

ST MARY'S CATHOLIC PRIMARY SCHOOL

SEPARATED PARENTS POLICY



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Separated Parents Policy

1. Introduction

Everyone who is a parent has the right to participate in decisions about their child and receive information about the child.

St Mary's Catholic Primary School recognises that children from families whose parents are separated, or are undergoing separation, may go through traumatic changes during their time at the school. The school will make every effort to work with parents to promote the welfare of their child and provide information on how the school will support the child's emotional wellbeing.

A copy of the home/school agreement is in the pupil planner for parents to read and sign which outlines the responsibilities of both parents and school.

This policy has been created to try to minimise the impact on the child, to provide guidance to separated parents and to set out the steps that will be taken by the school. Unless there is a specific court order in place limiting an individual's exercise of parental responsibility, the school will ensure that parents are dealt with in an equal manner and in accordance with this guidance.

The school's paramount consideration in making decisions arising from this guidance will, of course, be the welfare of the child. The school will endeavour to help resolve problems that may arise between parents regarding their child's education, but will not become involved in conflict between parents.

This document is intended to set out general policy and guidance of working practice. In the event that a child's circumstances are not covered by the guidance contained in this policy, the school will endeavour to provide specific guidance related to those circumstances but cannot, of course, provide legal advice to parents. School may seek legal guidance themselves if the circumstances impact on the school.

St Mary's Catholic Primary School will also work to the guidance set out by DfE in the document, 'Understanding and dealing with Issues relating to Parental Responsibility'.

[Understanding and dealing with issues relating to parental responsibility - GOV.UK](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/61222/Understanding_and_dealing_with_issues_relating_to_parental_responsibility.pdf)
(www.gov.uk)

2. Definition of parent and rights

The school has a legal duty to work in partnership with parents regarding their child's education. Section 576 of the Education Act 1996 provides a wide definition of 'parent'. For the purpose of school educational provision, a 'parent' is defined as:

- All natural birth parents, whether they are married or not
- Any person who, although not a natural parent, has parental responsibility for a child or young person e.g. through adoption

- 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 irrespective of what their relationship is with the child, is considered to be a parent in education law).

Therefore, those parents with parental responsibility for a child or who 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)
- To participate in activities (e.g. elections for parent governors, attending school events etc)
- To give consent (e.g. school trips)
- To be involved in meetings concerning the child (e.g. participate in an exclusion procedure, appeal against admission decision, attendance panels).

3. Providing and recording relevant information

To ensure that when parents separate/divorce the child's best interests are supported, it is essential that relevant, up-to-date information and documentation is provided and recorded in a timely manner.

With this in mind, parents are requested to ensure that the school has the following information:

- The names, addresses, contact telephone number(s) and email address of all parents
- Written notification of any formal or informal residence/contact arrangement (with, where appropriate, relevant supporting documents e.g. copy of a court order)
- Notification (with a copy of any relevant documentation) of any court imposed restrictions relating to a parent's, or any other person's, contact with a child
- Written notification of any collection from school arrangements between a resident and non-resident parent
- Written notification of any relevant changes in family circumstances including any disputes regarding residence and contact or collection from school arrangements.

The school will ensure that:

- Confidentiality is maintained and that information is only shared to the extent that it is in the child's best interests to share that information
- Separated parent details will be updated annually (or immediately if new updated information is provided by parents in the interim), alongside other essential contact details
- The names and addresses of all known parents are included in pupil records and available to the pupils' teachers
- The details of any court orders are promptly noted in a pupil's record
- All formal and informal arrangements notified to the school relating to residence, contact and collection from school are promptly and accurately recorded.

4. Guidance on specific matters

i. School/Parent Communication

- All parents are entitled to equal access to all school information and are advised to download and install our Parent Hub app (free of charge). It is used to send out all information regarding parent's evenings, school photographs, updates from class teachers etc.
- The direct messaging service on the app is used to send reports and child-specific messages to all parents with parental responsibility.
- Parents can view attendance on the school app so should not need to contact the school to discuss absences when it is not their day.
- The pupil planner will be used to communicate messages from home to school and vice versa. The planner must stay with the child so that it can be used each day as a method of communication.
- The school will be available to discuss any issues by phone or meeting with both parents separately or together. This should be at a mutually convenient time agreed between the class teacher and parents. Discussions should not take place at the start/end of the day when staff are welcoming or dismissing children as this could compromise the safety of the children.
- The school will only communicate with the parent who has care of the child that day for any issue where they need to get in touch, for example, if the child is sick, had an injury, forgotten equipment etc. Where is not defined in the court order, the school will have a cut off time of 12:00pm to define who has care of the child. For our purposes, the parent who drops off will be defined as having care of the child until 12pm; thereafter it will be the parent who collects the child.

