



Separated Parents Policy

POLICY HISTORY (biennial)

Policy / Version Date	Summary of change	Governor adoption Date	Signed by the Chair	Next Review Date
1	Policy written using DfE guidelines by KC	16 th November 2023		Autumn 2024
2	Reviewed – no changes made.	21 st November 2024	Laura Bates	Autumn 2026



Separated Parents Policy

Schools have a legal duty to work in partnership with families and to involve all those with parental responsibility in their child's education (see Appendix A Guidance on Parental Responsibility). Schools must treat all parents equally unless a Court Order limits an individual's exercise of parental responsibility (DfE guidance). This obligation on schools continues even when family circumstances change, for example, relationships between parents break down. It is generally in the best interest of children if parents and schools can work together. Everyone who has parental responsibility has a right to receive information about the child. This is the case whether they live with the child or not. There is no requirement to inform one parent about communications with the other parent.

Research and experience have shown that separated parents can work well together in the best interests of their children and together can play a role in their children's education. However, we know that, when parents do not work together or in the best interests of their children, this can be traumatic for any child concerned and can have an impact on both the children and 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 school aims to support families whilst ensuring that the best interests of the child remain paramount.

The school is not generally a party to court orders which are in place in relation to the family. As such, the school is not responsible for enforcing orders of the court and individuals should seek their own legal advice in the event of any alleged breach of the terms of any order.

1. The School's Approach

Parents are entitled to share in the decisions that are made about their child and to be treated equally by schools.

The DfE's guidance on parental responsibilities, explains that individuals who have parental responsibility for a child have the right to:

- Receive information, such as pupil reports.
- Appeal against admission decisions.
- Ofsted and school-based questionnaires.
- Participate in activities, for example voting in elections for Parent Governors.
- Be informed if special educational provision is made for the child at the school.
- Be informed about meetings involving the child, for example, parent consultation evenings and a governors' meeting on the child's exclusion.

The Governing Body recognises 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.

2. School Communication

We recognise that, while the parents of some pupils may be divorced or separated, both have a right to be informed of, and involved in, their child's education. However, we expect that parents, whatever the nature of their separation, will do all they can to communicate with each other and share information from and for the school, for the benefit of their child. It is assumed that the parent with whom the child principally resides will keep the other parent informed. At Bickleigh Down CE (Aided) Primary School it is an expectation that parents (separated or not) will access as much information as possible from our school website (www.bickleighdown.co.uk).

From the website, parents can access the following information:

- Weekly newsletter
 - Copies of letters sent out to parents/carers
 - Headteacher's newsletter
 - Calendar showing school events for the year
 - Key school policies
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- Bickleigh Down CE (Aided) Primary School will maintain its open-door policy with all parents. The class teacher, SENCO, Deputy Headteacher and/or Head Teacher will be available by appointment to discuss any issues or concerns separated/divorced/ 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 Bickleigh Down CE (Aided) Primary School directly. ***Issues of estrangement are civil/private law matters and Bickleigh Down CE (Aided) Primary 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.
 - **Newsletters & general school updates** will be sent to all parents via email. These updates will contain all the main events within school, including; productions, sports days, parent's evenings, class trips, etc. We would expect parents to communicate these messages to each other as and when appropriate or to arrange with the school to ensure they are on the circulation list. This information is also available on the school website.
 - We will hold twice yearly **parent consultation** evenings. We would expect parents to communicate with each other regarding these arrangements. Bickleigh Down CE (Aided) Primary School will consider separate appointments but by prior agreements only or when a court order is in place restricting contact with both parents.
 - We expect that parents should liaise and communicate directly with each other in matters such as the **ordering** of school photographs; tickets for performances and other instances. Tickets for performances are allocated per family and not per parent. We expect parents to share these equally.
 - We expect that parents should liaise and communicate directly with each other in matters such as **payment** for school dinners, trips and clubs. Parents must then inform the office of who to contact should any queries arise.

- 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, unless otherwise arranged, one report will be sent home with the child. A second report is available for collection from the School Office. The office will send the second report to the non-resident parent if that parent sends a written request and a stamped address envelope.
- We would not expect to send emergency text messages to absent parents, which give information on cancelled activities and reminders.

We do, however, recognise that communication between parents is not always possible. If an estranged parent wishes to receive information from the school such as progress reports or attending parent/ teacher meetings, they should contact the school in writing with a specific request for separate communication:

- **Annual school reports as a hard copy (SAE supplied by the parent).**
- **Proof copies of any school photos (to be collected from the school office).**

Please notify the school in writing outlining the information you would like shared. For the annual report, a stamped addressed envelope should be provided. If you require copies of school photos, we ask that these are collected from the school office.

