NEWBARNS PRIMARY AND NURSERY SCHOOL

SEPARATED PARENTS POLICY

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Introduction

Many pupils have parents who are separated, divorced or estranged. There are some laws that schools must comply with regarding parents and those with parental responsibility. In addition, our school wants to work in the best interests of the pupil and to minimise any distress or complications, for both the child and the adults involved.

To support this, implementing our Separated Parents Policy enables us to set out the systems and protocols in place for dealing with this situation.

At Newbarns Primary and Nursery School, we understand that our school community consists of families with a wide variety of different models and living arrangements. Situations where a pupil's parents do not live together are not uncommon and we are committed to ensure that every individual with parental responsibility for one of our pupils feels included, informed and involved.

To ensure that we meet the needs of families of different types, we have implemented this policy. For the purposes of the policy, the term 'separated parents' means any parent, or person with parental responsibility, that is separated, divorced, estranged or living in a different property from another individual with this status.

Parents and parental responsibility

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

The law defines a parent as:

- all biological parents, whether they are married or not;
- any person who, although not a biological parent, has parental responsibility for a child or young person – this could be an adoptive parent, a step-parent, guardian or other relative;
- any person who, although not a biological parent and does not have parental responsibility, has care of a child or young person.

A person typically has care of a child or young person if they are the person that lives with the child, either full or part-time, and who looks after the child, irrespective of what their biological or legal relationship is with the child. For example, this may be a foster carer or family, friends and/or carers who do not have parental responsibility but have been delegated the responsibility for taking day-to-day decisions about the child.

Parental responsibility is defined in law and means the rights, duties, powers, responsibilities and authority that a parent has for their child. In addition to a child's birth parents, parental responsibility can be granted by a court order, being appointed as a guardian, adopting a child or a formal agreement.

- All mothers automatically have parental responsibility.
- If a child's parents were married at the time of the birth, both parents have parental responsibility automatically.
- If 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.
- Parental responsibility cannot be lost, except by adoption, although it does not guarantee contact.

Data held on parents

Upon admission to our school, parents are required to provide accurate information, such as the name of those with parental responsibility, their address or addresses, and up-to-date

contact details. It is important that parents supply this information so that we know who has the right to make important decisions about each child, including decisions on their education and medical treatment. The school needs to be aware who has consent to collect the child and to make decisions in emergency situations.

The information provided upon a pupil's admission to the school will be assumed to be correct unless the school is informed otherwise. It is the responsibility of both parents to inform the school if there is a change in circumstances.

If there is a change to those who have parental responsibility for the child, a court order or birth certificate must be supplied to evidence this change before the school will amend the details.

General principles

We hope that parents and all those with parental responsibility will support the school in working together cooperatively for the benefit of their children. We recognise that there is a wide range of reasons that parents may not live together. When dealing with separated families, it is an expectation that staff will:

- **Be non-judgmental:** Staff will not make any judgement about the circumstances and will not make judgemental comments about either parent to the child.
- **Be supportive:** We understand that complex family arrangements can be difficult to manage and we will support as best we can.
- **Take a problem-solving approach:** We will strive to find acceptable and easy-to-implement solutions to ensure that all parties feel included, informed and involved.
- **Have an open-door policy:** We will ensure that both parents can communicate with school in line with our general policies and protocols for doing so.

Parents should seek to resolve contact issues without involving the school. The school will not mediate, take sides or act as a 'go between' for parents who do not communicate with each other.

Parental rights

Parents who fall under the legal definition of a parent as outlined in this policy have a right to be involved in the decisions that are made about their child and to be treated equally. This means that they have the same rights as other parents in situations, such as:

- accessing school records and copies of reports;
- receiving communications relating to their child and the school, such as newsletters, invitations, information about school trips, etc.;
- having the right to give or withhold consent;

- attending parents' evenings and parental meetings;
- attending school events and performances;
- having the right to purchase items relating to their child, such as school photographs, yearbooks, etc.;
- being involved in any suspension or exclusion procedures;
- appealing against decisions, such as admissions and exclusions;
- involvement in any consultations.

Parental rights cannot be restricted or withdrawn without a court order. We have no legal powers to restrict a parent's rights at the request of the other parent. We will treat both parents equally unless there is a legal ruling to instruct us to do otherwise.

The school is under no obligation to inform the resident parent about a non-resident parent contacting the school. This information will only be given at the discretion of the school if it is in the best interests of the child to do so.

Disagreements between parents should be resolved between themselves. The school will not get involved. If additional support or mediation is required, parents are urged to seek professional mediation or legal guidance.

Court orders

The school can only comply with a court order if it is properly notified. Parents should make sure that they notify the school directly in this situation and should never make an assumption that someone has done this on their behalf. When notifying the school, a copy should be provided for the school to keep on file.

