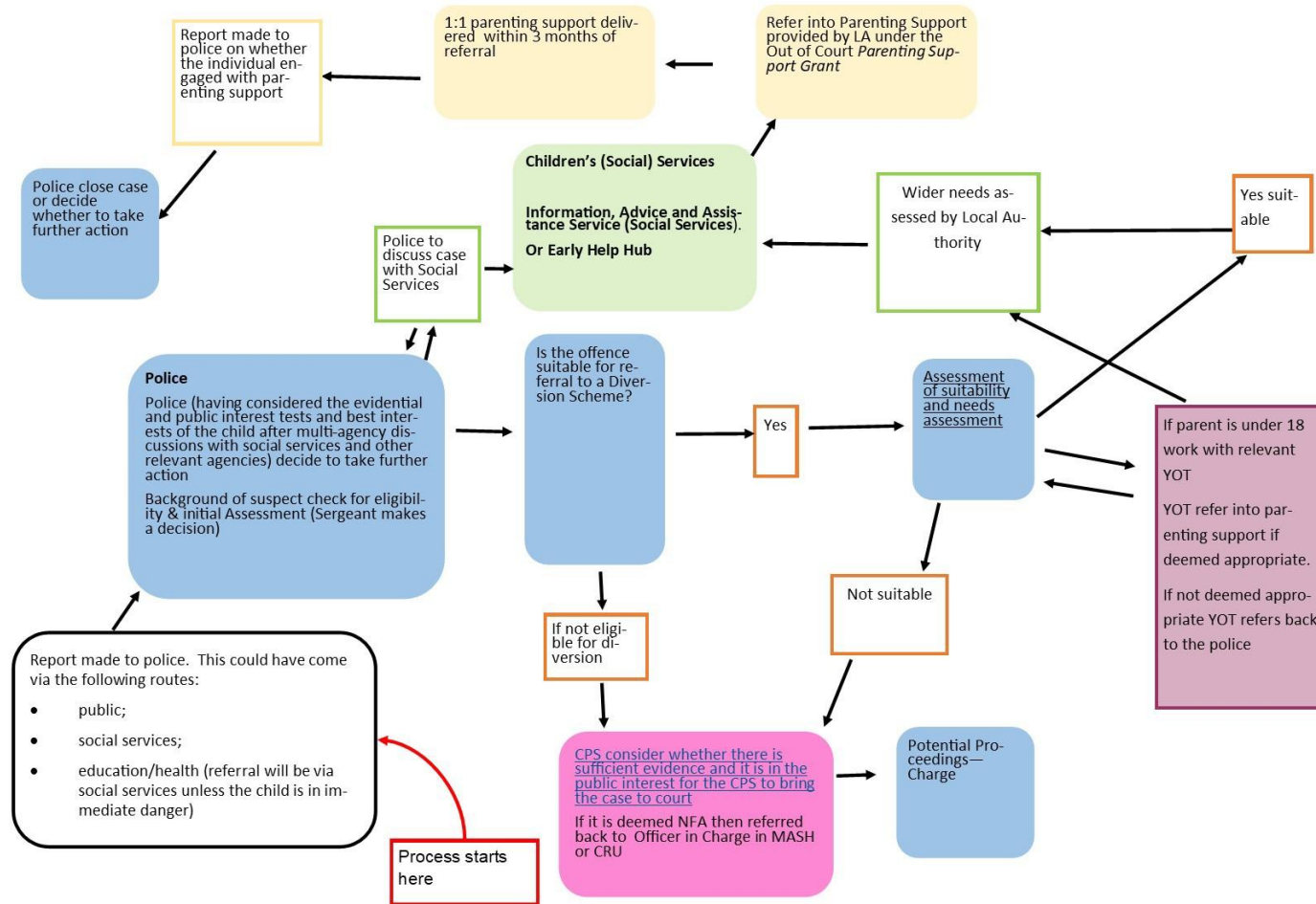
ii. Referral Pathway

The diagram below suggests the pathway for referrals from the police to the tailored parenting support provided by the local authority. Each local authority and relevant police force area should work out the most appropriate and straight forward referral pathway for their area and the most appropriate way of managing referrals (e.g. considering the use of a referral (notification) form and determining who will review referral forms etc).

