

# **East Bridgford St Peter's C. of E. Academy Separated Parents Policy**



**“Together in Achievement”**

Date Governor Approved:	1 <sup>st</sup> July 2024
Review Date:	July 2027

## Contents

1. Policy Statement.....	2
2. Policy Aim .....	2
3. Policy Purpose .....	2
4. Our Process.....	3
5. Our Responsibilities .....	4
6. School Communication .....	6
7. Management of the Policy.....	6

---

## 1. Policy Statement

Research and experience have shown that separated parents can work well together in the best interests of their children and can together play a role in their children's education. However, some parents become estranged and are unable to work together as effectively, compromising the best interests of their children, especially during the initial stages of their separation. This may be traumatic for the children concerned.

## 2. Policy Aim

We aim to support families wherever we can with the issues that a separation may bring and to ensure we continue to fully involve all those with parental responsibility in the life of the school, **in the best interests of the child**, after parents separate.

We will remain neutral in difficult family circumstances and will not police one parent for another. The welfare and well-being of all our pupils is central to all we do and if we have any such concerns about a child we will involve all adults with parental responsibility.

## 3. Policy Purpose

This policy is an attempt to minimise any impact, clarify to all parties what is expected from separated parents and what can be expected from the school/staff.

The definition of a parent for school purposes is much wider than for any other situation.

**The Education Act 1996 defines a parent as:**

- All natural parents, including those that are not married.
- Any person who has parental responsibility but is not a natural parent e.g. a legally appointed guardian or the Local Authority named in a Care Order.
- 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.

**Who has 'Parental Responsibility' (The Children Act 1989)**

- All mothers automatically have parental responsibility.

- If the parents of a child were married/in a civil partnership at the time of birth, both parents automatically have parental responsibility.
- For children born after 1 December 2003 to unmarried parents, where the father's name is on the birth certificate, both the mother and father would usually have automatic parental responsibility.
- In all other cases, parents seeking parental responsibility rights can acquire them through various legal means (see [www.gov.uk/parental-rights-responsibilities](http://www.gov.uk/parental-rights-responsibilities)).

Having parental responsibility means assuming all the rights, duties, powers, responsibilities and authority that a parent of a child has by law. People other than a child's natural parents can acquire parental responsibility through:

- Being granted a Residence Order
- Being appointed a Guardian
- Being named in an Emergency Protection Order (although parental responsibility in such a case is limited to taking reasonable steps to safeguard or promote the child's welfare)
- Adopting a child

### **What Does Having 'Care of a Child' Mean?**

Having care of a child or young person means that a person who the child lives with and who looks after the child, irrespective of what their relationship is with the child, is considered to be a parent in education law. This could be shown by interaction with the school, for example attending meetings, communicating by telephone or email, being on the school's record as being involved (in whatever capacity) or resident with the child where, for all intents and purposes, the person is part of the family, or a man or woman married to a parent of a child. Examples below will help establish this relationship:

- Are they listed on school records?
- Does the school have contact details for them?
- Do they meet with teachers/attend parents' evenings?
- Have they been involved with measures designed to improve attendance?
- Do they contact the school on behalf of the child when s/he is ill?
- Do they live with the child?
- How long has the school known of them being connected with the child?
- Does the adult bring/collect the child to/from school?
- Is the adult married to the parent of the child?

It is therefore those adults who are having significant input to a child's life who can be classified as 'parent', having 'parental responsibility' or who have 'care of a child.'

## **4. Our Process**

The Governing Body recognise that while the parents of some pupils may be separated, they have certain entitlements which cannot be restricted without a specific court order. In particular, the school does not have the power to act on the request of one parent to restrict the entitlements of another. The information provided to the school when the child is admitted, detailing whether parents have parental responsibility for the child, will be presumed to be correct unless a court order or original birth certificate proving otherwise is provided to the school. Similarly, the information provided on the address(es) where the child resides will be presumed to be correct unless a court order proving otherwise is provided to the school.

## Administration

- It is the responsibility of parents to inform school when there is a change in family circumstances. The school needs to be kept up to date with contact details, arrangements for collecting children and emergencies.
- The parent with residency is required to provide details of all persons with parental responsibility in the child's contact form. These details include names, addresses, telephone numbers and email.
- Where school already has the name and contact details of separated parents, each parent will be requested to complete the contact form when records are periodically updated.
- Contact forms are available from the [website](#) or school office.

Whenever possible, staff will be informed of such changes so that suitable support can be offered to pupils. We will, however, recognise the sensitivity of some situations and maintain the level of confidentiality requested by parents as far as possible.

Schools must treat all adults with parental responsibility for a child equally, unless a court order limits an individual's exercise of parental responsibility. Everyone who has parental responsibility has a right to receive information about the child. This is the case whether they live with the child or not. There is no requirement for school to inform one parent about communications with the other parent. Parents, as defined above, are entitled to share in the decisions that are made about their child and to be treated equally by schools. These entitlements include:

- Appeals against admission decisions.
- Ofsted and school-based questionnaires.
- Participation in any exclusion procedure.
- Attendance at parent meetings/school events.
- Access to school records, copies of school reports, newsletters, invitations to school events, school photographs relating to their child and information about school trips.

