



Separated and Divorce Parents policy

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Version	2

Separated and Divorced Parents Guidance

Part 1: Introduction

Everyone who is a parent has the right to participate in decisions about their child and receive information about the child.

St John's C of E (Aided) Primary School recognises that children from families whose parents are separated, or are undergoing separation, may go through traumatic changes during their time at the school. The school will make every effort to work with parents to promote the welfare of their child.

This policy has been created to try to minimise the impact on the child and to provide guidance to separated parents (as defined in part 2) and set out the steps that will be taken by the school. **Unless there is a Court Order in place limiting an individual's exercise of parental responsibility**, the school will ensure that parents are dealt with in an equal manner and in accordance with this guidance.

The school's paramount consideration in making decisions arising from this guidance will, of course, be the welfare of the child. The school will endeavour to help resolve problems that may arise between parents regarding their child's education, but will not become involved in conflict between parents.

This document is intended to set out general policy and guidance of working practice. In the event that a child's circumstances are not covered by the guidance contained in this policy, the school will endeavour to provide specific guidance related to those circumstances (but cannot, of course, provide legal advice to parents).

Part 2: Definition of parent and rights

The school has a legal duty to work in partnership with parents regarding their child's education. Section 576 of the Education Act 1996 provides a wide definition of 'parent'. For the purpose of school educational provision, a 'parent' is defined as:

- All natural birth parents, whether they are married or not
- Any person who, although not a natural parent, has parental responsibility for a child or young person e.g. through adoption
- Any person who, although not a natural parent, has care of a child or young person (a person with whom the child lives and who looks after the child irrespective of what their relationship is with the child, is considered to be a parent in education law).

Therefore, those parents with parental responsibility for a child or who care for a child have the same rights as natural parents. This includes the right:

- To receive information (e.g. pupil reports, school events etc)
- To participate in activities (e.g. elections for parent governors, attending school events etc)
- To give consent (e.g. school trips)
- To be involved in meetings concerning the child (e.g. participate in an exclusion procedure, appeal against admission decision).

Part 3: Providing and recording relevant information

To ensure that when parents separate/divorce the child's best interests are met, it is essential that relevant, up-to-date information and documentation is provided and recorded in a timely manner.

With this in mind, parents are requested to ensure that the school has the following information:

- The names, addresses, contact telephone number(s) and email address(es) of all parents
- Written notification of any formal or informal residence/contact arrangement (with, where appropriate, relevant supporting documents e.g. copy of a Court Order)
- Notification (with a copy of any relevant documentation) of any Court imposed restrictions relating to a parent's, or any other person's, contact with a child
- Written notification of any collection from school arrangements between a resident and non-resident parent
- Written notification of any relevant changes in family circumstances including any disputes regarding residence and contact or collection from school arrangements.

The school will ensure that:

- Confidentiality is maintained and that information is only shared to the extent that it is in the child's best interests to share that information
- Separated parent details will be updated annually (or immediately if new updated information is provided by parents in the interim), alongside other essential contact details
- The names and addresses of all known parents are included in pupil records and are made available to the pupils' teachers
- The details of any Court Orders are promptly noted in a pupil's record
- All formal and informal arrangements notified to the school relating to residence, contact and collection from school are promptly and accurately recorded.

Part 4: Guidance on specific matters

School/Parent Communication

- All parents are entitled to equal access to all school information and therefore have to be placed on the child's contact sheet. This will allow messages and emails to be sent to both parents.

Parents' evenings

- The school will normally hold ONE appointment per child at Parent's evenings, where both parents are welcome. However, in exceptional circumstances the school will try to make arrangements for separate appointments. Parents are asked to be mindful of the extra working time that this creates for teaching staff.
- The school expects parents to communicate with each other regarding these arrangements.

Progress reports and pupil records

- Any parent has the right to receive progress reports and review pupil records of their child. These are provided to parents with parental responsibility. If the non-resident parent, with

parental responsibility, has not provided us with an email address, reports will be posted to the non-resident parent at the same time as they are handed to the resident parent.

- In the event that the parents are unable to agree with one another on decisions regarding their child's education, including but not limited to placement, participating in extra-curricular activities, and consent, the school will arrange a meeting with all parents (preferably together but separately if required) to attempt to assist the parents to resolve the situation. Ultimately, however, disagreements between parents must be resolved by the parents, or in the final resort, the Courts.
- The school will maintain its open door policy with both parents and the class teacher will be available to discuss any issues by phone or meeting.
- Where the address of a non-resident parent is unknown, the school will inform the resident parent that the non-resident parent is entitled to be involved in their child's education and ask that information is passed on to them where possible.

Collecting a child from school

- The school will ensure that a child is not released to a parent where this would be in breach of any Court Order.
- It is the duty of both parents to co-operate in arrangements to collect their child from school.
- If a child needs to be collected during the day due to them being unwell or having an accident, the school will ring the parent who dropped the child at school that morning, until 12 noon. After 12 noon, the parent that is due to collect the child that afternoon will be rung. If neither parent is available, the contacts will be called in turn as specified by the resident parent. Both parents will be told of the accident or sickness.

Obtaining consent

- If parental consent is required for outings/activities, the school will seek consent from the resident parent unless the decision is likely to have a long-term and significant impact on the child or the non-resident parent has requested to be asked for consent in all such cases.
- If the school considers it necessary to seek consent from both parents but one parent declines to give this consent, the school will assume that consent has not been given.
- A leave of absence request must, if only signed by one parent, be accompanied by a letter of consent from the other parent if the absence involves more than 2 days out of school.

Name changes

- Parents are responsible for resolving issues relating to any change of surname.
- Any change of known-as surname requires written consent of both parents. Any change of legal surname requires a change of name deed. The school needs to see the original copy of this deed before it can record the change of name.
- In the absence of joint consent, the parent wishing to change the child's name would need to obtain permission from the Court to do so before the school can record any requested change.

Part 5: Responsibilities of parents

Parents should not expect the Headteacher or any other member of staff to be involved in, or intervene in, domestic disagreements regarding childcare, custody, contact arrangements or any other matter which does not directly involve educational or school attendance matters. The

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Headteacher and other members of staff will not be expected to provide witness statements or any other written or verbal evidence to be used in legal proceedings beyond factual information regarding education or attendance, such as a child's progress report.