Polehampton CE Infant and Junior Schools
Separated parents policy

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Introduction

At Polehampton Church of England Infant and Junior Schools, our vision is "Let your light shine" (Matthew 5:16). Jesus reminded us in Matthew's gospel that we are lights for the world. As we seek to follow him, we can share his light with others and change the world. Supported by our school values of gratitude, friendship, perseverance, forgiveness, honesty and compassion, we seek to help pupils make positive choices in all they do. We follow our Christian values to enable everyone in our school community to let their light shine.

At Polehampton Church of England Infant and Junior Schools, we "let our light shine" by showing love and respect towards our parents and supporting them to foster positive relationships with one another and work together to support their child and the school.

This policy takes into account the government's explanation of parental rights and responsibilities and the Department for Education's (DfE) guidance on understanding and dealing with issues relating to parental responsibility.

Aims

At Polehampton CE Infant and Junior Schools, we aim to maintain contact with both parents in the best interests of their child/ren. This policy aims to minimise any impact and to clarify to all parties what is expected from separated parents and what can be expected from the school.

The basis of the advice within this policy is with regard to a child or children who have already been admitted to the school.

The person/s with parental responsibility who applied for the child's admission to the school should have involved all others with parental responsibility in making the decision to apply. They should have provided the school with details of all those with parental responsibility for a child. Where this has not happened, the school welcomes direct contact from those with parental responsibility providing their own details. However, the school cannot be held responsible for excluding a parent or person with parental responsibility if the information has not been provided to them.

If parents separate whilst their child already attends the school, the parents must notify the school immediately so that the school can ensure continuing contact with both parents and, in the event that the parents have separated on an acrimonious basis, the school will endeavour to accommodate each parent separately in terms of communication and any attendance at the school (e.g. for school or class events).

Definition of 'parent'

The definition of a 'parent', for school purposes, is much wider than for any other situation. Section 576 of The Education Act 1996 defines a parent as:

- All biological parents, whether they are married or not.
- Includes 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 with whom the child lives, 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 and friends carer who do not have parental responsibility but have been delegated the responsibility for taking day-to-day decisions about the child. This includes a Special Guardianship Order (SGO).

Parents, as defined above, are entitled to share in the decisions about the child's education and to be treated equally by schools. In particular, these entitlements include, but are not limited to, the following:

- Receiving copies of school reports.
- Having access to school records.
- Attending parent meetings.
- Receiving newsletters.
- Invitations to school events.
- Information about school trips.
- School photographs relating to their child/ren.
- Participation in any exclusion procedure.
- Dealing with any medical issues that arise and/or vaccinations that may be offered.

The school recognises that whilst the parents of some pupils may be separated, divorced or estranged, they are still entitled to the above and this entitlement cannot be restricted without a Court order. If the parents are involved in proceedings before the Court directly relating to the child(ren), the parents should seek the Court's permission to disclose the Court order(s) made to the school. In addition, and should the Courts so require, the school will be willing to provide a letter setting out any information that is specified in a Court order.

Parental responsibility

Parental responsibility is defined in the Children Act 1989, and means the rights, duties, powers, responsibilities and authority that a parent has for their child. In addition to a child's natural parents, it can be acquired by Court order, being appointed a guardian, adopting a child or a formal agreement.

The information – provided to the school when the child was enrolled detailing who has 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. The school will be reliant on such information being provided as accurate and true. The information provided regarding the address/es where the child lives will be presumed to be correct unless the school is provided with a copy of a court order setting out arrangements for where the child should live.

Every parent with parental responsibility for a child has an equal right to be engaged with decisions regarding their education. Unless there is a court order limiting an individual's exercise of parental responsibility, the school must treat all parents equally and must provide them with the same information.

Where contact has been limited by a court order, the parent still has the right to receive information about the child and be involved in decisions regarding their education and welfare, unless a court order restricts what information they can receive or removes their parental responsibility. We will not remove a parent's contact details without such a court order being in place or a parent asks for their own contact details to be removed.

Court orders

At Polehampton CE Infant and Junior Schools, our sole wish is to promote the best interests of the child, working in partnership with all parents and/or those with parental responsibility. If there is a court order in place, the school will always act in ways to ensure, as best it can, that no court order is breached. The school can only be expected to comply with an order if it is properly notified and has received a sealed digital or paper copy for its files, and only to the extent that it relates to the school.

The school has no responsibility for enforcing any court order, but will endeavour to ensure that, if there are restrictions in place with regard to the collection of a child, such restrictions are adhered to.

