



Sheffield Lower School Working with Separated Parents Procedure

Written by	Reviewed and Ratified by Governors	Shared with Staff	Last Updated	Review cycle	Next Review due
Julia Parry Designated Safeguarding Lead	February 25	March 25	November 21	3 years	January 28

Statement of Intent

At Sheffield Lower School, we aim to maintain contact with both parents in the best interests of their child(ren). This policy aims to minimise any impact and to clarify to all parties what is expected from separated parents and what can be expected from the school.

1. Legal Framework

- a. This procedure takes into account the government's explanation of Parental rights and responsibilities and the Department for Education's (DfE) guidance Understanding and dealing with issues relating to parental responsibility
- b. Government guidance outlines what is parental responsibility and who can obtain it.

1. Parental responsibility

1.1 This is defined within the Children Act 1989

1.2

- 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;
- 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;
- 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;

1.3 The person(s) with parental responsibility who applied for the child's admission should have involved all others with parental responsibility in making the decision to apply. They should have provided the school with details of all those with parental responsibility for a child.

1.4 Where this has not happened, the school welcomes direct contact from those with parental responsibility providing their own details. However, the School cannot be held responsible for excluding a parent or person with parental responsibility if the information has not been provided to them.

1.5 If parents separate whilst their child already attends the School, the parents must notify the School immediately so that the School can ensure continuing contact with both parents and, in the event that the parents have separated on an acrimonious basis the School will endeavour to accommodate each parent separately in terms of communications and any attendances at the School.

2. Definition of “parent”

2.1 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 stepparent, 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.

2.2 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. For example, this may be a foster carer or family and friend's carer who do not have parental responsibility but have been delegated the responsibility for taking day-to-day decisions about the child.

2.3 Parents, as defined above, 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 meetings
- 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.

2.4 The 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(ren), 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, the school will be willing to provide a letter setting out any information that is specified in a Court order.

3 Court Orders

3.1 Parents are expected to provide the school with a copy of a court order as early as possible into the order.

3.2 At Shefford Lower School our sole wish is to promote the best interests of the child, working in partnership with all parents and/or those with parental responsibility as well as any professionals involved with the family

3.3 If there is a Court order in place, the school will always act in ways to ensure, as best it can, that no Court order is breached. The school can only be expected to comply with an order if it is properly notified and has received a sealed digital or paper copy for its files, and only to the extent that it relates to the school.

3.4 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.

3.5 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.

3.6 If there is an order in place and neither the parents and/or those with parental responsibility inform the school then if there is any breach of such order, the school cannot be held responsible and/or liable.

3.7 Where a court order is in place, any communications from the school such as sickness, behaviour etc. will be with the parent named for that day within the order. This parent has the right to allocate a friend or family member or partner to pick up their child on the day of responsibility.

3.8 When a child is unwell, the parent who is responsible for the child that morning will notify the school following the school's absence procedures. If a child goes home unwell the school will communicate this to the parent responsible that day.

3.9 If a child is absent from school, the parent with responsibility that day will be contacted in line with the school's absence procedures.

3.10 Parents are entitled to ring the school to find out if their child is in school or request any other information about their child's education regardless of the day of responsibility. The school will not contact both parents routinely when there is an absence.

3.11 The school will endeavour to communicate effectively with both parents when supporting behaviour needs, special educational needs or academic progress.

4. Disputes and disagreements

4.1 Shefford Lower School hopes that parents and all those with parental responsibility will support the school in working together for the benefit of their children.

4.2 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 those with parental responsibility 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.

4.3 Parents should seek to resolve contact issues without involving the school. The school will not mediate, "take sides" or act as an intermediary between parents who do not communicate with each other.

4.4 The school will support parents by offering separate meetings, parents' evenings, phone calls and communications where this is requested by the parents.

4.5 Where allegations are made between parents the school will follow safeguarding procedures and signpost relevant support regarding concerns over parenting of the other party. The school may refer to agencies to seek advice where allegations of abuse are made.

5. Changes in family circumstances

5.1 We ask parents to inform the school whenever something outside School – such as a change in family circumstances – occurs so that we can sensitively support the child in School.

5.2 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.

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

6. Family support

The school has a family support team and endeavours to help families going through challenging circumstances. The team can assist with signposting to appropriate agencies and will liaise with both parents in the interests of supporting the best outcomes for the child.

7. The release of child(ren)

7.1 On being admitted to Shefford Lower, and unless notified to the contrary, the school will release children to either or both parents and/or those with parental responsibility and/or those with care of the child. 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 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, and the records will reflect that the permission was granted.
- In the event that the parent to whom the child would normally be released to, cannot be reached, the Headteacher or designated deputy dealing with the issue may make a decision based upon all relevant information available to him/her.
- The Headteacher or designated deputy may have to refuse permission if consent cannot be obtained.
- During any discussion or communication with parents and/or those with parental responsibility, 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.
- Where a court order is in place, the order will be followed, and contact will be made with the parent named for that day within the order unless verbal permission is obtained from the parent whose day is named within the order

8 Communication between School and separated parents

8.1 Newsletters and general updates are sent via Parentmail to all parents and/or those who have parental responsibility for whom we have up-to-date contact details. These updates contain all the main class/School events, including parents' evenings, productions, sports days and class outings and events.

8.2 In respect of school concerts where tickets are issued, these will be 2 per family. However, where parents are separated additional tickets may be made available on request for partners / spouses. The school would be grateful if parents could communicate directly on such matters if they can although in some instances the school recognises that this may not be possible should there be a Court order in place preventing the parties from contacting each other.

8.3 The School 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.

8.4 In all circumstances, we aim to maintain our open-door policy with all parents. Class/subject teachers and/or the Headteacher will be available by appointment to discuss any issues.

9. Parents' evening appointments

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

10. Written pupil reports

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

11. Change of name

11.1 A parent 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.

11.2 The 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 (a) verbally addressing a child (b) 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 the school's complete discretion after the school has taken into account all of the circumstances.

12. Access to School information

12.1 Key information is available on the insert School name website. Parents may also receive information via insert communication method or email.

12.2 For parents who do not have access to the internet paper copies of communications may be requested from the school.

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