

## ROE GREEN INFANT & STRATHCONA SCHOOL SEPARATED PARENTS POLICY

### INTRODUCTION & VISION

At Roe Green Infant & Strathcona School (hereafter referred to as the School) we aim to think carefully and proactively about the welcome we give to all parents and children at our school and recognise that there can be challenges in making this welcome equal to parents who are separated. Our vision is that, where parents are separated, both parents feel welcome by the school and involved in their child's education. Our sole wish is to promote the best interests of the child working in partnership with all parents **unless otherwise directed by a court order.**

### DEFINITION OF PARENT/PARENTAL RESPONSIBILITY

Section 576 of the Education Act 1996 defines 'parent' as:

- All natural parents, whether married or not;
- Any person who, although not a natural parent, has Parental responsibility for a child or young person;
- Any person who has care of a child, i.e. a person with whom the child resides and who looks after the child irrespective of the relationship.

### PARENTAL RESPONSIBILITY

We are required to ask who has **Parental responsibility** for your child and we will ask for sight of a child's birth certificate, or other documentary evidence, on joining the school to confirm all who have Parental responsibility.

This is important because all adults with Parental responsibility have the right to make decisions about a child's education and medical treatment. The school does not have the power to act on the request of one parent to restrict another.

However, we are aware that this is a very specific legal term and many parents may be unaware of how it is applied:

- All birth mothers automatically have Parental responsibility
- If a child's parents were married or civil partners at the time of the birth or joint adoption, both parents automatically have Parental responsibility
- For children born from the 1<sup>st</sup> December 2003 where the father's name is on the birth certificate, the father and mother will both have Parental responsibility In all other cases, fathers are required to officially obtain Parental responsibility
- For same sex partners who aren't civil partners or married at the time of the birth, the second parent would be required to officially obtain Parental responsibility
- Parental responsibility cannot be lost, except by legal adoption, although it does not guarantee contact.
- Further guidance can be found on the government website.

## AIMS

Some pupils in our care are members of families where parents have separated before they came to the School and others pupils go through changes in family circumstances during their time with us. It is the responsibility of parents to inform the School when there is a change in family circumstances. The School needs to be kept up to date with contact details, arrangements for collection and emergencies.

We aim to support families wherever we can with the issues that a separation may bring. We will remain neutral in difficult family circumstances and will not police one parent for another. All children's welfare and well-being is central to all we do and if we have any concerns about a child we will involve all adults with Parental responsibility.

## PROCEDURES

We hope and expect that parents, whatever the nature of their separation, will liaise and communicate with each other and share information from and for the school for the benefit of their child.

Also, for example in matters such as ordering school photographs, tickets for performances and Parent evenings etc. This also considerably reduces the administrative burden on the School and the related possibility of errors being made and upset caused.

## Contact & Collection Arrangements

- Where there are issues over access to children, any adult with Parental responsibility for the child should contact the school immediately to discuss these;
- Court orders preventing an individual's access to a child or detailing contact arrangements which would involve the school should be provided to the school immediately any are issued. These will be shared with all relevant staff so we can monitor these;
- Where this is a court restraining order in place, the school will put measures in place to ensure the child is not released to a named individual;
- Where a separated parent has Parental responsibility but is not the parent with whom the child usually resides and there is no court order in place, the school is required to allow the child home with him or her; **however, the Headteacher or Designated Safeguarding Lead is able to use discretion (in the case of an unexpected or unusual request) and would seek clarification in the following manner from the resident parent before allowing the child to leave the premises;**
  - ❖ The Headteacher or Designated Child Protection/Safeguarding staff member will meet with the parent seeking to remove the child and, in his/her presence, telephone the parent to whom the child would normally be released and explain the request.

- ❖ If the parent to whom the child would normally be released agrees, the child may be released and the records will reflect that the permission was granted orally.
  - ❖ In the event that the parent to whom the child would normally be released to cannot be reached, the Headteacher or staff member dealing with the issue may make a decision based upon all relevant information available to him/her.
  - ❖ The Headteacher or staff member may have to refuse permission if consent cannot be obtained.
  - ❖ During any discussion or communication with parents, the child will be supervised by an appropriate member of school staff in a separate room.
  - ❖ In extreme circumstances if there is a belief that a possible abduction of the child may occur, or if the parent is disruptive, the police should be notified immediately.
- Should a parent unnamed on the child's data records, and therefore Parental responsibility unknown to the school, seek information or access to his/her child, the school will provide no information or access and inform the resident parent of this to clarify the situation.

## **INFORMATION SHARING**

The Department of Education offers the following general principles for schools:

Everyone who is a parent, as defined above (whether they are a resident or non-resident parent) has a right to participate in decisions about a child's education and receive information about the child even though, for day-to-day purposes, the school's main contact is likely to be a parent with whom the child lives on school days.

School and Local Authority staff must treat all parents equally, unless there is a court order limiting an individual's exercise of Parental responsibility. Individuals who have Parental responsibility for, or care of, a child have the same rights as natural parents.

Parents have rights:

- To receive information, e.g. pupil reports;
- To participate in activities, e.g. vote in elections for parent governors, opinion-gathering exercises etc.;
- To be asked to give consent, etc. to the child taking part in school trips;
- To be informed about significant meetings involving the child, e.g. parent/carer pupil progress meetings etc.

We will communicate in this way:

- Some letters are sent as hard copies and will be placed in the child's book-bag, e.g. trip permissions, club applications and class assemblies etc.
- Termly newsletters and information about events will be available in the parents' information section of the school website.
- Permission slips for activities etc. will be accepted from either parent with Parental responsibility and only one parent with Parental responsibility needs to give consent;

- One Annual School Report will be sent via the child's book-bag but all parents with Parental responsibility can request additional copies which can be collected from the school office.
- We expect that, wherever possible, separated parents attend their child's Parent Evening appointments together and we cannot statistically offer 2 appointments as a matter of course for all separated couples. We appreciate there will be exceptional circumstances where this is not possible and we are happy to discuss this;
- In case of an accident or emergency, we will phone the parent with whom the child mainly resides (or the priority phone number held on our system; or the parent with whom the child is residing on that day if we hold that information) although of course, depending on the severity of need and other constraints on staff time, we will try and contact both parents.

### **DIFFICULT ISSUES AROUND SEPARATION**

We recognise that parental separations are often not easy and that disagreements or difficulties between separated parents may occur.

- Some separated parents occasionally ask school staff to monitor their child (e.g. their presentation/tiredness) on days spent with their former partner. This we cannot do, although any concerns we do have will be noted down and discussed with both parents.
- Separated parents often feel that their child/ren's well-being has been negatively affected by issues around the separation. Some parents ask the school to provide support for their child in light of this. We are always happy to discuss an individual child's needs/situation and whether support at school is appropriate or possible.
- There must be the consent of both parents after divorce or separation for a change in name of a child or children. A separated parent who has Parental responsibility but no longer lives with the child may refuse consent to changing the child's surname. In such a case the parent wishing to change the child's name would need to apply to the courts for permission to do so. Before registering a change of name, schools need to ensure all those with Parental responsibility have consented.

### **Monitoring, Evaluation and Review**

The Governors will review this policy biannually and assess its implementation and effectiveness.