

Beaucroft Foundation School & College



Separated Parents Policy 26

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Review term: Three years
School Lead: Mandy Guy
Linked Governor: Mary-Claire Boyd
Signed By: 

1. Separated Parents Policy

Aims of the policy

- 1.1. The school recognises that parental separation can be challenging for both parents and children. The school aims to support families whilst ensuring that the welfare of the child remains paramount.
- 1.2. This policy is designed to clarify to all parties what is expected from separated parents and what can be expected from the school and its staff.
- 1.3. Where there are any differences between this policy and any court order, the terms of the court order will prevail.

2. Who is a parent?

- 2.1. For the purposes of education legislation, the meaning of the term 'parent' has a meaning that is wider than its 'ordinary' meaning. It includes:
 - The child's biological parents;
 - Any other person who has parental responsibility for the child;
 - Any other person who has care of the child, that is a person with whom the child lives and who looks after the child. This may therefore include step-parents, grandparents, foster carers or other relatives who care for the child.
- 2.2. All persons meeting the above definition will be subject to the legal obligation that the child receives a suitable full-time education.

3. What is parental responsibility and who has it?

- 3.1. Parental responsibility is a legal term and means having all the rights, duties, powers, responsibilities and authority that a parent of a child has by law in relation to that child. Parental responsibility can be shared by a number of people who are able to act independently in respect of the child.
- 3.2. Parents married to each other at the time of a child's birth both have parental responsibility for that child.
- 3.3. If the biological parents of a child were not married to each other when the child was born, the mother automatically has parental responsibility but the biological father does not, unless he has subsequently acquired parental responsibility by registering the birth (after 1 December 2003), a parental responsibility agreement or court order.
- 3.4. Other persons may also acquire parental responsibility, generally following legal proceedings which result in residence orders, adoption orders or care orders being made (in the case of a local authority).

4. The school's approach

- 4.1. The school recognises that all parents have a legal right to participate in their child's education. Except as specified in this policy, the school will treat all parents equally.
- 4.2. As defined more specifically in this policy, all parents are entitled to be:

- Sent information by the school both of a general nature and in relation to the child;
 - Given the opportunity to participate in school activities e.g. vote in elections for parent governors;
 - To meet with school staff;
 - Told about meetings regarding the child.
- 4.3. Disputes between parents over the exercise of their parental rights need to be resolved between the parents concerned and/or the courts. It is not for the school to provide advice on domestic arrangements or become involved in parental disputes.
- 4.4. Whilst the school will seek to support the terms of any court orders of which it is aware, the school is not responsible for enforcing orders of the court. Individuals should seek their own legal advice in the event of any alleged breach of the terms of any order.

5. Informing the school of a change in family circumstances

- 5.1. We encourage parents to tell us at an early stage if there is a change in family circumstances, such as the separation of parents. Whenever possible, staff will be informed of such changes so that suitable support can be offered.
- 5.2. 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'). In cases where there is a half and half split, the school will use its best endeavours to ascertain the wishes of parents within the wider guidelines of this policy, recognising both as 'resident parents'. Day to day information will be shared as per 7.1 below.
- 5.3. 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

- 6.1. 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 biological non-resident parent as the school's second contact. Any other parent will be noted on the school's records in the alphabetical order of their surname.
- 6.2. 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. Provision of information

- 7.1. Day to day information about the child will normally be passed to the resident parent through home/school communication – usually book or planner. Parents are expected to liaise with each other in relation to such information. Where this is not possible, the school will do what it can to find a workable solution within this policy.
- 7.2. Parents may attend parent meetings together. Where this is not possible, parents should notify the school in reasonable time so that alternative arrangements can be investigated.
- 7.3. A copy of the annual written report of a pupil's progress and attainment in the main subject areas taught will be provided to the resident parent and any other parent who requests a copy of it.

8. Consent

- 8.1. 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.
- 8.2. Where, in the reasonable opinion of the school, the issue requiring parental consent is likely to have a long term and 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 residential visit.
- 8.3. Where the school has been asked to seek consent from both parents, we will assume that parental consent has not been given unless all parents agree. Such an approach ensures that the school has treated the views of each parent equally. The school will not become involved in any disagreement between parents but will suggest that where parents cannot agree, they seek independent legal advice about obtaining a court order setting out exactly what decisions each parent can make in respect of the child (a Specific-Issue or Prohibited Steps Order as appropriate).

9. Collection of children from school

- 9.1. The school will release a child to any person with parental responsibility, or a person authorised by them, unless alternative arrangements have been notified to the school or the school has safeguarding concerns about sending a child home with a particular parent/person. The school will only accept alternative arrangements which have been:
 - Agreed jointly 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.