St Paul's C of E Primary School
Separated Parents in School Policy

Research and experience have shown that separated parents can work well together in the best interests of their children and can together play a role in their children's education. However, some parents become estranged, and do not work together or in the best interests of their children, especially during the initial stages of their separation. This is very often traumatic for any children concerned where personal family problems can have an impact on the child and on the schools the children attend.

This policy is an attempt to minimise any impact, clarify to all parties what is expected from separated parents and what can be expected from the school / staff.

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

- All natural parents, including those that are not married;
- Any person who has parental responsibility but is not a natural parent e.g. a legally appointed guardian or the Local Authority named in a Care Order;
- Any person who has care of a child i.e. a person with whom the child resides and who looks after the child irrespective of the relationship

Who has "Parental Responsibility"? (The Children Act 1989)
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 a Residence Order
- Being appointed a Guardian
- Being named in an Emergency Protection Order (although parental responsibility in a such a case is limited to taking reasonable steps to safeguard or promote the child's welfare)
- Adopting a child.

If the parents of a child were not married to each other when the child was born, the mother automatically has parental responsibility; however, the father only has parental responsibility from 1st December 2003 and by jointly registering the birth of the child with the mother. He can, however, subsequently acquire parental responsibility by various legal means**.**

What does having "care" of a child mean"?
Having care of a child or young person means that a person who the child lives with and who looks after the child, irrespective of what their relationship is with the child, is considered to be a parent in education law.

This could be shown by: interaction with the school – attending meetings, making phone calls, being on the School‟s record as being involved (in whatever capacity) etc. Residence with the child where, for all intents and purposes, the person is part of the family, a man or woman married to a parent of a child.

For example:

- Are they listed on school records?
- Does the school have contact details for them?
- Do they meet with teachers/attend parents‟ evenings?
- Have they been involved with the measures designed to improve attendance?
- Do they contact the school on behalf of the child when s/he is ill?
- Do they live with the child?
- How long has the school known of them being connected with the child?
- Does the adult bring/collect the child to/from school?
- Is the adult married to the parent of the child?

It would not be appropriate to assume that someone having a 'casual' relationship with the parent of a child necessarily has 'care of the child' unless we have cause to believe the person has some involvement with the child's life – living with the child could be a determining factor as could the other examples outlined above.

It is therefore those adults who are having significant input to a child's life who can be classified as 'parent', having 'parental responsibility' or who have 'care of a child'.

Parents as defined above are entitled to share in the decisions that are made about their child and to be treated equally by schools. In particular, these entitlements include: -

- Appeal against admission decisions
- Ofsted & school based questionnaires
- Participate in any exclusion procedure
- Attend parent meetings/school events
- Have access to school records, receive copies of school reports, newsletters, invitations to school events, school photographs relating to their child and information about school trips. This will be gone into in more detail later in this policy

The Governing Body recognise that while the parents of some pupils may be separated they are entitled to the above and this entitlement cannot be restricted without a specific court order. In particular, the school does not have the power to act on the request of one parent to restrict another.

The information provided to the school when the child is admitted, detailing whether parents have 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. Similarly, the information provided on the address(es) where the child resides will be presumed to be correct unless a court order proving otherwise is provided to the school.

1.1 Our responsibilities

St Paul's CE Primary and Nursery School fully recognises its responsibilities, and it is our sole wish to promote the best interests of the child, working in partnership with all parents.

St Paul's CE Primary and Nursery School will maintain our open door policy with parents, and the relevant teacher(s) will be available by appointment to discuss any issues or concerns which separated/divorce estranged parents may have in relation to their child or children at the school.

Parents will be encouraged to resolve any issues around estrangement, contact and access to information without involving St Paul's CE Primary and Nursery School directly.

Issues of estrangement is a civil/private law matter and St Paul's CE Primary and Nursery School cannot be involved in providing mediation, helping an estranged parent to communicate with their child or children, or using the school premises for purposes of contact.

In the event that the parents are unable to agree with one another on decisions regarding their child's educational programme, including but not limited to placement, participation in extracurricular activities, and consent to evaluation and services, the school will arrange a meeting with all parents (preferably together or separately if required) to attempt to assist the parents to resolve the situation; if it cannot be resolved the school may refer the matter to the relevant department of the Local Authority.

The interests of the child will always be paramount when deciding whether to accommodate a request from an estranged parent. We recognise that a Court Order can restrict a parent in having contact/access to information and we may be bound by this. In this situation we will consult with the Local Authority to obtain advice as this may constitute a safeguarding concern.

In any event whereby the parents being estranged is appearing to impact upon the health, wellbeing and safety of a child the matter will be referred to the Local Authority for advice.

