

# Victoria Junior School

## Separated Parent Policy



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## Introduction

Part of Victoria Junior School's mission is to 'build positive relationships with pupils and their families so that they feel confident, safe and encouraged to grow as human beings'. This means that we aim to maintain contact with both parents and carers in the best interests of their children.

This policy therefore clarifies what is expected from separated parents and carers, and what can be expected from the school.

The basis of the advice within this policy is with regards to a child or children who has already been admitted to Victoria Junior School.

The person(s) with parental responsibility who applied for their child's admission to Victoria Junior School, should have involved all others with parental responsibility in making the decision to apply. They then should have provided the school with details of all those with parental responsibility through the Confidential Information Form (See Appendix).

Where this has not happened, then Victoria Junior School welcomes direct contact from those with parental responsibility providing their own details.

If parents and carers separate whilst at Victoria Junior School, the parents must notify the school immediately so that they can ensure continuing contact with both parents.

In the event that the parents have separated on an acrimonious basis, we will endeavour to accommodate each parent separately in terms of communications and any attendances at the School.

## Definition of 'Parent'

The definition of a 'parent' for school purposes is much wider than for any other situation. Section 576 of The Education Act 1996 defines a parent as:

- all biological parents, whether they are married or not
- includes any person who, although not a biological parent, has parental responsibility for a child or young person - this could be an adoptive parent, a step-parent, guardian or other relative
- any person who, although not a biological parent and does not have parental responsibility, has care of a child or young person.

A person typically has care of a child or young person if they are the person with whom the child lives, either full or part time and who looks after the child, irrespective of what their biological or legal relationship is with the child.

Victoria Junior School also uses the term 'carer' to define a person who has legal parental responsibility.

Parents and carers are entitled to share in the decisions about the child's education and to be treated equally by schools. In particular, these entitlements include, but are not limited to, the following:

- receiving copies of school reports
- having access to school records
- attending parent and carers consultations
- receiving newsletters
- invitations to school events
- information about school trips
- school photographs relating to their child
- participation in any exclusion procedure and

- dealing with any medical issues that arise and / or vaccinations that may be offered.

Victoria Junior School recognises that whilst 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 Court order.

If the parents are involved in proceedings before the Court directly relating to the child or children, the parents should seek the Court's permission to disclose the Court order(s) made to the school.

In addition, and should the Courts so require, Victoria Junior School will be willing to provide a letter setting out any information that is specified in a Court order.

## Parental Responsibility

Parental responsibility is defined in the Children Act 1989 and means the rights, duties, powers, responsibilities and authority that a parent has for their child. In addition to a child's natural parents, it can be acquired by Court order, being appointed a guardian, adopting a child or a formal agreement.

The information provided to Victoria Junior School when the child was enrolled detailing who has parental responsibility for the child, will be presumed to be correct unless a Court order or original birth certificate proving otherwise is provided.

Victoria Junior School is reliant on such information being provided as accurate and true. The information provided regarding the addresses where the child lives will be presumed to be correct unless the school is provided with a copy of a Court order setting out arrangements for where the child should live.

Every parent and carer with parental responsibility for a child has an equal right to be engaged with decisions regarding their education. Unless there is a Court order limiting an individual's exercise of parental responsibility, we will treat all parents equally and provide them with the same information.

Where contact has been limited by a Court order, the parent still has the right to receive information about the child and be involved in decisions regarding their education and welfare, unless a Court order restricts what information they can receive or removes their parental responsibility.

We will not remove a parent's contact details without such a Court order being in place or if a parent asks for their own contact details to be removed.

## Court Orders

At Victoria Junior School, our sole wish is to promote the best interests of the child, working in partnership with all parents and carers. If there is a Court order in place, we will always act in ways to ensure, as best it can, that no Court order is breached. We can only be expected to comply with an order if it is properly notified and have received a sealed digital or paper copy for our files, and only to the extent that it relates to the Victoria Junior School.

The School has no responsibility for enforcing any Court order, but will endeavour to ensure that if there are restrictions in place with regards to the collection of a child, such restrictions are adhered to.

In the event that the school is not informed of the existence of such an order, the parents will be treated equally by the school. If there is an order in place and neither the parents and / or carers inform the School, then if there is any breach of such order, the Victoria Junior School cannot be held responsible and / or liable.

## Disputes and Disagreements

Victoria Junior School hopes that parents and carers will support the school in working together for the benefit of their children.

It is very important to note that any dispute between parents sharing these rights will need to be resolved between them. In all cases where parents and / or carers cannot agree on various issues, parents should seek independent legal advice as to the options available to resolve those issues, either by agreement or by obtaining a Court order.

Parents should seek to resolve contact issues without involving Victoria Junior School, as we do not mediate, 'take sides' or act as an intermediary between parents who do not communicate with each other.