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ii. Parents' consultations

- The school will normally hold ONE appointment per child for parent's consultations where both parents are welcome. However, in exceptional circumstances, the school could make arrangements for separate appointments. Parents are asked to be mindful of the extra working time that this creates for teaching staff.
- The school expects parents to communicate with each other regarding these arrangements.

iii. Progress reports and pupil records

- Any parent has the right to receive progress reports and review pupil records of their child. Reports are sent as one paper copy and one email to parents with parental responsibility.

iv. Private Law Matters

- In the event that the parents are unable to agree with one another on decisions regarding their child's education, including but not limited to placement, participation in extra-curricular activities and providing consent, St Mary's Catholic Primary School will not provide any form of mediation, however we will signpost families onto the local Law Centre or Mediation Centre. Ultimately, however, disagreements between parents must be resolved by the parents, or in the final resort, the courts.

v. Collecting a child from school

- The school will try to ensure that a child is not released to a parent where this would be in breach of any court order. This relies on the parents making the school aware of the court order.
- It is the duty of both parents to co-operate in arrangements to collect their child from school.
- Where there is a disagreement about who is collecting the child that day, the school will not get involved or take sides. Parents are encouraged to abide by court orders in place.
- Where a parent has safeguarding concerns about their child when in the care of the other parent, and uses this as a reason not to stick to the arrangements set out in the court order, they should contact Starting Point for advice.
- When the parents have a shared care agreement, school staff will only communicate information about the child with the parent who has care that day. We will not share information with the parent who does not have care of the child that day. School will encourage parents to share information with each other via any court directed method. Where is not defined in the court order, the school will have a cut off time of 12:00pm to define who has care of the child. For our purposes, the parent who drops off will be defined as having care of the child until 12pm; thereafter it will be the parent who collects the child.
- When collecting the children from school, parents should refrain from negative behaviours that would directly impact their child's physical and emotional wellbeing and those around them.

vi. In school events

- Unless mutually agreed between the parents, only the parent who has care of the child that day will be allowed to attend school events such as assemblies, sports day, performances etc. Where is not defined in the court order, the school will have a cut off time of 12:00pm to define who has care of the child. For our purposes, the parent who drops off will be defined as having care of the child until 12pm; thereafter it will be the parent who collects the child.

vii. Obtaining consent

- If parental consent is required for visits/activities, the school will seek consent from the parent who has care of the child on the day of the event.
- If the school considers it necessary to seek consent from both parents but one parent declines to give this consent, the school will assume that consent has not been given.
- A leave of absence request must, if only signed by one parent, be accompanied by a letter of consent from the other parent if the absence involves more than 2 days out of school.

viii. Name changes

- Parents are responsible for resolving issues relating to any change of surname.
- Any change of known-as surname requires written consent of both parents. Any change of legal surname requires a change of name deed. The school needs to see the original copy of this deed before it can record the change of name.
- In the absence of joint consent, the parent wishing to change the child's name would need to obtain permission from the court to do so before the school can record any requested change.

5: Responsibilities of parents

We encourage parents to tell us at an early stage where there are changes in family dynamics to ensure that the right support is put in place for the child/children, recognising the sensitivity and maintaining the level of confidentiality.

Parents should not expect the headteacher, or any other member of staff, to be involved in or intervene in domestic disagreements regarding childcare, custody, contact arrangements or any other matter which does not directly involve educational or school attendance matters.

The headteacher or other members of staff will not be expected to provide witness statements or any other written or verbal evidence to be used in legal proceedings beyond factual information regarding education or attendance, such as a child's progress report.

When changes to court orders have been made it is the responsibility of the parents to ensure school have the most up to date information.

6: Roles and Responsibilities of the school and governors

School

The **School** will ensure that:

- all statutory elements of the policy are adhered to by members of staff, both teaching and administrative
- the list of separated parents is kept up-to-date to the best of school's knowledge
- all relevant information regarding a pupil's educational attainment and progress is made available to all parents
- the governing body is fully involved in decision-making processes that relate to any future amendments to the policy, and the governing body is advised on statutory requirements in order to make informed decisions.
- It is the responsibility of the headteacher to ensure that reference is made to this policy in other associated policies as they are updated, and, where changes are made to this policy, all other school policies and procedures are checked/ amended.
- In any event whereby the parents behaviours are appearing to impact upon the health, wellbeing and safety of a child, the matter will be referred to the Local Authority, via Starting Point, for advice. Should the concern be that the child is at risk of significant harm school may call 999.

Governing Body

The **governing body** will ensure that:

- parents are entitled to equal access to their child's educational attainment 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 and should not be asked to do so.
- the governing body will not become involved in separated families disputes
- it considers the advice of the headteacher when approving this policy and when reviewing schools' working practices

- any issues raised by parents are dealt with effectively and sympathetically, whilst mindful to the potential workload implications for the headteacher and school staff
- staff understand their role in ensuring this policy is adhered to

7: Mental health and wellbeing support

Where there are concerns for a child's emotional wellbeing, support can be provided for them in school. In order for children to access support from the Pupil Wellbeing Mentor a referral form must be completed and signed by at least one parent. Copies of the Nurture Policy and Parent referral form can be obtained from school website.

Parents are encouraged to contact school if have any concerns about their child's wellbeing. This should be done by contacting the class teacher or by emailing wellbeing@st-marys.derbyshire.sch.uk.

Parents are asked to refrain from attempting to discuss these issues during drop off and collection times. This is to ensure the safety of children as well as protect children's right to confidentiality by preventing anybody overhearing issues of a sensitive/private nature.

Parents who are struggling with the mental, emotional or practical aspects of co-parenting following divorce or separation may find support from the following organisations:

<https://parents.actionforchildren.org.uk/>

<https://www.nhs.uk/mental-health/children-and-young-adults/advice-for-parents/talk-to-children-about-feelings/>

<https://www.cafcass.gov.uk/grown-ups/parents-and-carers/divorce-and-separation/parenting-together/parenting-plan/?highlight=parenting%20plan>

<https://www.samaritans.org/>

<https://www.theelmfoundation.org.uk/>

<https://hallam-diocese.com/caritas/counselling>

8: Arrangements for Monitoring and Evaluation

A system of monitoring and evaluation will be carried out by the headteacher as part of the school's rolling programme of policy review, The headteacher will report the result of the evaluation to the governing body and recommend any policy changes as and when they become necessary.