In the event that the school is not informed of the existence of such an 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 and/or liable.

Disputes and disagreements

The school hopes that parents and all those with parental responsibility will support the school in working together for the benefit of their children.

It is very important to note that any dispute between parents sharing these rights will need to be resolved between them. In all cases where parents and/or those with parental responsibility cannot agree on various issues, parents should seek independent legal advice as to the options available to resolve those issues, either by agreement or by obtaining a Court order.

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

Changes in family circumstances

We ask parents to inform the school whenever something outside school – such as a change in family circumstances – occurs so that we can sensitively support the child in school. We expect parents to update the school whenever emergency contact details change for one or both parents, and/or there is a new arrangement for collecting children at the end of the school day, in particular if there is any court order that has been made.

We recognise the sensitivity of some situations, and all staff are aware of the need for discretion and confidentiality. School staff will be informed on a strict need-to-know basis so that suitable support can be offered.

The release of child/ren

Unless notified by a court order or safeguarding agency, the school will release children to either or both parents and/or those with parental responsibility and/or those with care of the child (e.g. they live with and look after the child).

The school encourages parents/those with parental responsibility to make joint decisions about collection arrangements.

- If the parent to whom the child would normally be released agrees to a change in collection arrangements, such agreement should be immediately confirmed by an email, to ensure there is record on the school's files. The child may be released and the records will reflect that the permission was granted.
- A parent may choose a responsible adult to collect their children (on their agreed days) by informing the school in advance.
- If one parent seeks to remove the child from school, in contravention of a court order/child arrangement agreement, and the parent to whom the child would normally be released has not consented (also informing the school), the headteacher and/or a member of the safeguarding team will meet with the parent seeking to remove the child and then telephone the parent to whom the child would normally be released and explain the request.
- In the event that the parent to whom the child would normally be released cannot be reached, the headteacher and/or member of the safeguarding team may make a decision on based upon all relevant information available to him/her. Decisions may involve the following (not an exhaustive list):
    - Hold the child at school until contact can be made with the relevant parent/s and/or those with parental responsibility.
    - Release them to the other parent/person with parental responsibility (if they have shared custody and there is not court order in place).
    - Contact another person on the child's contact list to request they collect the child.
    - Contact children's social care or the police.
- The headteacher and/or member of the safeguarding team may have to refuse permission if consent cannot be obtained.
- During any discussion or communication with parents and/or those with parental responsibility, the child will be supervised by an appropriate member of school staff in a separate room.
- In extreme circumstances, if there is a safeguarding concern or anyone is disruptive, the police will be notified immediately.

Communication between school and separated parents

Bulletins, newsletters and general updates are sent via email to all parents, and/or those who have parental responsibility for whom we have up-to-date contact details. These updates contain all the main class/school events, including parents' evenings, productions, sports days and class outings and events.

The school is able to deal with separate requests for invitations to school events and performances made by separated, divorced or estranged parents who have parental responsibility. However, the school would be grateful if parents could communicate directly on such matters if they can although in some instances the school recognises that this may not be possible should there be a court order in place preventing the parties from contacting each other. The school will try to comply with requests; however, in certain circumstances, and as stated above, it will not always be possible, for example when a court order preventing contact with the child or each other is in place.

In all circumstances, we aim to maintain our open-door policy with all parents. Class teachers and/or the Headteacher will be available by appointment to discuss any issues.

Parents' evening appointments

Whenever requested, we will offer separate parents' evening appointments for separated, divorced or estranged parents who have parental responsibility.

Written pupil reports

Any person who is known to the school to have parental responsibility for a child has the right to receive written progress reports for their child. These will be provided to separated, divorced or estranged parents who have parental responsibility and for whom the school has up-to-date contact details.

Change of name

A parent can only change their child's name (forename and/or surname), either by both parents providing a letter confirming such consent and bearing wet signatures or by an order of the court. Unless either of the above are provided, the child will be known and addressed by their birth name as recorded on their birth certificate.

The school is under no obligation to do so, but they may make an informal change of name if that is requested by the parent/s; for example:

- Verbally addressing a child.
- Name on books etc.

It is important to note that the school database, unless changed by an order of the court, will reflect the child's name at birth. In addition, and as stated, any informal change of name addressing the child is at the school's complete discretion after the school has taken into account all of the circumstances.

Access to school information

Key information is available on the Polehampton CE Infant and Junior Schools website. Parents may also receive information via the newsletter, email, social media or letter.

For parents who do not have access to the internet, paper copies of communications may be requested from the school.