

# Barton Seagrave Primary School

## Separated Parents Policy

### Aims

Barton Seagrave Primary School recognises that children from families whose parents are separated, or are undergoing separation, may go through traumatic changes during their time at school. With this in mind, we will make every effort to work with parents to promote the welfare of children.

This policy has been created to minimise any impact and to clarify to all parties what is expected from separated parents and what can be expected from the school and its staff.

### 1. Definitions

Schools have a legal duty to work in partnership with families and to involve all those with parental responsibility in their child's education. Section 576 of the Education Act 1996 states that a 'parent', in relation to a child or young person, includes any person who is not a parent (from which can be inferred 'biological parent') but who has parental responsibility, or who has care of the child.

Parents as defined above must be treated equally, unless there is a court order limiting an individual's exercise of parental responsibility. In the event that the school is not informed of the existence of such an order, neither parent will have rights superior to the other.

- Individuals who have parental responsibility, or 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.).
- Participate in activities (e.g. elections for parent governors).
- Give consent (e.g. for school trips).
- Be involved in meetings concerning the child (e.g. participate in an exclusion procedure, appeal against admission decisions).

### 2. Headteacher responsibilities

The Headteacher will ask parents or guardians for the names and addresses of all parents when they register a pupil.

It is the duty of the Headteacher to 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.

The Headteacher will ensure that names and addresses of all parents are forwarded to any school to which the pupil moves.

The Headteacher will ensure that details of court orders are noted in the pupil's record.

### 3. Parental responsibilities

#### Who has parental responsibility?

A child's birth mother (the person who carried the child) has parental responsibility unless it's removed by an adoption order or a parental order following surrogacy.

Where a child's father and mother were married to each other at the time of the child's birth, they each have parental responsibility for the child. Where the parents were not married to each other at that time, the child's father can gain parental responsibility:

- by registering the child's birth jointly with the mother
- by subsequently marrying the child's mother
- through a 'parental responsibility agreement' between him and the child's mother which is registered with the court by obtaining a court order for parental responsibility

Parents of children joining the school are asked to bring their child's birth certificate. This ensures children are joining the correct year group and also helps the school ascertain who has parental responsibility.

Parents are responsible for informing the school when there is a change in family circumstances. We recognise the sensitivity of such situations and we will maintain confidentiality requested by parents as far as possible. The school will also not make judgements about individual circumstances, and both parents will be treated equally.

Where there is a court mandated restraining order in place, a copy needs to be retained by the school, which will put measures in place to ensure the child is not released to named individuals. Parents who have joint custody of the child are requested to keep the school informed, in writing, of any disputes they have with each other regarding the collection of children.

Children's welfare and safety are paramount, where there are issues over access to children, the parent with whom the child resides should contact the school immediately.

The school holds one parents evening appointment per child, where both parents are welcome. The school expects parents to communicate with each other regarding these arrangements. Parents are expected to liaise and communicate directly with each other in matters such as the ordering of school photographs, tickets for performances and other instances. The school will not deal individually with these requests in view of the significantly increased workload that they represent.

*Disagreements between parents must be resolved between the parents and cannot be resolved by the school or local authority. The school will not in any circumstances act as a mediator between separated parents.*

#### **4. Progress reports and pupil records**

Any parent has the right to receive progress reports and review pupil records of their child.

If the parents are separated or divorced, progress reports will be sent to the parent and address noted in the school's records specifying where the child resides with the expectation that they will share the report with the other parent.

If the child is subject to a joint residence order and the school's records formally capture that the child resides at two addresses, then progress/annual reports will be sent to both addresses.

The school will send copies of the progress/annual reports to a parent with whom the child does not reside only if that parent submits a written request.

Disagreements between parents must be resolved between the parents and cannot be resolved by the school.

The school will maintain an open door policy with both parents and the class teacher will be available to discuss any issues.

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

#### **5. Collecting a child from school**

In the matter of the release of a child or children:

Barton Seagrave Primary School will follow the standard agreed procedure in the release of a child or children.

In the case of separated parents Barton Seagrave Primary School will release a child or children to a parent in accordance with any specific arrangements notified to the school.

If one parent seeks to remove the child from school in contravention of the notified arrangements (or a court order) and the parent to whom the child would normally be released has not 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 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.
- Barton Seagrave Primary School 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 Barton Seagrave Primary School 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 Safeguarding Team will be notified.

## **6. Obtaining consent**

If parental consent is required for outings or 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.

In cases where the school considers it necessary to seek consent from both parents, it is possible that one gives consent and the other withholds it. In such cases, the school will assume that parental consent has not been given.

## **7. Name changes**

Parents are responsible for resolving potential conflicts about the change of a surname.

There must be consent from both parents after divorce or separation for registering a change of name of a pupil.

The school will ensure that the change in surname is supported by written evidence.

A separated parent who has parental responsibility, but no longer lives with the child, may refuse to consent to changing the child's surname. In such cases, the parent wishing to change the child's name would need to apply to the courts for permission to do so.

In circumstances where a name change has already been affected by the school and it is in the interest of the child, who might be known by a new name, to refer back to a different name, the school will make a decision holding the best interests of the child under paramount consideration.

## **8. Monitoring and Review**

This policy is reviewed every two years by the Head Teacher

The next review date for this policy is June 2026.