Suggested pathway for referrals from the police to the tailored parenting support

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Section 5: Training and Supervision

i. Training

The funding may be used to train the parenting worker employed to deliver the one to-one sessions provided in conjunction with an OOC and also the wider early intervention parenting support team. Training can be delivered to the following levels:

- a) **Basic** (information awareness and confidence building) – for example staff are provided with information awareness raising sessions on the Children Wales Act and the core principles of positive parenting;
- b) **Enhanced** (confidence and practice) – for example staff are provided with training on how to support parents to adopt positive parenting strategies. To include the delivery of parenting programmes and how to work with parents to bring about change in thinking and behaviour.
- c) **Specialist** – for example staff who are already experienced parenting workers are provided with training in specialist skills such as Motivational Interviewing or Video Interaction Guidance (VIG)

Local authorities should work with providers who have a well evaluated training package where there is evidence that the course improves practitioner's confidence and competence. Welsh Language and accessibility needs should be considered as part of the training that is offered.

Examples of suitable training:

- Training to deliver evidence based positive parenting programmes as set out in Appendix B, D & F of the [Welsh Government's Parenting Support Guidance](#)
- Training in effective use of Standardised Tools to Measure Impact ('Distance Travelled') as set out in Appendix C of the [Welsh Government's Parenting Support Guidance](#)
- Training to increase understanding of unresolved trauma or Adverse Childhood Experiences and how this can affect parenting.
- [Motivational Interviewing \(MI\)](#) - is a therapeutic approach intended to purposefully create a conversation around change, without attempting to convince the person of the need to change or instructing them about how to change. Central to MI techniques are a number of person-centred counselling skills including, open-ended questions, reflective listening, affirmations and summarising.
- [Solihull Approach](#) - provides professionals with a Framework for thinking about and working with the relationship between the parent and child.
- [GroBrain](#) - trains practitioners working with parents and infants to integrate infant mental health into their regular practice.
- [Family Partnership Model](#) - is an approach based upon an explicit model of the helping process that demonstrates how specific helper qualities and skills,

when used in partnership, enable parents and families to overcome their difficulties, build strengths and resilience and fulfil their goals more effectively.

- [Video Interaction Guidance](#) (VIG) – is a strengths-based, brief intervention for parents of children across all ages. VIG highlights and builds on attuned moments in parent-child interaction. Parents are supported by a VIG Practitioner to view and reflect together on strengths-based micro-moments of video.
- [Non Violent Resistance](#) - parents are coached in de-escalating and reducing conflict, whilst refusing to give in to unreasonable demands. Parents reach out and reconcile with their child using very specific methods which can work well to prevent escalation in behaviours such as coercion and physical punishment.
- [Circle of Security](#) – parents are supported to connect with their child and help them reflect on their child's attachment needs in order to promote secure attachment with a child.
- ACE Hub Wales has developed an introduction to ACEs and trauma e-learning course [Adverse Childhood Experiences \(ACEs\) and Trauma-Informed Practice in Wales: e-Learning Course - ACE Hub Wales](#). This training is suitable for all working with those who may have experienced adverse childhood experiences or trauma and is intended to deliver the knowledge and information needed to work at the 'trauma-aware' level of the Trauma-Informed Wales Framework [Trauma-Informed Wales](#). The Framework sets down five practice principles, which should underpin all trauma-informed practice in Wales, and four practice levels, which reflect the different roles people may have in supporting those who have been impacted by ACEs and trauma. Further information, training and resources on ACEs and trauma can be found at [Home - ACE Hub Wales](#) and [Trauma-Informed Wales](#).
- [Playfulness - Acceptance - Curiosity - Empathy \(PACE\)](#) – is an attachment focused treatment for childhood trauma and abuse developed by Dr Dan Hughes (a clinical psychologist specialising in childhood trauma). It aims to support adults to build trusting relationships, emotional connections, containment of emotions and a sense of security with their child.
- [2 Hands of Parenting and Connection before Correction](#) – is intended to support parents to meet the challenges of parenting children who have been traumatised within their early parenting environment.
- [Restorative Approaches \(Practice\)](#) - provide skills in questioning, listening, reflecting and problem-solving and to support the development of empathy, responsibility and emotional awareness. A restorative approach provides a framework for repairing or re-building relationships.
- [Dialectical behaviour therapy \(DBT\)](#) is a type of talking therapy, based on cognitive behavioural therapy (CBT). It has been adapted for people who feel emotions very intensely.
- [Level 3+ Safeguarding training](#) covering issues such as disguised compliance.

ii. Supervision

The parenting worker employed to deliver the one-to-one sessions in conjunction with an OOC should be provided with regular clinical or professional supervision from their manager to support their role.