1.2 Our Policy

It is the responsibility of the parents to inform St Paul's CE Primary and Nursery School when there is a change in family circumstances. The school needs to be kept up to date with contact details, arrangements for collecting children and emergencies.

We encourage parents to tell us at an early stage if there is a change in family circumstances. Whenever possible, staff will be informed of such changes so that suitable support can be offered. We will, however, recognise the sensitivity of some situations and maintain the level of confidentiality requested by parents as far as possible

Newsletters & general school updates are available to all parents email and parents are invited to let the office know if their email addresses have changed or if letters need to go to both parents. These updates will contain all the main events within school including: productions, sports days, parent's evenings, etc. Occasionally letters are sent to individual classes/students regarding subject specific trips/events. We would expect parents to communicate these messages to each other as and when appropriate.

We hold parent evenings twice yearly for your child to speak to your child's teacher about their progress. We would expect parents to communicate with each other regarding these arrangements. Whilst St Paul's CE Primary and Nursery School will consider separate appointments for parents at these events by prior agreement only, or when a court order is in place restricting contact between both parents, the school has no obligation to do so.

We expect that parents should liaise and communicate directly with each other in matters such as the ordering of school photographs; tickets for performances, enrichment activities and other instances.

A parent as defined in this policy has the right to receive progress reports and review pupil records of their children. If the parents are separated or divorced, progress reports will be sent to both parents at the addresses held in the school's records. This also includes information relating to attendance and exclusions, unless outside agency advice has been sought and it is felt that it would be detrimental to the child to communicate this information to the parent the child no longer resides with.

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

St Paul's CE Primary and Nursery School will follow the standard agreed procedure in the release of a child or children.

In the case of separated parents, St Paul's CE Primary and Nursery School will release a child or children to a parent or named contact, 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, and the parent to whom the child would normally be released has not consented, the following steps will be followed:-

 The Head Teacher, designated Deputy, Safeguarding Designated Lead or member of the Safeguarding 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 it will be recorded that permission was granted in this instance.

 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.

 St Paul's CE Primary and Nursery 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 St Paul's CE Primary and Nursery 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 will be notified immediately and the Local Authority notified.

2 Management of the Policy

The Head Teacher/Safeguarding Designated Lead(s) will familiarise themselves with this policy and ensure all Staff, Governors and Volunteers are aware of the procedures to follow should the need occur.
The policy will be made available to parents and published on our school website

Information Chart Type of Relationship	**Who has this relationship**	**Further information**
Parent	All natural parents, including those not married Anyone who has parental responsibility (see below) Any person who has care of a child (see below) Parents may be separated, but they are still a parent unless this is restricted by a court order. The school does not have the power to act on request of one parent to restrict another	All parents are entitled to a share in the educational decisions made around the child and the school must treat them equally Parents have equal rights to receive information from the school around the educational life of the child. However, there is an expectation that certain information will be communicated between the parents without involving the school (see policy for more details)
Parental Responsibility	Child‟s natural mother under all circumstances Child‟s natural father if married to the mother at the child‟s birth or, if not married, being on the child‟s birth certificate (from 01-02-2003 onwards) If not covered by the above, child‟s natural father who has established parental responsibility by legal means Another adult who has established parental responsibility by legal means e.g. adoption or a residency order A legally appointed guardian e.g. Local Authority named on a care order Being named on an Emergency Protection Order, although this usually limits the parental responsibility to taking reasonable steps to safeguard or promote the child‟s welfare	The information received by the school on admission detailing whether parents have parental responsibility for the child will be presumed to be correct unless an original birth certificate or court order is produced to the school proving otherwise Similarly information provided on the address(es) where the child resides will be presumed to be correct, unless a court order proving otherwise is provided to the school For more information on this subject go to https://www.gov.uk/parental-rights-responsibilities

Type of Relationship	Who has this relationship	Further information
Care of a Child	Any adult with whom the child resides and who looks after the child, irrespective of the blood or legal relationship. This can be shown by interaction with the school e.g. attending meetings, phone calls, being on the school record as involved with the child (in whatever capacity) Residence with the child where to all intents and purposes the person is part of the family Being married to the other parent Examples below will help establish this relationship Are they listed on school records? Does the school have contact details for them? Do they meet with teachers/attend parents‟ evenings? Have they been involved with the measures designed to improve attendance? Do they contact the school on behalf of the child when s/he is ill? Do they live with the child? How long has the school known of them being connected with the child? Does the adult bring/collect the child to/from school? Is the adult married to the parent of the child?	Having care of a child confers similar rights to those of a parent