In the event that the school is not informed of the existence of a court order, the parents will be treated equally by the school. If there is an order in place and neither the parents and/or those with parental responsibility inform the school then if there is any breach of such order, the school cannot be held responsible or liable.

Change of name

A parent can only change their child's name if both parents provide a signed letter confirming this or if there is a court order. Unless either of the above are provided, the child will be known and addressed by their birth name as recorded on their birth certificate.

As a school, we may agree to an informal change of name for situations, such as referring to the child verbally, using labels on exercise books, etc. It is important to note that the school records will reflect the child's name at birth, unless a court order specifies otherwise. Any

informal change of name is at the school's discretion and the school is under no obligation to agree to this.

Communications with parents

All parents have a right to be involved with their child's education and to be kept informed of matters related to this. Where possible, we would request that separated parents keep channels of communication open for the benefit of their child. In most cases, the parent who lives with the child will keep the other parent informed.

Any emergency text messages that are sent out by the school (for example, in the case of an unplanned school closure) will normally be sent to the parent that the child lives with, unless there is good reason to communicate with both parents.

Our school website address is https://www.newbarns.scmat.org.uk/. We regularly using Dojo as a means of communication and would recommend that any parent who wishes to be kept up to date of school and class communications join their child's class Dojo. Your child's class teacher can send you details of how to do this.

Email communications will be sent to both parents. It is the responsibility of each parent to provide an up-to-date email address and to check their email regularly.

If hard copies of letters are sent home, the usual arrangement would be for one copy to be sent home with the child. This letter will be for the attention of the parents who the child usually lives with. It is an expectation that this parent will share any relevant information with the other parent.

If circumstances do not permit for parents to share information between themselves, the school should be informed so that specific arrangements can be put in place. These arrangements will be determined on a case-by-case basis.

In situations where one parent does not give consent for a specific matter and the other does, it is our policy to act as though consent has not been given. If one parent gives consent and the other neither gives nor refuses consent, we will act as if consent has been given.

Parents' evenings

Under normal circumstances, there will be one parents' evening appointment allocated per child. Both parents are entitled to attend. We would request that, where possible, parents work together to agree mutually convenient arrangements.

In circumstances where it is not appropriate for both parents to attend the same appointment, or where this would be particularly distressing for any of the parties involved, the school will usually be able to offer a second, separate appointment. If this is the case, either parent can request this by contacting the school directly.

Written reports and progress updates

Both parents are entitled to receive school reports, progress reports and to review their child's educational record.

School reports and progress reports will normally be sent to the parent who lives with the child. We request that parents work cooperatively to share relevant information about their child where possible.

Where requested, written information will be provided to separated, divorced or estranged parents who have parental responsibility and for whom the school has up-to-date contact details.

Referrals to external agencies

If the school feels it is appropriate to make a referral to an external agency (for example, social care, CAMHS, counselling services), the school may inform the other parent and ask if they would like their details included and recorded. Each parent can request that any personal details and information related to them be redacted (removed) before a copy is shared with the other parent.

If we feel that sharing information may result in a safeguarding issue, we will take advice before doing so.

Items for purchase

We would expect parents to communicate directly with each other in matters such as the ordering of school photographs, residential/school visits, tickets for performances, etc. If there are specific issues with this, parents should inform the school so that a plan can be put in place.

Collecting a child from school

We will only allow those with parental responsibility, or those who have been authorised by someone with parental responsibility, to collect a child from school. It is the responsibility of parents to inform us who can collect a child and to notify us if circumstances change.

If a parent who does not usually have consent to collect the child to tries to do so (and the parent who usually collects the child has not notified the school of any change), we will take the following steps:

- The headteacher or designated deputy will meet with the parent seeking to remove the child and then contact the parent to whom the child would normally be released to explain the request.
- If the parent to whom the child would normally be released gives consent, the child may be released and the records will reflect that the permission was granted.
- The school will make a record to say that consent has been given and may ask for an email or text confirmation to confirm this.
- During any discussion or communication with parents, the school may determine that it is appropriate for a suitably qualified member of staff to supervise the child in a separate room.

When following the steps outlined above, if the parent to whom the child would normally be released to cannot be reached, the headteacher, designated safeguarding lead, or another member of staff who the headteacher has given authority to act will make a decision based upon all relevant information available to him/her. The school may have to refuse permission if consent cannot be obtained.

If it is felt that a child could be at risk if we release them to any individual (parent or otherwise), we will follow our protocols and policies for safeguarding children. Please see our safeguarding policy for further information.

In extreme circumstances, where there is a belief that a possible abduction of the child may occur or if the parent is aggressive, violent or disruptive, the police will be notified immediately.