Supervision is a safe place where the parenting worker:

- can discuss any difficulties they are experiencing;
- review their day to day practice; and
- gain support for any emotional and personal demands placed on them.

For managers it is a chance to:

- ensure that the parenting worker is meeting the principles and expectations needed to deliver quality parenting support.
- make an assessment of practitioners' current competencies and skills and consider learning and their development needs.

Section 6: Principles that should shape the delivery of the tailored parenting support

This section covers the principles that the Welsh Government expects should shape the overall approach to the delivery of the tailored parenting support.

The parenting support should:

- ✓ be relational (e.g. attachment, parent-child relationship) restorative, inclusive and accessible and be sensitive to the specific and additional needs, cultures and faiths of a wide range of parents;
- ✓ reflect the rights of the child set out in the UNCRC¹⁵ and consider the voice of the child.
- ✓ be appropriate to meet the needs of parents with children of different ages, young parents and to take account of any additional needs the child or parent may have.
- ✓ follow guidelines on safeguarding children and adults at all times^{16 17}. Those making assessments of parenting need or delivering parent support services should be able to recognise safeguarding issues and when and to whom to refer them.
- ✓ accommodate parents' preference of receiving parenting support through the Welsh language by proactively offering support bilingually to parents.
- ✓ identify what the goal of the intervention is and what the intervention is expected to achieve;
- ✓ be based on identified or assessed needs, flexible and person centred, and with a focus on improving outcomes for children and families
- ✓ be delivered using a strength-based approach¹⁸ and being sensitive to the stresses families face in their lives;
- ✓ be provided with empathy and taking a non-judgmental yet informed position (knowing the incident but not making this the focus), to build a relationship and get to know the parent and family context;
- ✓ be evidence informed¹⁹ and underpinned by a theory or rationale as to why the intervention is likely to achieve its intended goal;
- ✓ have a learning session plan and suggested mode of delivery;

¹⁵ The UNCRC is an international agreement that protects the human rights of children under the age of 18 [Children's rights in Wales | GOV.WALES](#)

¹⁶ Volume 5 of Working Together to Safeguard People – Guidance for Protecting Children at Risk sets out how all agencies and professionals should work together to protect children from harm [workingtogether-to-safeguard-people-volume-5-handling-individual-cases-to-protect-children-at-risk.pdf \(gov.wales\)](#)

¹⁷ Practice Guide [Safeguarding Wales](#) when published

¹⁸ A strength-based approach occurs when key workers place a positive emphasis on resilience, protective factors and strengths.

¹⁹ Using up-to-date knowledge of sound evidence from external research and independent evaluation when making decisions about how to work with individual parents. Interventions should utilise the best known evidence for good outcomes for children and parents. See – “Evaluating the evidence: What all practitioners need to know to deliver evidence based parenting support”, National Academy for Parenting Practitioners - for more information. [What-all-practitioners-need-to-know.pdf \(careforthefamily.org.uk\)](#)

- ✓ be delivered by suitably, trained or competent staff experienced in delivery of parenting and programmes that facilitate behavioural change;
- ✓ collect feedback from parents (verbal or written) to gain an assessment of whether the intervention achieved its aim/objective; and
- ✓ link with wider services and support to meet the broader needs identified.

Note: Support should be provided within 3 months of referral from the police and outcomes reported to the police (see section 9)

Section 7: What should be covered in the one-to-one sessions

The parenting support delivered in conjunction with an OOCDC should be provided on a one-to-one basis rather than using an existing structured evidence based parenting programme. This is to enable a tailored package of support to be provided for the individual, taking account of a range of family circumstances, needs and the goals identified by the individual.

There is no set number of sessions that should be provided under the grant. Also there is no expectation that the topics set out below should form the basis of individual sessions or that they should be delivered in any particular order. The most appropriate number of sessions should be based on the assessed needs of the individual. However practitioners should be mindful that the individuals engaging with the tailored parenting support are involved with the scheme for relatively low-level offending. In accordance with the principle of proportionality, the number of sessions an individual is expected to participate in should reflect this.

Sessions should be designed to meet the particular needs of individual parents, such as minority ethnic parents, fathers and young parents for whom mainstream services may not fully cater.

The 1:1 tailored parenting support is intended to be provided to the individual who has committed the offence, however the local authority could offer to provide support to the other parent as long as that was considered safe to do and would not impact on the positive engagement of the individual referred by the police. The local authority should check with the police that this would be appropriate before extending the invitation.

