



## Working with Separated Families Policy

Schedule: Bi Annual	
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<b>Reviewed:</b> 18.10.2022	Steering Sub-Committee
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## Policy Statement

At St George's CE Primary School we recognise that while some parents may be divorced or partners have separated, both may have a right to be informed of, and involved in, their child's educational progress. We recognise that this can be a difficult situation and our main aim is not to put any additional stress on the children concerned, whilst ensuring that the school does not become caught in the middle of two parties with differing views. If this becomes the case, then the school will take legal advice from the local authority and any other professionals, such as CAFCASS, who may be involved. Supporting the child is paramount.

Evidence shows that after separation children do best when those around them cooperate, provide stability, and avoid conflict. We understand that this can be difficult and parents can become estranged. The child is our main priority and our aim is to work with all parties to promote positive family involvement. This policy clarifies what is expected from separated parents, the school and its staff.

This policy will apply unless the school is made aware of any Court Orders in place and has a copy of the documentation as confirmation. Parents and partners may need to check on who has official parental responsibility and provide evidence of this. We will ask for **sight** of a child's birth certificate on joining the school to confirm parental responsibility.

## School Aims

We aim for our children to

- Reach their full potential
- Develop a positive self-image
- Be responsible and make informed choices

We

- Provide a supportive and caring environment
- Promote high achievement
- Encourage independent learning

This policy is designed to ensure effective contact and liaison with separated families, which will help us to achieve our aims.

## Introduction

The policy aims to show how staff at St George's CE Primary will continue to work with families, in the best interests of children, after parents separate.

Schools have a legal duty to work in partnership with families and to involve all those with parental responsibility in their child's education (see Appendix Guidance on Parental Responsibility).

Schools must treat all parents equally, **unless a court order limits an individual's exercise of parental responsibility, (DfE guidance) or the school is made aware from a court or another informed professional that it would be detrimental to the child.**

This obligation on schools continues even when family circumstances change, for example, relationships between parents break down. It is generally in the best interest of children if parents and schools can work together.

Everyone who has parental responsibility has a right to receive information about the child. This is the case whether they live with the child or not. There is no requirement to inform one parent about communications with the other parent.

### **Rights of those with parental responsibility**

The DfE's guidance on parental responsibilities, referred to above, explains that individuals who have parental responsibility for a child have the right to:

- Receive information, such as pupil reports
- Participate in activities, for example voting in elections for parent governors
- Be informed about meetings involving the child; for example, parent consultation evenings and a governors' meeting on the child's exclusion
- Information about upcoming events provided
- Newsletters

### **Guidance for Headteachers on managing parental responsibility**

The DfE's guidance also provides advice for Headteachers, who should:

- Ensure that names and addresses of all parents, where known, are included on the electronic SIMS register and also in pupil records and are available to the pupil's teachers
- Ensure that names and addresses of all parents are forwarded to any school to which the pupil moves
- Ensure that details of court orders are noted in a pupil's record
- Where the address of a non-resident parent is unknown, tell 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.

### **Name changes for child/ren**

There must be the consent of both parents after divorce or separation for a change in name of a child or children.

A separated parent who has parental responsibility but no longer lives with the child may refuse to consent to changing the child's surname. In such a case the parent wishing to change the child's name would need to apply to the courts for permission to do so.

Before registering a change of name, schools need to ensure all those with parental responsibility have consented.

### **What the schools expect from parents/carers**

Parents of children joining the school are asked to bring their child's birth certificate. This ensures children are joining the correct year group and also helps the school ascertain who has Parental Responsibility.

Both parents are legally entitled to collect their child from school unless a court order is provided that states otherwise. In all cases, the school will be mindful of its safeguarding responsibilities and may use its discretion not to send a child home with a particular parent.

Where an absent parent has parental responsibility and there is no court order in place, the school is required to allow the child home with them; however the Headteacher is able to use their discretion and would seek clarification if it was felt there was a child protection issue.

Parents who have joint custody of the child/ren are requested to keep the school informed, in writing, of any disputes they have with each other regarding the collection of children.

We expect parents to liaise and communicate directly with each other in matters such as, absences, the ordering of school photographs; tickets for performances and other instances.

