



St Mary's C of E (VA) Primary School

Working together
in an inclusive Christian environment
to allow every pupil to shine brighter and brighter.

St Mary's is an inclusive school where we believe that all people are of equal value, irrespective of their ethnicity, culture, religion, gender, ability or sexual identity. We recognise and respect differences.

Separated Parents Policy

This policy is GDPR compliant.

Date of issue: May 2017

Last reviewed/adopted: Spring 2024 (Ethos Committee)

Next review date: Spring 2027

Signed: _____

Date: _____

1. Introduction

Parental separation can lead to some parents becoming estranged from their child and losing contact with school altogether. When a parent loses contact with their child(ren), this can be traumatic for the child(ren) concerned, as they may worry about their parent's whereabouts and safety, and may blame themselves for relationship breakdown and loss of contact.

At St. Mary's C.E. Primary School, we aim to maintain contact with both parents in the best interests of their children. Research and experience indicate that whenever separated parents make a concerted effort to work well together and in partnership with school staff to support their child in their behaviour and learning, the negative impact on children's overall well-being and academic attainment can be reduced.

This policy aims 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.

2. Definition of "parent"

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 acting in *loco parentis* 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.

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:

- appealing against admission decisions;
- Ofsted and school-based questionnaires;
- participation in any exclusion procedure;
- attending parent meetings/school events;
- having access to school records and receiving copies of school reports, newsletters, invitations to school events, school photographs relating to their child and information about school trips.

The Governing Board recognises that while the parents of some pupils may be separated, divorced or estranged, they are still 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.

3. Parental responsibility

The information provided to the school when the child was enrolled detailing which adults 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 regarding the address(es) where the child resides will be presumed to be correct unless a court order proving otherwise is provided to the school.

4. Court orders

At St. Mary's, our sole wish is to promote the best interests of the child, working in partnership with all parents unless otherwise directed by a court order.

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 digital or paper copy for its files, and only to the extent that it relates to the school. Only a Court Order stating the arrangements is deemed to be valid; a letter from a solicitor is not sufficient.

In the event that the school is not informed of the existence of such an order, neither parent will have preferential rights.

5. Disputes and disagreements

Parents are encouraged to resolve contact issues without involving the school directly. The interests of the child will always be paramount when deciding whether to accommodate a request from an estranged parent.

St. Mary's staff will not attempt to mediate or resolve disagreements and disputes between parents. All disagreements and disputes should, wherever possible, be resolved between the parents and/or their legal representatives, rather than by the school or Local Authority.

If, however, 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, but separately if required) to assist the parents in resolving the situation.

6. Changes in family circumstances

In order to safeguard the welfare of children and maintain channels of communication between school and home we ask parents to inform the school office whenever something outside school – such as a change in family circumstances – occurs so that we can sensitively support the child in school.

Many children find parental separation difficult to cope with, especially in the first few weeks and months after one or both of their natural parents have left the family home. Children may struggle to manage their feelings and emotions and this, in turn may have a detrimental impact upon their concentration, attitude, behaviour and learning. Children's punctuality and attendance can also be adversely affected.

We expect parents to update the school office whenever emergency contact details change for one or both parents and/or there is a new arrangement for collecting children at the end of the school day.

We recognise the sensitivity of some situations and all staff are aware of the need for discretion and confidentiality. School staff will be informed on a strict need to know basis so that suitable support can be offered.

7. The release of child(ren)

The school will release children to parents in accordance with 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 Headteacher or designated deputy will meet with the parent seeking to remove the child and, in her/his 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 orally.
- In the event that the parent to whom the child would normally be released to cannot be reached, the Headteacher or staff member dealing with the issue may make a decision based upon all relevant information available to her/him.
- The Headteacher or staff member may have to refuse permission if consent cannot be obtained.
- During any discussion or communication with parents, the child will be supervised by an appropriate member of school staff in a separate room.
- 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 should be notified immediately.

8. Access to school information

All key school information is available on the St. Mary's website.

For parents who do *not* have access to the Internet, alternatively, paper copies of communications may be requested from the school office.

9. Communication between school and separated parents

Newsletters and general school updates are sent via Arbor to all parents for whom we have up-to-date contact details. These updates contain all the main class/school events, including productions, sports days, parents' evenings and class trips.

The school office is able to deal with separate requests for school photographs and tickets for performances made by separated, divorced or estranged parents who have parental responsibility.

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

In all circumstances, we aim to maintain our open-door policy with all parents. Class teachers and/or the Headteacher will be available by appointment to discuss any issues.

10. Parents' evening appointments

Whenever requested, we will offer separate parents' evening appointments for separated, divorced or estranged parents who have parental responsibility.

11. Written pupil reports

Any person who has parental responsibility for a child has the right to receive a written progress reports for their child(ren). These will be provided to separated, divorced or estranged parents who have parental responsibility and for whom the school has up-to-date contact details.

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>