The one-to-one sessions can be provided virtually²⁰ (live in real time and not recorded content) or traditional face-to-face delivery depending on the needs and circumstances of the individual.

Although local authorities have flexibility on what support to provide to take account of a range of needs and circumstances, it is expected that the sessions should cover the following topics:

²⁰ Please consider whether internet access will be a barrier to delivery and whether the sessions may be affected by the individual lacking a quiet space in which to engage with the intervention.

- **Awareness that the law has changed and why**

It is important that individuals understand that the law has changed and why.

The Children Wales Act came into force on 21 March 2022 therefore, the physical punishment of children is now illegal in Wales. The aim of the Children Wales Act is to help protect children's rights and give all children in Wales the best start in life. There is information on the law change on the Welsh Government's website. This includes the following resources which may be useful:

- [Explainer video](#)
- [Briefing Note](#)
- [Leaflet for parents](#)

- **Reasons why the parent has used physical punishment**

The one-to-one sessions should unpack the reasons why the individual has used physical punishment. For example there may be a mental health issue or there may be specific stressors affecting the family. It may be that the parent is unaware of alternative positive strategies for managing behaviour or how to apply them appropriately. It could be a one-off incident because of the stress of a specific incident or it could be an entrenched pattern of behaviour.

A parent's core beliefs, values, feelings, own childhood experiences, influence of family and friends and their personal resources and knowledge may impact on the way they parent and use physical punishment. Changing behaviour, especially if it is long-standing and embedded in underlying belief systems, is less likely to happen unless the worker has some appreciation of the underlying context and drivers of the behaviour.

- **Why it isn't good for children to be physically punished and the potential impact on them**

The Welsh Government is committed to promoting the principles of positive parenting. This approach is consistent with the basic principles of the UNCRC that a child is entitled to care, protection, involvement in decision making and an upbringing that is free from violence and degrading treatment.

There is a complex interchange of factors that affect the use of physical punishment by parents including the age and gender of the parents and child; levels of stress and support; the quality of the parent-child relationship; the use of alcohol/drugs; positive attitudes to using physical punishment and whether parents had themselves experienced physical punishment as a child (Smith et al, 2004; Robertson, 2017). A risk factor of harsh punishment is the belief that a parent is powerless and a child is in control of their behaviour (Berlin et al, 2013; Taylor et al, 2016).

Although many parents have a general belief that the use of physical punishment is wrong there are some situations where they may find its use more acceptable. This would include children exhibiting unsafe behaviour (i.e. a toddler running into the road). Parents may not feel comfortable using physical punishment to manage their child's behaviour but may feel compelled to use it as 'a last resort' or as a way of

ensuring their child's safety (Ghate et al, 2003; Smith et al, 2004; Gravitas, 2005; Welsh Government, 2014; Holden, 2014).

Parents are less likely to use physical punishment if they believe that positive parenting will have an advantageous effect on their child's outcomes (Smith et al, 2004) or that the use of physical punishment will have negative consequences (Stokes et al, 2005; Holden et al, 2014).

It needs to be made clear to parents that any physical punishment under any circumstance is not a good choice for disciplining their child. That's because: **Firstly** following implementation of the Children Wales Act on 21 March 2022 the physical punishment of children (aged 0-18 years old) is illegal in Wales.

Secondly research (Carter-Davies & Bristow, 2018; Heilman, 2015; Heilman et al, 2021) suggests physical punishment:

- under all conditions is potentially harmful to children;
- is associated with negative outcomes; ○ has no long-term developmental benefits;
- is no more effective at changing short-term behaviour, relative to other, non-physical means.
- is not effective in improving children's behaviour. ○ is linked with behavioural problems such as aggression and antisocial behaviour.

Thirdly it may give children the idea that physical punishment is an acceptable way to deal with strong feelings.

Fourthly there are better positive ways of disciplining children.

- **Building a positive parent-child relationship**

A large body of evidence suggests that the quality of parenting and care a child receives in their early years and parental involvement in a child's development is a significant factor in ensuring positive outcomes for children (Asmussen et al, 2016; Moullin et al 2014; O'Connor & Scott, 2007; Rees, 2007).

Parents should be made aware of the pivotal role they play in shaping their child's future life chances by providing a safe, secure, nurturing and stimulating environment and by providing their children with play opportunities, which can foster their physical, mental, and social development.

A parent responding sensitively to their child's signals and needs has been shown to underpin attachment security. When children experience care-givers as unresponsive, inattentive, and inconsistent or hostile in their interactions with them, insecure attachment can develop.