Where there is a court restraining order in place, a copy needs to be retained by the school, which will put in place measures to ensure the child is not released to a named individual.

Leave of absence request forms signed by one parent must be accompanied by a letter of consent from the other parent.

We would not expect to send text or email messages to absent parents, which give information on cancelled activities and reminders unless we are asked in writing to do so.

The welfare of the child is at the heart of all we do and the Headteacher and Governors maintain the right to discontinue any of the above if it is deemed to be significantly against the child's best interests. Court orders may also alter the position the school adopts.

### **Parental responsibility**

This requires you to ensure that your child receives the best care possible within the family unit.

Parental responsibility means:

- Providing your child with a name
- Offering a secure home
- Providing your child with good discipline
- Playing an active role in their education
- Deciding how your child receives medical attention
- Nominating a guardian for your child, if necessary

### **School responsibility**

It should be noted that St George's CE Primary School will:

- Send routine school information, such as school trips, to the parent with whom the child lives. In the case of shared access, this will be sent to the parent with whom the child lives for the majority of the time
- Need to be informed as to the people we may call on in the event of an emergency, these will be called in the sequence recorded on the electronics SIMS system
- Need to be informed as to who is able to give messages to the school regarding the child's welfare, such as a change in travel arrangements or collection for medical appointments, this may include new partners
- Only accept one request for an appointment at Parents/Carers' Evenings and other Parent Information Evenings unless there are exceptional circumstances. It is only realistic for teachers to discuss the child once at Parents' Evening. We hope parents can make amicable arrangements to accommodate this
- Encourage children to be organised, in terms of having PE kits, reading books, homework etc in the right location to bring into school

- Our responsibility is to inform parents of their child's progress and any issues which may arise. However, the school will always have the right to refuse entry or enter into any communication with parents who are abusive and use inappropriate language or aggressive behaviour towards any member of staff.

**(Suggested procedure) for all staff to follow to ensure there is no breach of data protection.**

**On answering the telephone**

If asked if a child/ren are registered in the school, (in the case of a known absent parent or parent the school staff has never met)

"I am sorry we cannot disclose information about children over the phone. If you would like to request information please write to the school. You will be asked to provide photographic proof of your identity (eg passport, driving licence) and proof of your relationship to the child/ren. Please also include a copy of one of the following documents:

Child's birth Certificate  
Marriage certificate  
Parental Responsibility Agreement.

This procedure should be visible in the school office to ensure the correct information is given.

If the children are not in the school we will give the same answer as above.

If we have met the parent, who is now no longer living with the family and he/she requests information, we ask them to complete the form in Appendix B.

**In person**

If a parent unknown to the school arrives at the school unannounced, asking for confirmation that children are at the school. We would say we cannot confirm information that children are in the school without documents proving the identity of the person asking. We would ask them to put their request in writing to the school together with photographic evidence (eg passport, driving licence) of their identity.

The resident parent would not be informed of the absent parent contacting the school by anyone other than the Headteacher who is under no obligation to do so.

## **Working with separated parents - Appendix A**

### **Guidance on Parental Responsibility**

In order to help us to look after your children whilst they are in our care, we are required to ask you to provide certain information, such as name of parents, address, contact details etc. This is kept on the schools' SIMS. We are also required to ask who has Parental Responsibility for your child. This is important because it allows us to be sure who has the right to make decisions about your child's education and medical treatment. However, we are aware that this is a very specific legal term and many of you may be unaware of how it is applied. This leaflet aims to provide you with an explanation of who has parental responsibility so that you are able to provide us with accurate information.

- All mothers automatically have Parental Responsibility.
- If a child's parents were married at the time of the birth, both parents automatically have Parental Responsibility.
- For children born from the 1st December 2003 where the father's name is on the birth certificate, the father and mother will both have Parental Responsibility.
- In all other cases, fathers are required to officially obtain Parental Responsibility.
- Parental Responsibility cannot be lost, except by legal adoption, although it does not guarantee contact.

(If you would like further guidance, there is clear information on the government website <https://www.gov.uk/parental-rights-responsibilities>)