

Stannington First School



Separated Parents Policy

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1. Definitions

1.1 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:

1.2 All natural parents, whether they are married or not.

1.3 Any person who, although not a natural parent, has parental responsibility for a child or young person.

1.4 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).

1.4.1 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.

1.4.2 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).

1.5 At Stannington First School we recognise that while some parents may be divorced or separated, both have a right to be informed of, and involved in, their child's educational progress.

2. Headteacher responsibilities

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

2.2. 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.

- 2.3.** The headteacher will ensure that names and addresses of all parents are forwarded to any school to which the pupil moves.
- 2.4.** The headteacher will ensure that details of court orders are noted in the pupil's record.
- 2.5.** Where the address of a non-resident parent is unknown, the headteacher will tell the resident parent that the non-resident parent is entitled to be involved in their child's education and request that information is passed on to them.

3. Parental Responsibility

3.1 In order to help us to look after children whilst they are in our care, Stannington staff are required at the admissions interview to ask parents to provide certain information, such as name of both parents, address, contact details etc. They are also required to ask who has Parental Responsibility for the child. This is important because it allows the school to be sure who has the right to make decisions about a child's education and medical treatment.

3.2 However, this is a very specific legal term and many parents may be unaware of how it is applied:

3.2.1 All mothers automatically have Parental Responsibility.

3.2.2 If a child's parents were married at the time of the birth, both parents automatically have Parental Responsibility.

3.2.3 For children born from the 1st December 2003 where the father's name is on the birth certificate, the father and mother will both have Parental Responsibility.

3.2.4 In all other cases, fathers are required to officially obtain Parental Responsibility.

3.2.5 Parental Responsibility cannot be lost, except by legal adoption, although it does not guarantee contact.

3.3 The information provided to school when the pupil was enrolled, detailing whether both parents have parental responsibility, will be presumed to be correct unless a court order or original birth certificate proving otherwise is provided to the school.

3.4 It is the responsibility of parents to inform the school when there is a change in the family's circumstances.

3.5 We will maintain our open door policy with all parents, and the class teacher and/or Head Teacher will be available by appointment to discuss any issues.

3.6 The school is under no obligation to inform the resident parent of the absent parent contacting the school. Any such information will be given at the discretion of the Head Teacher.

4. Court Orders

4.1 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.

4.2 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.

4.3 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.

4.4 Only a Court Order stating the arrangements is deemed to be valid; a letter from a solicitor is not sufficient.

5. School communications

5.1 The school recognises 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.

5.2 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.

5.3 It is assumed that the parent with whom the child principally resides will keep the other parent informed.

5.4 We would not expect to send emergency text messages to absent parents, which give information on cancelled activities and reminders.

5.5 All diary dates, Newsletters, and Head Teacher's letters are available on our website at:

<http://www.stannington.northumberland.sch.uk>

5.6 Class emails will be sent to both parents. Parents are responsible for providing a correct email address.

5.7 Occasionally paper letters are sent home with pupils and we expect parents to communicate these messages to each other as and when appropriate.

5.8 We would not expect to send emergency text messages to absent parents, which give information on cancelled activities and reminders.

5.9 Parents2teachers: A parent join code will be sent home – we expect parents to communicate this code to each other.

5.10 We will hold one parent's evening appointment per child, three times a year, where both parents are welcome and we expect parents to communicate with each other regarding these arrangements.

5.11 Where possible we would encourage both parents to attend school appointments. If this is not possible then we will, to the best of our abilities, offer alternative individual appointments.

5.12 We expect parents to liaise and communicate directly with each other in matters such as the ordering of school photographs; tickets for performances and other instances.

6. Progress reports and pupil records

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

6.2 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.

6.3 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 reports will be sent to both addresses.

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

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

6.6. 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 and participation in extracurricular activities, the school will arrange a meeting with all parents in order to assist the parents in resolving the situation.

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

6.8 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.

6.9 Disagreements between parents must be resolved between the parents and cannot be resolved by the school or local authority.

7. Collecting a child from school

7.1 The school will release children to parents in accordance with arrangements notified to the school.

7.2 If one parent seeks to remove the child from school in contravention of the usual arrangements and the parent to whom the child would normally be released has not notified the school of any change the following steps will be followed:

7.2.1 Where a separated parent, who has parental responsibility and no court order in place, wishes to take the child during or at the end of the school day, the resident parent will be contacted in order to ensure that they are in agreement with the arrangement.

7.2.2 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 orally

7.2.3 If the parent opposes the other parent wanting to take the child then the school will advise that without a court order we cannot prevent them from doing so.

7.3 In the event that the parent to whom the child would normally be released to cannot be reached, the Senior leadership / Head Teacher or staff member dealing with the issue will make a decision based upon all relevant information available to him/her.

7.4 During any discussion or communication with parents, the child will be supervised by an appropriate member of school staff in a separate room.

7.5 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.

8. Name changes

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

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

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

8.4 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 do so.

8.5 In circumstances where a name change has already been effected 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.