## Changes in Family Circumstances

We ask parents to inform us whenever something outside of school – such as a change in family circumstances – occurs so that we can sensitively support your child back in school.

We expect parents to update the School 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, in particular if there is any Court order that has been made.

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

## The Release of Child(ren)

Victoria Junior School will release children to either or both parents and carers. 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 Deputy Headteacher will meet with the parent seeking to remove the child and then 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.
- The school will record that this permission was granted.
- In the event that the parent to whom the child would normally be released to cannot be reached, the Headteacher or Deputy Headteacher dealing with the issue may make a decision based upon all relevant information available to them.
- The Headteacher or Deputy Headteacher may have to refuse permission if consent cannot be obtained.
- During any discussion or communication with parents and / or carers, the child may 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 will be notified immediately.

## Communication between School and Separated Parents

All communications are sent via email to all parents and / or carers for whom we have up-to-date contact details. These updates contain all the main class and school events, including parents' consultations, productions, sports days and class outings and events.

We are able to deal with separate requests for invitations to school events and performances made by separated, divorced or estranged parents who have parental responsibility. However, we would be grateful if parents could communicate directly on such matters if they can, although in some instances we recognise that this may not be possible should there be a Court order in place preventing the parties from contacting each other.

We will try to comply with requests; however, in certain circumstances, and as stated above, it will not always be possible, for example when a Court order preventing contact with the child or each other is in place.

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

## Parents' Consultation Appointments

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

## Written Pupil Reports

Any person who is known to Victoria Junior School to have parental responsibility for a child has the right to receive written progress reports for their child. These will be provided to separated, divorced or estranged parents who have parental responsibility and for whom we have up-to-date contact details.

## Change of Name

A parent or carer can only change their child's name (forename and / or surname) either by both parents providing a letter confirming such consent and bearing wet signatures, or by an order of the Court.

Unless either of the above are provided, the child will be known and addressed by their birth name as recorded on their birth certificate.

Victoria Junior School is under no obligation to do so, but they may effect an informal change of name if that is requested by the parent(s), for example through verbally addressing a child or their name on books, etc.

It is important to note that the school database, unless changed by an order of the Court, will reflect the child's name at birth. In addition, and as stated, any informal change of name addressing the child is at Victoria Junior School's complete discretion after we have taken into account all of the circumstances.

## Access to School Information

Key information is available on our school website. Parents and carers may also receive information via email.

For parents and carers who do not have access to the internet, paper copies of communications may be requested from the School.

## References

This policy takes into account the definition and explanations from the following documentation:

- Parental Rights and Responsibilities <https://www.gov.uk/parental-rights-responsibilities>
- Understanding and Dealing with Issues Relating to Parental Responsibility <https://www.gov.uk/government/publications/dealing-with-issues-relating-to-parental-responsibility/understanding-and-dealing-with-issues-relating-to-parental-responsibility#introduction>.
- The Education Act 1996 <https://www.legislation.gov.uk/ukpga/1996/56/contents>

For further guidance outlining what parental responsibility is and who can obtain it, please see <https://www.gov.uk/parental-rights-responsibilities>

## Appendix

### Confidential Information Form - Section 3: Parent / Carer Information:

Parental responsibility is defined by the Children Act (1989) as *“all the rights, duties, powers, responsibilities and authority which by law a parent has in relation to the child and his or her property”*. Parental responsibility can be shared between a number of people and it is **essential that schools know who has parental responsibility** for each child.

Married parents automatically have parental responsibility for their child. Both parents retain parental responsibility if they divorce. If parents are unmarried, the child's **mother** alone has parental responsibility. The father may acquire parental responsibility by jointly registering the birth of the child with the mother, obtaining a court order or by entering into a formal written agreement with the mother. **People who adopt children and guardians appointed by the court** also have parental responsibility. Other people (eg. step parents or relatives) may acquire parental responsibility by obtaining a **court order**.

**Please provide details of all people with parental responsibility for the child, listing contacts in order of priority.**

#### Contact 1 - Will be contacted first in an emergency

Title	
Forename	
Surname	
Gender	
Relationship to the child	
Home Number	
Mobile Number	
Work Number	
Email Address	

#### Contact 2 – Will be contacted second in an emergency

Title	
Forename	
Surname	
Gender	
Relationship to the child	
Home Number	
Mobile Number	
Work Number	
Email Address	

#### Contact 3 – Will be contacted third in an emergency



Title	
Forename	
Surname	
Gender	
Relationship to the child	
Home Number	
Mobile Number	
Work Number	
Email Address	

**Additional Contacts** – Please provide us with details of any other people you would like us to contact if we are unable to contact any of the people listed in this section

Title	
Forename	
Surname	
Gender	
Relationship to the child	
Home Number	
Mobile Number	
Work Number	
Email Address	

**Additional family members** – Please list the siblings and other children in your family

Surname	Forename	Year	School	Male / Female