The interests of the child will always be paramount when deciding whether to accommodate a request from a separated 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 may consult with the Local Authority to obtain advice if there is 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.

3. Provision of Information

Day to day information about the child will normally be passed to the resident parent or the parent/person collecting the child from school that day. Individuals with parental responsibility are expected to liaise with each other in relation to such information.

4. Guidance for Headteachers on managing parental responsibility

The DfE's guidance also provides advice for Headteachers, who should:

- Ask parents or guardians for the names and addresses of all parents when they register a pupil.
- 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.
- Ensure that names and addresses of all parents are forwarded to any school to which the pupil moves.
- Ensure that details of Court Orders are noted in a pupil's record.

The information provided to the school when the child was enrolled 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 or addresses where the child resides will be presumed to be correct unless a court order proving otherwise is provided to the school.

5. Informing the School of a Change in Family Circumstances

We encourage parents to tell us at an early stage if there is a change in family circumstances, this would then need to be confirmed in writing (either letter or email).

Whenever possible, staff will be informed of such changes so that suitable support can be offered. The school will need to be provided with updated contact details, details of agreed arrangements for collecting children and contacts for emergencies. In particular, the school will need to be informed with which parent the child will be primarily resident i.e., who the child will spend more than half of their time living with (known in this policy as the 'resident parent'). Where any court orders are issued which are relevant to the child and the school, a copy of the order should be provided to the school as soon as possible.

6. Contacts

Unless there is a court order or the school has been notified in writing of alternative arrangements, the school will treat the resident parent as the school's main contact and the other natural non-resident parent (if they have parental responsibility and are known to the school) as the school's second contact. Any other person with parental responsibility shall be noted on the school's records in the alphabetical order of their surname unless the school is notified in writing or via the school's own data collection sheet.

The school will only accept alternative contacts or an alternative order of contacts which have been:

- agreed by all those with parental responsibility who are known to the school and notified to the school in writing, or,
- provided by way of a court order.

7. Court Orders

Upon receipt of any court order restricting access to a parent, the school retains the right to consult the Local Authority before taking immediate action. The school is only obliged to comply with an order if it is properly notified and has received a copy for its files, and only to the extent that it relates to the school. 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. Only a Court Order stating the arrangements is deemed to be valid; a letter from a solicitor is not sufficient.

8. Administration

It is the responsibility of the parents to inform Bickleigh Down CE (aided) Primary 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.

- Parents of children joining the school are required to bring in their child's birth certificate. This ensures children are joining the correct year group and also helps the school ascertain who has parental responsibility.
- The parent with residency is required to provide details of all persons with parental responsibility on the child's data sheet. These details include names, addresses, telephone numbers, and email. Parents are requested to update these data sheets using the SchoolComms App or by providing changes in writing to the school office.
- In cases where only one parent has signed the acceptance of a place and we hold no details of other persons with parental responsibility, the other parent will not automatically be consulted or receive information relating to their son/daughter.

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.

9. Collecting a child from school

Bickleigh Down CE (Aided) Primary School will follow the standard agreed procedure in the release of a child or children:

- Parents inform the school of any collection arrangements and changes.
- Staff will release children to the named adults on the agreed days.
- In the case of separated parents, Bickleigh Down CE (Aided) Primary School will release a child or children to a parent in accordance with any specific arrangements notified to the school in writing.

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 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 senior 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.
- Bickleigh Down CE (Aided) 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 Bickleigh Down CE (Aided) 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 notified.

10. Consent

Obtaining parental consent

As a school, we will obtain parental consent for some types of activities including those that are off-site. In the absence of a section 8 order to the contrary, there is no legal requirement for schools to obtain the consent of all "parents" before taking the child on an educational visit or off-site activity. Only a parent who has parental responsibility may give consent. Where more than one person has parental responsibility for a child, each of them may act alone and without the others in meeting that responsibility. Where the school needs a parental consent for off-site activity, the Headteacher will seek the consent of the resident

parent. Where the non-resident parent has asked the school to provide information about the child, the school should inform them that the resident parent has or has not given permission for their child to participate in extra-curricular activities and school trips. It is possible that one parent gives consent and other withholds it. The school should treat the situation as one in which parental consent has not been given to the child undertaking the activity in question.

In most cases, the school will accept consent or permission forms relating to the child from any person with parental responsibility for the child, whether or not they are the resident parent.

