



Separated Parents Policy

Approved by: Trust Chief Executive Officer **Date:** July 2023

Last reviewed on: July 2023

**Next review due
by:** July 2025

Introduction

This Trust 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.

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 defines a '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 (a person with whom the child lives and who looks after 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).

Head Teacher responsibilities

The Head Teacher holds responsibilities for the following, but these can be delegated to other members of staff as directed.

- Will ask parents or guardians for the names and addresses of all parents when they register a pupil.
- It is the duty of the Head Teacher 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 Head Teacher will ensure that names and addresses of all parents are forwarded to any school to which the pupil moves.
- The Head Teacher will ensure that details of court orders are noted in the pupil's record.

Parental responsibilities

- 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. We follow the Durham LA guidance on checking for 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 is saved on CPOMS and in the pupil file), 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.
- Where a Child Arrangements order is in place, the parents must supply the relevant school with a copy as soon as possible so that we are aware of the arrangements and abide by the court order. This is filed in CPOMS and in the pupil file.
- Cafcass can become involved in cases at the request of the court. We ask parents to let us know where this is the case so that we have the relevant information to support the child. More information for parents where can be found on [Parents and carers - Cafcass - Children and Family Court Advisory and Support Service](#)
- 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.
- When the school holds parent consultations, parents can attend together, or book separate appointments by arrangement.
- The Trust expects parents to communicate with each other regarding these arrangements.
- When parents separate, we ask that the school is informed so that our records can be updated accordingly for emergency contacts, collection arrangements and so on.

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 both parents, unless we have been informed otherwise
- 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.

Collecting a child from school

Where a separated parent has parental responsibility, and requests to take the child during or at the end of the school day, the resident parent will be contacted in order to ensure that parents are in agreement, providing a non-contact order is not in place.

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.

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.

More information about parental responsibility and issues relating to it can be found at [Understanding and dealing with issues relating to parental responsibility - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/understanding-and-dealing-with-issues-relating-to-parental-responsibility)