



Separated Parents Policy

Purpose

This policy clarifies what is expected from separated parents and carers, the school and its staff.

Rationale

At Yardley Primary School we have a legal duty to work in partnership with families and to involve all those with parental responsibility in their child's educational progress. 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 and do not work together or in the best interests of their children, especially during the initial stages of their separation. This is very often traumatic for any child concerned where personal family problems can have an impact on both the children and the schools the children attend.

Aims

Whether the students in our care are members of families where parents have separated before they came to the school or if they have gone through changes in family circumstances during their time at Yardley Primary School, our aim is to work with all parties to promote positive family involvement. The child is our main priority and we hope parents will make every effort to recognise this and support us and their child.

Parental Responsibility

In order to help us to look after children whilst they are in our care, Yardley staff are required at the admissions stage to ask parents to provide certain information, such as name of both parents, address, contact details etc. They are also required to ask who has Parental Responsibility for the child. This is important because it allows the school to be sure who has the right to make decisions about a child's education and medical treatment. However, this is a very specific legal term and many parents may be unaware of how it is applied:

- 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, but does not guarantee contact.



The information provided to school when the pupil was enrolled, detailing whether both parents have parental responsibility, will be presumed to be correct unless a court order or original birth certificate proving otherwise is provided to the school.

It is the responsibility of parents to inform the school when there is a change in the family's circumstances. We need to be kept up to date with contact details, arrangements for collecting children and emergencies.

Parents as defined above are entitled to share in the decisions that are made about their child and to be treated equally by schools. In particular, these entitlements include:

- Appeal against admission decisions;
- Ofsted & school based questionnaires;
- Participation in any exclusion procedure;
- Attendance at parent meetings/school events;
- Access to school records and copies of school reports, newsletters, invitations to school events, school photographs relating to their child and information about school trips.

This entitlement cannot be restricted without a specific court order. The school does not have the power to act simply on the request of one parent to restrict another. The school will not seek to make judgements about individual circumstances but will treat both parents equally unless there is a specific ruling in existence. Staff will never pass judgement on either parent to the child. We will maintain our open door policy with all parents, and staff will be available by appointment to discuss any issues.

The school is under no obligation to inform the resident parent of the absent parent contacting the school. Any such information will be given at the discretion of the Head Teacher.

Responsibilities of parents

- 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.
- It is the responsibility of parents to inform the school when there is a change in the family's circumstances. The school needs to be kept up to date with contact details, arrangements for collecting children and emergencies.
- The information provided to school when the pupil was enrolled, detailing whether both parents have parental responsibility, will be presumed to be correct unless a court order or original birth certificate proving otherwise is provided to the school.
- We expect parents to liaise and communicate directly with each other in matters such as the ordering of school photographs; tickets for performances and other instances. However, in some cases we will send an order form to the non-resident parent.



- If parents cannot make amicable arrangements to attend parents' evening together then arrangements for separate Parents' Evening appointments can be made.
- The parent with whom the child resides (the main carer) is responsible for making all payments to the school for dinners and educational visits. The school will not pursue the non-resident parent for payments.
- Parents will email the school office arrangements for collection of their child and notify the school if there are any last minute changes. In some cases, the school will need to check with the parent who was not due to pick up if the change is agreeable. Anyone who is to pick up a child should be listed on the contact form.

Responsibilities of the school

- The school will send routine school information, general letters and newsletters to the parent with whom the child resides. In the case of shared access, this will be sent to the parent with whom the child resides for the majority of the time.
- All the above information; diary dates, newsletters, and general letters are also available on our website at www.yardleyprimary.co.uk and also available on the school APP (available visiting the usual app stores and searching 'School App for Parents' and selecting 'Yardley Primary')
- Both parents are entitled to receive progress reports. 2 copies of the Progress report will be sent to the parent with whom the child resides with the expectation that he/she will share the report with the other parent. The school will email copies of the progress reports to the non-resident parent if a written request is submitted.
- 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 extracurricular activities, flu vaccination and consent to evaluation and services, the school in situations like this, school will act as though consent **has not been given** if both parents don't agree. A letter will be sent outlining the school's decision and giving the opportunity for parents to change their view and notifying us in writing.
- In case of an accident or emergency, we will phone the parent with whom the child mainly resides (or the priority phone number held on our system; or the parent with whom the child is residing on that day if we hold that information) although of course, depending on the severity of need and other constraints on staff time, we would try and contact both parents
- In any event whereby the parents being estranged is appearing to impact upon the health, wellbeing and safety of a child the matter will be referred to the Local Authority safeguarding team for advice.
- Issues of estrangement are civil/private law matters and Yardley Primary School cannot be involved in providing mediation, helping an estranged parent to communicate with their child or children, or using the school premises for purposes of contact.



- Parents will be encouraged to resolve any issues around estrangement, contact and access to information without involving Yardley Primary School directly.

Contact Arrangements

- Where there are issues over access to children, any adult with parental responsibility for the child should contact the school immediately to discuss these
- Court orders preventing an individual's access to a child or detailing contact arrangements which could involve the school should be provided to the school immediately any are issued. These will be shared with all relevant staff so we can monitor these
- The interests of the child will always be paramount when deciding whether to accommodate a request from an estranged parent. We recognise that a Court Order can restrict a parent in having contact/access to information and we may be bound by this. In this situation we may consult with the Local Authority safeguarding team to obtain advice if there is a safeguarding concern.
- Where there is a court restraining order in place, the school will put measures in place to ensure the child is not released to a named individual
- Where a separated parent has parental responsibility but is not the parent with whom the child usually resides and there is no court order in place, the school is required to allow the child home with him or her; however, the Head teacher (or designated safeguarding lead) is able to use discretion (in the case of an unexpected or unusual request) and would seek clarification from the resident parent before allowing the child to leave the premises
- Should a parent (unnamed on the child's data sheet and therefore parental responsibility unknown to the school) seek information or access to his/her child, the school will provide no information or access and inform the resident parent of this to clarify the situation

Collecting a child from school

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 usual arrangements and the parent to whom the child would normally be released has not notified the school of any change the following steps will be followed:

- Where a separated parent, who has parental responsibility and no court order in place, wishes to take the child during or at the end of the school day, the resident parent will be contacted in order to ensure that they are in agreement with the arrangement. 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. If the parent opposes the other



parent (who would not normally pick up on this day) wanting to take the child, then the school will advise that without a court order we cannot prevent them from doing so.

- In the event that the parent to whom the child would normally be released to cannot be reached, the Head Teacher or staff member dealing with the issue will make a decision based upon all relevant information available to him/her.
- During any discussion or communication with parents, the child will be supervised by an appropriate member of school staff in a separate room if necessary.
- 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 should be notified immediately.

As a school we understand that issues around family breakdown and separation can be fraught. However, we expect parents to be courteous and respectful at all times in their dealings with school. We believe that this policy clearly sets out the position of the school.

The school will always reserve the right to refuse entry or enter into communication with parents who are abusive and use inappropriate language or aggressive behaviour towards any member of staff.

Management of the Policy

The Head Teacher/Designated Safeguarding Officer(s) will familiarise themselves with this policy and ensure all Staff, Governors and Volunteers are aware of the procedures to follow should the need occur.

The policy will be made available to parents and published on our school website.

Date: January 2022

This policy should be read in conjunction with:

- Child protection and Safeguarding Policy
- Children Missing from Education Policy
- Staff Code of Conduct