Where, in the reasonable opinion of the school, the issue requiring parental consent is likely to have a significant impact on the child, the school may require the consent of all those with parental responsibility for the child who are known to the school. Examples of the circumstances where joint consent is likely to be required include:

- withdrawal from sex education or religious education
- consent to undertake a school visit outside of the United Kingdom
- Removal from the school register

Consent to medical treatment

A person (such as a Headteacher) who does not have parental responsibility but, nonetheless, has care of a child may 'do what is reasonable in all the circumstances of the case for the purpose of safeguarding or promoting the child's welfare.' For example, it is clearly reasonable for the school to take a child who has been injured to hospital. However, the parents - including any non-resident parent who has asked to be kept informed of events concerning the child - should be informed as soon as possible. The power to dispense with the need to obtain prior consent from the child's parents is limited to genuine emergencies. The joint DfE/Department of Health guidance Managing Medicines in Schools and Early Year Settings explains the roles and responsibilities of employers, parents and carers and local health services. It provides guidance for all schools and early years settings on developing local policies on managing and administering children's medicines, and establishing safe and effective management systems, to support individual children with medical needs. No pupil at Bickleigh Down CE (Aided) Primary School will be given medication without his/her parent's written consent. The consent of one person with parental responsibility (normally the one who has arranged with the school for medicines to be administered to the child in school) is sufficient.

11. Requests for Change of Pupil Name Informal / known-by name

Where a pupil is deemed by the school to be of sufficient age or maturity and requests that their informal / known-by name is changed, then the school's records will be updated accordingly.

In all other cases, the school will require the written consent of all those with parental responsibility for the child who are known to the school to change the informal / known-by name of the child in the school's records.

The school will only change the child's legal name in the school's records on receipt of a change of name deed poll which has been enrolled with the court. This will require the agreement of all persons with parental responsibility.

12. Procedure for all staff to follow to ensure there is no breach of data protection

Should an un-named parent seek information or access to his/her child, the school will always inform the main carer of this to check Parental Responsibility and ensure no Court

Order is in place. For the avoidance of doubt, we will seek written confirmation from the main carer. Proof of identity of the non-resident parent will always be required in these cases. Disagreements between parents must be resolved between the parents and cannot be resolved by the school or local authority.

If a parent unknown to the school arrives at the school unannounced, asking for confirmation that children are at the school. We would say we cannot confirm information that children are in the school without documents proving the identity of the person asking. We would ask them to put their request in writing to the school together with photographic evidence (e.g., passport, driving licence) of their identity and proof of their parental role (e.g. birth certificate/proof of adoption etc). The resident parent would not be informed of the absent parent contacting the school by anyone other than the Headteacher who is under no obligation to do so.

Management of the Policy

The Head Teacher and Designated Safeguarding Leads 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 following documents have been taken into account in the production of this policy:

<https://www.gov.uk/parental-rights-responsibilities/what-is-parental-responsibility>

[Understanding and dealing with issues relating to parental responsibility - GOV.UK \(www.gov.uk\)](https://www.gov.uk/parental-rights-responsibilities/what-is-parental-responsibility)

The policy will be made available to parents and published on our school website.

Working with Separated Parents - Appendix A

Guidance on Parental Responsibility

In order to help us to look after your children whilst they are in our care, we are required to ask you to provide certain information, such as name of parents, address, contact details. We are also required to ask who has Parental Responsibility for your child. This is important because it allows us to be sure who has the right to make decisions about your child's education and medical treatment. However, we are aware that this is a very specific legal term and many of you may be unaware of how it is applied. Listed below is an explanation of who has parental responsibility so that you are able to provide us with accurate information.

- All mothers automatically have Parental Responsibility.
- If a child's parents were married at the time of the birth, both parents automatically have Parental Responsibility.
- For children born from the 1st of December 2003 where the father's name is on the birth certificate, the father and mother will both have Parental Responsibility.
- In all other cases, fathers are required to officially obtain Parental Responsibility.
- Parental Responsibility cannot be lost, except by legal adoption, although it does not guarantee contact.

Appendix B



Working with Separated Parents

At Bickleigh Down CE (Aided) Primary School, we are committed to working with families and understand the importance of continuing the relationship between school and parents who do not live with their child.

Please complete the form below and return to the School Office indicating how you would like to be kept informed about your child's education.

Contact Information

Name of parent:	
Name of child/children:	
Address:	
Telephone number/s:	
Email:	

Please indicate the best way to send information to you:

By post (please provide stamped address envelopes)

Collection from the school office

Please tick the information you would like to receive:

Newsletters (by email)

Parents' Evenings (by email)

Additional copies of end of year

Copies of SEN Support Plans

Proof copies of school photos (to be collected from the school office)

I confirm that I have parental responsibility

Signed:

Name: