

*Winchelsea*



*All Individuals Matter*

**WINCHELSEA PRIMARY SCHOOL**  
**RUSKINGTON**

**SEPARATED PARENTS POLICY**

September 2023

## **Part 1: Introduction**

Everyone who is a parent has the right to participate in decisions about their child and receive information about the child.

Winchelsea Primary school recognises that children from families whose parents are separated, or are undergoing separation, may go through traumatic changes during their time at the school. The school will make every effort to work with parents to promote the welfare of their child and expect parents to endeavour to do the same.

This policy has been created to help minimise any impact and to provide guidance to separated parents (as defined in part 2) and set out the steps that will be taken by the school.

Unless there is a court order in place limiting an individual's exercise of parental responsibility the school will ensure that parents are dealt with in an equal manner and in accordance with this guidance.

The school's paramount consideration in making decisions arising from this guidance will, of course, be the welfare of the child. The school will endeavour to ~~help resolve~~ support problems that arise between parents regarding their child's education but will not become involved in conflict between parents.

This document is intended to set out general policy and guidance of working practice. In the event that a child's circumstances are not covered by the guidance contained in this policy the school will endeavour to provide specific guidance related to those circumstances (but **as educators** cannot, of course, provide legal advice to parents).

## **Part 2: Definition of parent and rights**

The school has a legal duty to work in partnership with parents regarding their child's education. Section 576 of the Education Act 1996 provides a wide definition of 'parent'. For the purpose of school educational provision a 'parent' is defined as:

- All natural birth parents, whether they are married or not
- Any person who, although not a natural parent, has parental responsibility for a child or young person e.g. through adoption
- 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 irrespective of what their relationship is with the child, is considered to be a parent in education law).

Therefore, those parents with parental responsibility for a child or who care for a child have the same rights as natural parents. This includes the right:

- To receive information (e.g. pupil reports, attendance matters, school events etc)
- To participate in activities (e.g. elections for parent governors, whole school events or class parental invites)
- To give consent (e.g. school trips)
- To be involved in meetings concerning the child (e.g. parent consultation meetings, participate in an exclusion procedure, appeal against admission decision).

### **Part 3: Providing and recording relevant information**

To ensure that when parents separate/ divorce the child's best interests are met, it is essential that relevant up-to-date information and documentation is provided and recorded in a timely manner. With this in mind, parents are requested to ensure that the school has the following information:

- The names and addresses of all parents
- Written notification of any formal or informal residence/contact arrangement (with, where appropriate, relevant supporting documents e.g. copy court order)
- Notification (with a copy of any relevant documentation essential prior to actioning) of any court-imposed restrictions relating to a parent's, or any other person's, contact with a child
- Written notification of any collection from school arrangements agreed between a resident and non-resident parent
- Written notification of any relevant changes in family circumstances including any disputes regarding residence and agreed contact or collection from school arrangements.

The school will ensure that:

- Confidentiality is maintained and that information is only shared to the extent that it is in the child's best interests to share that information
- The names and addresses of all known parents are included in the admissions register and in pupil records and available to the pupils' teachers
- The details of any court orders are promptly noted in a pupil's record
- All formal and informal arrangements notified to the school relating to residence, contact and collection from school are promptly and accurately recorded.
- A 'separated parents' list is kept in the office and used to send specified information as requested on a regular basis (see Appendix 1)

### **Part 4: Guidance on specific matters**

#### **Parents' evenings**

- The school will normally hold one parents' evening appointment per child, where both parents are welcome. Parents should endeavour to attend these meetings together in the best interests of their child. Only in exceptional circumstances will the school try to make arrangements for separate appointments. Parents need to be mindful of the extra working time that this creates for teaching staff and should not expect this to be the norm.
- The school expects parents to communicate with each other regarding these arrangements accordingly. It is not school's responsibility to liaise between parties.

#### **Progress reports and pupil records**

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

- Where parents live at different addresses, progress reports will be sent to both parents if both addresses have been shared with the school. However, if not, the report will be sent to the parent living at the address noted in the school's records specifying where the child resides, with the expectation that he/she will share the report with the other parent. In many cases information is sent electronically and both email addresses should be provided and kept updated.
- 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.
- The school will send copies of the progress reports and other relevant information to a non-resident parent if that parent submits a written request (Appendix 1) to be added to our Separated Parents list.
- 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, participating in extra-curricular activities, and consent to evaluation and services, the school may arrange a meeting with all parents (preferably together) to attempt to assist the parents to resolve the situation. However, it is not school's responsibility to mediate in these matters and parents should not expect to involve school staff in such disputes. If parents cannot reach a mutual shared decision this may result in a child not being able to participate or access an offered service. Ultimately, disagreements between parents must be resolved by the parents, or in the final resort, through legal representative or law courts.
- Parents are entitled to equal access to all school information and are recommended to regularly use our website. It contains all back dated newsletters and has a range of information and links.
- The school will maintain its open-door policy with both parents and the class teacher will be available to discuss any issues by phone or a mutually agreed meeting.
- Where the address of a non-parent resident is unknown, the school will inform the resident parent that the non-resident parent is entitled to be involved in their child's education and ask that information is passed on to them where possible/appropriate.

### **Collecting a child from school**

- The school will ensure that a child is not released to a parent where this would be in breach of any court order.
- It is the duty of both parents to co-operate in arrangements to collect their child from school.
- Inappropriate behaviour between parents on school grounds will not be tolerated and may result in exclusion from the premises.

### **Obtaining consent**

- If parental consent is required for outings/activities, the school will seek consent from the resident parent unless the decision is likely to have a long-term and significant impact on the child or the non-resident parent has requested to be asked for consent in all such cases.

- In cases where the school considers it necessary to seek consent from both parents, it is possible that one gives consent and the other withholds it. In such cases, the school will assume that consent has **not** been given.

### **Name changes**

- Parents are responsible for resolving issues relating to any change of surname.
- Both parents must provide written/signed consent to the school for a change of name of a child to be recorded in the school records.
- In the absence of joint consent, the parent wishing to change the child's name would need to obtain permission from court to do so before the school can record any requested change.

### **School photographs and school events etc**

- Parents are required to liaise and communicate directly with each other in matters such as the ordering of school photographs, tickets for performances and other instances. The school will not deal individually with these requests in view of the significantly increased workload that they represent.
- Where parents are invited to attend events such as school plays where seating may be limited due to health and safety/ fire regulations parents should not expect additional 'tickets' to be made available. Priority is given to a child's parents only.
- If parents cannot attend events together without conflict and cannot reach an agreement then neither should attend. If conflict arises at an event between both parents they will both be asked to leave the premises. If necessary police may be called to attend.
- The Governing board 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 and should not be asked to do so.**

### **Part 5: Responsibilities of parents**

Parents should not expect the Headteacher or any other member of staff to be involved in domestic arguments regarding childcare, custody, contact arrangements or any other matter which does not directly involve educational or school attendance matters. The Headteacher or other members of staff will not be expected to provide witness statements or any other written or verbal evidence to be used in legal proceedings beyond factual information regarding education or attendance, such as a child's progress report.

### **Part 6: Roles and Responsibilities of Head, other staff and governors**

#### **Headteacher**

The **Headteacher** will ensure that:

- all statutory elements of the policy are adhered to by members of staff, both teaching and administrative

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- the list of separated parents is kept up-to-date to the best of school's knowledge
- all relevant information regarding a pupil's educational attainment and progress is made available to all parents
- the governing body is fully involved in decision-making processes that relate to any future amendments to the policy
- the governing body is advised on statutory requirements in order to make informed decisions.

It is the responsibility of the Headteacher to ensure that reference is made to this policy in other associated policies, and, where changes are made to this policy, all other school policies and procedures are checked/ amended.

### **Governing body**

The **governing body** will ensure that:

- it considers the advice of the Headteacher when approving this policy and when reviewing school's working practices
- any issues raised by parents are dealt with effectively and sympathetically, whilst mindful to the workload of the Headteacher and school staff
- ensure that staff understand their role in ensuring this policy is adhered to

### **Part 6: Arrangements for Monitoring and Evaluation**

A system of monitoring and evaluation will be carried out by the Headteacher in conjunction with all staff as part of the school's rolling programme of policy review, The Headteacher will report the result of the evaluation to the governing board and recommend any policy changes as and when they become necessary.

**Working with separated parents.**

Request for addition to the school's Separated Parents list

Winchelsea Primary school is committed to working effectively with families and understands 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's office indicating how you would like to be kept informed about your child's education.

Name of parent:

Name of child/children

Telephone number(s):

Email:

Please indicate the best way to send information to you:

I would like to receive information by child/ by post\* (delete as applicable)

The following information will be provided for you automatically by registering your details with this form:

- Monthly school newsletter and termly class newsletter
- Parents' evening information
- Additional copies of progress reports and end of year reports
- Copies of Individual Education Plans (IEPs) if appropriate for your child's needs

Any other letters can be found on the school website for parents to access and download as required.

Signed.....