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THE DEANES

SEPARATED PARENTS POLICY



Contents:

Statement of intent

1. Legal framework
2. Definition of a parent
3. Parent entitlement & court Orders
4. Change in parental responsibility
5. Progress reports
6. Pupil records
7. Access to pupils during the school day
8. Arbitration
9. Policy review

Statement of intent

At The Deanes, 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.

Research and experience have shown that separated parents can become estranged, especially during the initial stages of the split. This is very often traumatic for any children concerned and unfortunately these personal family problems can have an impact on the schools the children attend.

The aim of this policy document is 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.

Signed by:

_____ **Headteacher** **Date:** _____

_____ **Chair of governors** **Date:** _____

1. Legal framework

1.1. This policy has due regard to statutory legislation and guidance, including, but not limited to, the following:

- Education Act 1996
- Children Act 1989
- The Education (Independent School Standards) Regulations 2014
- Children and Families Act 2014
- DfE (2016) Keeping Children Safe in Education
DfE (2016) Understanding and dealing with issues relating to parental responsibility

2. Definition of a parent

2.1. 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, eg a legally appointed guardian or the Local Authority named in a Care Order;

3. Parent entitlement & court orders

- 3.1. Parents, as defined above, are entitled to share in the decisions that are made about their child and to be treated equally by the school.
- 3.2. In accordance with DfE guidance, all adults with parent rights will receive invitations to participate in statutory activities (for example, voting in elections for parent governors) and communications regarding important meetings and decisions.
- 3.3. The Local Governing Body recognises that while the parents of some pupils may be divorced or estranged, 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.
- 3.4. When there is not consensus between separated parents, the school will follow the published guidance, exercising discretion where necessary, and make judgements based on the circumstances known to it.
- 3.5. The information provided to the school when the child was enrolled detailing whether parents 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.

- 3.6. The information provided on the address(es) where the child resides will be presumed to be correct unless a court order proving otherwise is provided to the school.
- 3.7. Upon receipt of any court order restricting a parent's access to their child, the school retains the right to consult other authorities before taking immediate action.
- 3.8. 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.
- 3.9. The school has no responsibility for enforcing a court order.
- 3.10. In the event a school is not informed of the existence of such an order, parents will be treated on the same basis.
- 3.11. If a court order is revised and the school is not informed, the school is entitled to act on the basis of the preceding court order.
- 3.12. Parents are encouraged to resolve contact issues without involving the school directly.
- 3.13. The interests of the child will always be paramount when deciding whether to accommodate a request from an estranged parent.

4. Change in parent responsibility

- 4.1. It is the responsibility of the parents to inform the school when there is a change in family circumstance. Whenever possible, staff will be informed of such changes so that suitable support can be offered. The school will, however, recognise the sensitivity of some situations and maintain the level of confidentiality requested by parents as far as possible
- 4.2. It is recommended that parents regularly use the school's website – it contains all back dated newsletters and has a range of information and links. Parent Bulletins and other information will be sent to all parents and will also be posted on the school's website. The school calendar is available on the school's website; this gives the dates of all the main events within school, including productions, sports days, parents' evenings, class trips, etc.
- 4.3. Occasionally letters are sent to individual classes. These are paper copies only and the school expects parents to communicate these messages to each other as and when appropriate.
- 4.4. The school will hold one parents' evening appointment per child, where all parents are welcome. Parents are expected to communicate with each other regarding these arrangements. The school will only consider separate appointments if there is a court order in place restricting parents attending the same appointment.
- 4.5. The school expects that parents will 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.

5. Progress reports

5.1. Every parent has the right to receive Annual Reports. The Deanes may also choose to provide parents with Interim Assessment Reports. If parents are separated or divorced, progress reports will be sent to the parent with whom the child is principally resident (at the address held on the child's school record), with the expectation that he/she will share the report with the other parent. If the child is subject to a joint residence order and the school's records formally indicate that the child resides at two addresses, then progress reports will be sent to both addresses.

5.2. The school will send copies of reports to a parent with whom the child does not reside only if that parent submits a written request and there is no restrictive court order in place.

6. Pupil records

6.1. As an Academy, the school is subject to the ICO's guidelines on Subject Access requests.

6.2. Parents may not make a Subject Access Request on behalf of their child without their permission. The school therefore requires parents to provide written and signed permission from their child in order to obtain a copy of the child's pupil record.

7. Access to pupils during the school day.

7.1. 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 his/her 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 cannot be reached, the Headteacher or staff member dealing with the issue may make a decision based upon all relevant information available to him/her, including establishing the preference of the child.

- The Headteacher or staff member may choose to refuse permission if consent cannot be obtained from the other parent and/or the child declines.
- 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, such as 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. Arbitration

- 8.1. Disagreements between parents must be resolved by the parents or their intermediaries; they cannot be resolved by the school.
- 8.2. 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, participation in extra-curricular activities, and consent to evaluation and services, the school will arrange a meeting with all parents (preferably together, or separately if required) to attempt to assist the parents to resolve the situation and if it cannot be resolved within the school, the parents will be responsible for seeking alternative arbitration.
- 8.3. The school will maintain its open door policy for all parents, unless there is a restrictive court order. The Tutor, Director of Key Stage and/ or Deputy Headteacher will be available by appointment to discuss any issues.
- 8.4. The school encourages all parents to initiate contact by email to ensure any concern is raised with the most appropriate member of staff.

9. Policy Review

- 9.1. This policy will be reviewed every 3 years.