The Meadows Primary School

Working with Separated Parents Policy

Version Control

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Rationale

Schools are required by law to have a wide range of dealings with pupils' parents. Schools can sometimes find themselves caught up in disputes between adults regarding claims to parental responsibility for a particular child.

This policy aims to clarify procedures, roles, and responsibilities of both the school and parents in order to ensure that the best interest of the child is at the heart of every decision taken.

For clarification, the terms 'resident' and 'non-resident' parent are used to distinguish between parents who do and do not live with a child.

Definition of a Parent

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

> *all natural parents, whether they are married or not*
> *any person who, although not a natural parent, has parental responsibility for a child or young person*
> *any person who, although not a natural parent, has care of a child or young person (having care of a child or young person means that 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).*

Parental Responsibility

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 Child Arrangements 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
- (in the case of step-parents) in agreement with the child's mother or father (and other parent if that person also has parental responsibility for the child) or as the result of a court order.

Where a child's parents are not married to each other, the child's father can gain parental responsibility by

- registering the child's birth jointly with the mother
- through a 'parental responsibility agreement' between him and the child's mother
- as the result of a court order.

In addition, a local authority can acquire parental responsibility if it is named in the care order for a child.

Court orders and parental responsibility

Court orders under section 8 of the Children Act 1989 (often called section 8 orders) settle areas of dispute about a child's care or upbringing, and can limit an individual's parental responsibility.

General principles underpinning our school policy

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).

The information provided to the school when the child was enrolled detailing whether parents have 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.

As a school staff will 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, for example

- to receive information, e.g. pupil reports
- to participate in activities, e.g. vote in elections for parent governors
- to be asked to give consent, e.g. to the child taking part in school trips
- to be informed about meetings involving the child, e.g. a governors' meeting on the child's exclusion.

Where a parent's action, or proposed action, conflicts with the our ability to act in the child's best interests, we will try to resolve the problem with that parent but will remain mindful at all times of the danger becoming involved in conflict, particularly between separated parents.

Upon receipt of any court order restricting access to a parent, the school may consult the local authority before taking immediate action. The school will only comply with an order if it is properly filed and received a copy for the files and only to the extent that it relates to the school. The school has no responsibility for enforcing any court order.

The Meadows Primary School's Responsibility

Administration

When a child is registered at the school we will:

- ask parents or guardians for the names and addresses of all parents when they register a pupil

- ensure that names and addresses of all parents, where known, are included in the admission register and also in pupil records and are available to the pupil's teachers
- ensure that names and addresses of all parents are forwarded to any school to which the pupil moves
- ensure that details of court orders are noted in a pupil's record
- where the address of a non-resident parent is unknown, tell 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.

Obtaining consent

Where we require parental consent for educational visits or activities, we will seek consent from the resident parent and from the non-resident parent where the non-resident parent has requested to be asked for consent in all such cases.

In cases where consent is required from both parents, it is possible that one gives consent and the other withholds it. When this happens we will assume that parental consent has not been given. Disagreements between parents must be resolved between the parents and cannot be resolved by the school or local authority.

Changing a surname

A change of surname is a private law matter and should be resolved between parents. Where the parents have divorced, we will ensure that the surname by which a child is known should not be changed without written evidence (independent of the parent seeking to make the change), that consent has been given by the 'other parent' or by anyone else who has parental responsibility for the child.

However, there may be circumstances where a name change has already been effected by the school and therefore it would not be in the best interests of the child who might be known by a new name to refer back to a different name. Ultimately, in such cases the school will make the decision which they feel is in the best interest of the child.

Parent's Responsibility

Where there is a change of circumstances e.g. a change of parental situation or a change of postal address, it is the responsibility of the parent to inform the school office in writing.

In order to ensure that non-resident parents receive the right information we ask non-resident parents to complete and return Form A (Appendix A) to the school office indicating the ways in which they would like to be kept informed. Alternatively, the form can be completed electronically by clicking the following link: https://forms.office.com/r/WEHh5r4veS or by going to our school website

(www.meadowsprimary.org) and clicking Parents/Carers and then Clicking Forms. Our school records and procedures will be updated accordingly.

The school also have a parent communication mobile phone app, which can:

- receive messages from school
- allow parents to report absences
- allow parents to send in changes to communication preferences e.g. change of address

If you wish to receive information about the ScholarPack parents App, please tick the box in Form A.

Where a non-resident parent wishes to receive information which is not included on Form A, a written request should be made and addressed to the attention of the Headteacher. Parents will be notified in writing of the school's decision.

All parents have a responsibility to discuss issues related to this policy in a calm and reasonable manner.

General Notes

Parents are encouraged to resolve contact issues without involving the school directly. The interested of the child will always be paramount when deciding whether to accommodate a request from an estranged parent. Where there are issues over access to children, the resident parent should contact the school immediately. Where there is a court restraining order in place, the school will put in place measures to ensure the child is not released to a named individual.

Where there is no court order (including contact order) in place, the school is required to allow the child home with a non-resident parent, however the Headteacher is able to use his/her discretion and would seek clarification if it was felt there was a child protection issue.

The welfare of the child is at the heart of all we do and the Headteacher and Governors maintain the right to discontinue any of the above if it is deemed to be significantly against the child's best interests. Court orders may also alter the position the school adopts.

Complaints regarding the school's response or procedures relating to this policy should be made in accordance with the School Complaint's Policy, a copy of which is available from the school office or the school website.

Data Collection and Storage

Data collected from the online form or from Form A will be stored on our Management Information System and this information will be provided to the child/ren's class teacher at the start of each new academic year.

Form A – Information Request from Non-Resident Parent

Please complete and return this form to the school office.

Child's A Name:	Child's A Date of Birth
Child's B Name	Child's B Date of Birth
Child's C Name	Child's C Date of Birth
Parent's Name:	Parent's Address:
Parent's Home Phone Number:	Parent's Work Phone Number:
Parent's Mobile Number:	Parent's E-mail Address:

How do you wish to receive information? (please tick).

SMS/Email	
Via Child	

Via ScholarPack Parents App	
Send me information about the ScholarPack Parents App	

Information you wish to receive (please tick).

End of year school reports	
Details of school trips relating to your child	
School photographs (copies of the proofs)	
Information on meetings relating to your child (not contained in newsletter)	

Newsletters	
First aid/accidents in school	
Behaviour incidents	

Please indicate if you wish the following (please tick)

Individual parents' evening appointments	
School to ask for your consent where consent is required (would be in addition to resident parent's consent)	

Signed_____ Name_____ Date_____

To be completed by the School Office

Date form received:	Date information added to school records	Date confirmation sent to parent

Completed by ____