## 5. Our Responsibilities

The school fully recognises its responsibilities, and it is our sole wish to promote the best interests of the child, working in partnership with all parents. Parents will be encouraged to resolve any issues around estrangement, contact and access to information without involving the school directly. Issues of estrangement is a civil/private law matter, and the school cannot be involved in providing mediation, helping an estranged parent to communicate with their child or children, or using the school premises for purposes of contact. We recognise that a Court Order can restrict a parent in having contact/access to information and we may be bound by this. In this situation we will consult with the relevant external providers to obtain advice as this may constitute a safeguarding concern. In any event whereby the parents being estranged appears to impact upon the health, wellbeing and safety of a child the matter will be referred to the Children's Services for advice.

- Contact 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 could involve the school should be provided to the school immediately. These will be shared with all relevant staff so we can monitor these.
- Where there 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.

## Separated Parents

Once the school has been notified or made aware of any parental separation the school will do the following:

- Send a copy of the policy to both parents.
- Alongside this policy both parents will be asked to read the policy and acknowledge that they understand school procedures and are happy with the processes. Any concerns that they have should be raised immediately.
- Both parents will be given a week to acknowledge the policy. Once this period is up, the individual parent will be consulted to find a solution or compromise to any scenario or situation that they feel the policy will not work. Once this has been resolved, the parent will then be asked to sign to say that they agree with the procedures that have been agreed.
- School will proactively seek a monthly schedule which will be held on file to ensure that school is aware who has responsibility on a specific day/ week. School will then refer to this documentation if any issues arise with a child or children being collected from school.

## Collecting a child from school

St Peter's C of E Academy will follow the standard agreed procedure in the release of a child or children:

- Staff will release children to the named adults on the contact form only, unless school have received prior notification e.g. playdate
- In the case of separated parents school will release a child to a parent in accordance with any specific arrangements notified to the school in writing.
- If one parent seeks to remove the child from school in contravention of the notified arrangements, or early e.g. for a medical appointment, and the parent to whom the child would normally be released has not already consented the following steps will be followed:
  - The Head Teacher or a member of the Senior Leadership Team will meet with the parent seeking to collect/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 verbally.
  - In the event that the parent to whom the child would normally be released to cannot be reached, the Head Teacher or senior staff member dealing with the issue may make a decision based upon all relevant information available to him/her.
  - The Head Teacher or staff member may have to refuse permission if agreement/consent cannot be obtained and may need to take advice before a child or children are collected / released.
  - St Peter's C of E Academy cannot prevent the other parent collecting the child or children but we will endeavour to reach an agreement and this may mean keeping the child or children safe whilst we try and reach such an agreement.
  - If there is a Court Order restricting contact or it is in contravention of any access agreement, the child or children will not be released into their care and the other parent advised to take the necessary action which does not involve the school.
  - During any discussion or communication with parents, the child or children will be supervised by an appropriate member of school staff in a separate room.
  - In 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 and the Local Authority notified.

## 6. School Communication

We recognise that, while the parents of some pupils may be divorced or separated, both have a right to be informed of, and involved in, their child/ren's education. However, we expect that parents, whatever the nature of their separation, will do all they can to communicate with each other, share information from and for school, for the benefit of their child/ren. It is assumed that the parent with whom the child principally resides will keep the other parent informed.

- **Newsletters & general school updates** will be sent to all parents via email. These updates will contain all the main events within school, including; productions, sports days, parent's evenings, class trips, etc. We would expect parents to communicate these messages to each other as and when appropriate or to arrange with the school to ensure they are on the circulation list. This information is also available on the weekly newsletter published to the [school website](#) on a Friday.
- **Permission forms** are sent via Teachers2Parents text and are available on the [school website](#). Permissions will be accepted from either parent with parental responsibility and only one parent with parental responsibility needs to give consent.
- A parent, as defined in this policy, has the right to receive **progress reports** and review pupil records of their children. If the parents are separated or divorced, unless otherwise arranged, one report will be sent home with the child. A second report is available for collection from the School Office. The office will send the second report to the non-resident parent if that parent sends a written request and a stamped address envelope.
- We expect that parents should liaise and communicate directly with each other in matters such as the ordering of school photographs; tickets for performances, enrichment activities and other instances.
- We hold twice yearly **parent consultation evenings**. We would expect parents to communicate with each other regarding these arrangements. We will consider separate appointments but by prior agreement only or when a court order is in place restricting contacts with both parents.
- 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) Depending on the severity of need and other constraints on staff time, we will try to contact both parents.
- We expect that parents should liaise and communicate directly with each other in matters such as **payment** for school dinners, trips and After-school clubs. Parents must then inform the office of who to contact should any queries arise.

## 6. Management of the Policy

As a school we understand that issues around family breakdown and separation can be fraught, however, we expect parents to be always courteous and respectful in their dealings with school. St Peter's C of E Academy will maintain its open-door policy with all parents. The class teacher, Key Stage lead, SENCO and/or Head Teacher will be available by appointment to discuss any issues or concerns separated/divorced/estranged parents may have in relation to their child/ren in school. We believe that this policy clearly sets out the position so that we can all continue to work together in the best interests of your child/ren.

The Head Teacher and Designated Safeguarding Leads will familiarise themselves with this policy and ensure all Staff, Governors and Volunteers are aware of the procedures to follow should the need occur.

The policy will be made available to parents and published on our school website.

<https://www.gov.uk/government/publications/dealing-with-issues-relating-to-parental-responsibility/understanding-and-dealing-with-issues-relating-to-parental-responsibility>