Helping to address the needs of parents and enhance their sensitivity and responsiveness to their child's needs; strengthen parent-child interactions and promote positive attachment (e.g. providing warmth and structure; listening and empathising with their child; taking a problem-solving and calm, rather than punitive, approach to conflict; recognising/reading the child's cues, giving the child quality

positive attention through child-directed play, praise, reading, singing etc) may improve the quality of the parent-child relationship; promote secure attachment and may help reduce inconsistent and hostile parenting behaviours. Supporting parents to build a positive relationship with their child should form the foundation of the 1:1 sessions.

- **Supporting individuals to manage their anger by identifying triggers and helping them develop appropriate coping strategies**

Research suggests there is a strong connection between a parent's emotional state and the use of physical punishment. Maternal anger, parental frustration and parenting stress have been found to be predictive of the use of physical punishment (Ghate, 2003; Gravitas, 2004; Halpenny et al, 2010; Bunting, 2010; Robertson, 2017).

Most parents have times when they feel tested to their limits. Sometimes parents have trouble controlling their emotions and reactions. Supporting parents to learn to manage their anger and regulate their emotions will be beneficial to their relationship with their child and may help them avoid using physical punishment in the future.

There is information on the [Parenting. Give it time website](#) on how to manage stress and anger which may be useful.

- **Information about child development**

Information should be shared with parents about stages of child development to help them understand that their child does not always have sufficient capacity to control their behaviour and emotions. Parents can also be made aware of how the behaviour they model can directly or indirectly shape their child's behaviour (e.g. social learning theory proposes that children learn ways of managing their emotions, resolving disputes and engaging with others through observing their parents or from the way their own reactions were responded to). It may also help parents gain realistic expectations which are appropriate for the child's age and stage of development.

There is more information on child development on the [Parenting. Give it time website](#).

- **Strategies for positive ways to manage behaviour**

Individuals should be provided with strategies for understanding their child's developmental needs and age-appropriate, non-violent strategies for re-enforcing children's positive behaviour (e.g. praise, rewarding good behaviour, modelling positive behaviour) and discouraging negative and aggressive behaviour (e.g. not giving in to any demands a child made before a [tantrum](#) started; [using distraction with young children](#) and [suitable consequences](#)).

Research suggests (Early Intervention Foundation, 2006) that interventions are most effective if they:

- i. Provide parents with information that is relevant to the specific problems they are experiencing with their child; and
- ii. Provide parents with opportunities to practice new skills and receive individualised feedback from practitioners (e.g. through role play and trying out practical activities at home).

Information, advice and support to parents on positive parenting methods should build on existing parenting skills and strengthen the effectiveness of the positive strategies that they may already use. The sessions should address the belief by some parents that certain types of behaviour (e.g. child running into the road) justify the use of physical punishment. Sessions also need to reinforce messages about the efficacy of positive methods of managing children's behaviour and teaching children about safety and danger.

Research from New Zealand (Gravitas, 2005) has suggested that parenting is a largely assumed role for parents based on their own experience of being parented. Parents often have "a lack of consciousness" in parenting and may assume that parenting is instinctive and comes naturally. They may not have given much thought to the way they parent; reflected on their own behaviour towards their children or considered how this affects their relationship with their child or their child's behaviour. Conscious parenting is about encouraging parents to make choices about the sort of parents they wish to be, parenting styles and adopting pro-active, positive approaches to managing their child's behaviour.

The [Welsh Government's Parenting Support Guidance](#) provides information on evidence based positive parenting programmes and other information on engaging with parents, including those with specific needs.

The [Early Intervention Foundation Guidebook](#) provides information about early intervention approaches that have been evaluated and shown to improve outcomes for children and young people.

There is information on the [Parenting. Give it time website](#) including helpful tips and advice to parents on how to encourage positive behaviour.

Family Lives [Parentchannel.tv](#) is a free video service designed to support and encourage parents and carers of children from ages 0-19, with a collection of over 200 videos addressing day-to-day questions and concerns including on behaviour management.

[Parent Talk](#) offers free, information and advice for parents of children aged 0-19 from Action for Children. The confidential one-to-one online chat service connects parents directly with a parenting coach for judgement-free practical advice and emotional support whilst the website answers some of the most common parenting questions.

Section 8: Monitoring and reporting requirements

i. Reporting to the police

The local authority (LA) is required to report back to the police on whether the individual receiving parenting support in conjunction with an OOC engaged with the support on offer.

Outcome	Issue	Action required
Individual did not take up the parenting support offer.	Individual did not take up the offer. It is expected that if the parenting worker is unable to make contact with the individual to set a date for the first 1:1 session after 3 weeks then the police will be notified that the individual did not take up the parenting support offer.	LA to complete referral (notification) form and return to police informing them about the lack of take up
Individual did not engage appropriately	Individual did not engage appropriately with the sessions. The parenting worker will use their expertise and professional judgement to decide whether appropriate engagement has taken place (e.g. individual did not engage in discussion, was continually distracted e.g. on phone) etc). The parenting worker must take into account the particular circumstances, additional needs and language skills of the individual which may have an impact on the way they are able to engage in the parenting sessions.	LA to complete referral form (notification form) and return to police to inform them of lack of engagement
Individual completed the 1:1 sessions.	1:1 sessions completed and individual engaged appropriately The parenting worker will use their expertise and professional judgement to decide whether appropriate engagement has taken place. The parenting worker must take into account the particular circumstances, additional needs and language skills of the individual which may have an impact on the way they are able to engage in the parenting sessions.	LA to complete referral form (notification form) and return to police at the conclusion of the planned sessions.

ii. Monitoring levels of demand and engagement

In order to monitor levels of demand for the tailored parenting support service and to evaluate effectiveness local authorities will be required to report to the Welsh Government on:

- How many individuals have been referred to local authorities by the police in conjunction with an OOC.
- Number of referred individuals who have taken up the parenting support²¹ offered in conjunction with an OOC.
- Number of referred individuals who have partially completed the sessions.
- Number of referred individuals that have disengaged from the support.
- Number of referred individuals who have completed the sessions.
- Number of referred individuals where a standardised questionnaire²² indicates a positive outcome
- Number of referred individuals whose preference was for sessions through the medium of Welsh.
- Number of individuals who received sessions through the medium of Welsh after stating this was their preference
- Number of referred individuals who completed sessions through the medium of Welsh.
- Numbers of individuals provided parenting support (using grant funding) for physical punishment not referred by the police as part of an out of court disposal or diversion scheme
- Numbers of individuals provided parenting support (using grant funding) not related to physical punishment

Please see the [monitoring form](#) for guidance on the data to be collected which will be used to capture the information.

The Welsh Government are considering what approaches could be undertaken with the police to explore re-offending rates.

²¹ The core purpose of parenting support is about increasing parenting skills; improving the parent–child relationship; improving parents' understanding, attitudes and behaviour and increasing parents' confidence in order to promote the social, physical and emotional well-being of children. In the context of this data return it refers to the 1:1 sessions (see section 8) that have been arranged for the individual under the grant.

²² There are a number of tools which can be used to measure changes in the child's behaviour and parental well-being and efficacy and these may be measured at the beginning and end of the intervention. Please see Appendix C of the Welsh Government guidance - [parenting-engagementand-support-guidance-for-providers.pdf \(gov.wales\)](#)

iii. Reporting requirements

In order to monitor the use of the *Out of Court Parenting Support* funding local authorities are required to provide information on the following:

- Employment of a parenting worker full-time equivalent (FTE)

How many staff have been employed (FTE)? For example, if a company considers 40 hours full time and there are two employees working 20 hours a week those two employees would be 1 FTE.

Please supply the number of people who are working on the Out of Court Parenting Support using grant funding. For example, if the answer to above is 1 FTE then this could be made up of 2 part time posts.

Do staff employed by the grant provide support to universal parenting? Please provide a yes or no answer, as to whether staff whose employment is funded (entirely or in part) using grant funding provide any support to other parenting programmes.

- Training and supervision.

If funding was spent on delivering training, please provide a brief description of what training was delivered and to whom.

- Other activity

Please provide brief details of any other activity funded through the grant.

iv. Frequency of reporting

Monitoring returns for OoCPS will be required to cover 6 monthly periods.

The full monitoring and reporting requirements are set out in the Children and Communities Grant guidance which is issued to local authorities on an annual basis.

Queries on monitoring and reporting requirements should be directed to - flexiblefunding@gov.wales.

v. Targets

- Local authorities are expected to meet the following targets: All referrals from the police actioned and parenting support delivered within 3 months of receipt, or to a longer timeframe subject to discussion with the police.
- Provide monitoring information to the Welsh Government, at six monthly intervals in line with the requirements set out in the Children and Communities Grant Guidance.

Section 9: References

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