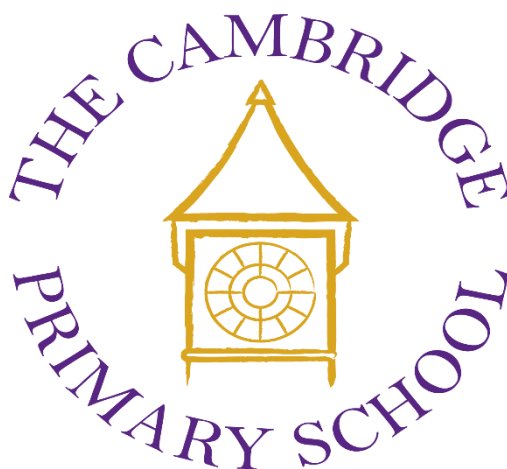


# THE CAMBRIDGE PRIMARY SCHOOL

## SEPARATED PARENTS POLICY

**2023-2025**



<b>Date of Approval:</b>	January 2023
<b>Date of Next Review:</b>	January 2025

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Queens Avenue, Wellesley  
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## The Cambridge Primary School

### Separated Parents Policy

#### Statement of intent

The Cambridge Primary School recognises that children from families whose parents are separated, or are undergoing separation, may go through traumatic changes during their time at school. With this in mind, we will make every effort to work with parents to promote the welfare of children.

This policy has been created 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.

#### 1. Definitions

##### 1.1 Legal Duty

Schools have a legal duty to work in partnership with families and to involve all those with parental responsibility in their child's education. Section 576 of the Education Act 1996 defines a 'parent' as:

- All natural parents, whether they are married or not.
- Any person who, although not a natural parent, has parental responsibility for a child or young person.
- 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).

At the point of admission, we 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, 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.

##### 1.2 Equal Treatment

Parents as defined above must be treated equally, unless there is a court order limiting an individual's exercise of parental responsibility. In the event that the school is not informed of the existence of such an order, neither parent will have rights superior to the other.

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

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parent to the child. We will maintain our open door policy with all parents, and the class teacher and/or Head Teacher 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.

### **1.3 Parental Responsibility Rights**

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

- Receive information (e.g. pupil reports, school events etc.).
- Participate in activities (e.g. elections for parent governors).
- Give consent (e.g. for school trips).
- Be involved in meetings concerning the child (e.g. participate in an exclusion procedure, appeal against admission decisions).

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.

For more information, see <https://childlawadvice.org.uk/information-pages/parental-responsibility/>

## **2. Headteacher responsibilities**

### **2.1 Admissions**

The Headteacher will ask parents or guardians for the names and addresses of all parents when they register a pupil.

It is the duty of the Headteacher to ensure that names and addresses of all parents, where known, are included in the admission register and also in pupil records, and are available to the pupil's teachers.

### **2.2 School transfer**

The Headteacher will ensure that names and addresses of all parents are forwarded to any school to which the pupil moves.

### **2.3 Pupil Records**

The Headteacher will ensure that details of court orders are noted in the pupil's record.

## **3. Parental responsibilities**

### **3.1 Responsibilities**

Parents are responsible for informing the school when there is a change in family circumstances. We recognise the sensitivity of such situations and we will maintain confidentiality requested by parents as far as possible.

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

### **3.2 Joint Custody**

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

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### 3.4 Children's welfare and safety

Children's welfare and safety are paramount, where there are issues over access to children, the parent with whom the child resides should contact the school immediately.

### 3.5 School events and communication

Unless requested in writing, the school holds one parents' evening appointment per child, where both parents are welcome. The school expects parents to communicate with each other regarding these arrangements.

Parents are expected to liaise and communicate directly with each other in matters such as the ordering of school photographs, tickets for performances and other instances.

## 4. School communications

The school recognises that, while the parents of some pupils may be divorced or separated, both have a right to be informed of, and involved in, their child's education. However, we expect that parents, whatever the nature of their separation, will do all they can to communicate with each other and share information from and for the school, for the benefit of their child.

It is assumed that the parent with whom the child principally resides will keep the other parent informed.

- All diary dates, Newsletters, and letters are available on our website at [www.cambridgeschool.hants.sch.uk](http://www.cambridgeschool.hants.sch.uk)
- Class emails will be sent to both parents. Parents are responsible for providing a correct email address. Occasionally paper letters are sent home with pupils and we expect parents to communicate these messages to each other as and when appropriate.
- We would not expect to send emergency text messages to absent parents, which give information on cancelled activities and reminders.
- Tapestry: A letter will be sent home in Reception which offers parents to activate a Tapestry account where they can view and add to their child's learning journey. It is expected that this letter will be shared with both parents.
- We will hold one parent's evening appointment per child, twice a year, with an optional third, where both parents are welcome and we expect parents to communicate with each other regarding these arrangements.
- Both parents are entitled to receive progress reports and review their child's pupil records. Progress reports 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 progress reports to the noncustodial parent if a written request is submitted.
- Should an un-named parent seek information or access to his/her child, the school will always inform the main carer of this to check Parental Responsibility and ensure no court order is in place. For the avoidance of doubt, we will seek written confirmation from the main carer. Proof of identity of the non-resident parent will always be required in these cases.

Disagreements between parents must be resolved between the parents and cannot be resolved by the school or local authority.

## 5. Progress reports and pupil records

### 5.1 Rights

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

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### **5.2 Separated or divorce parents**

If the parents are separated or divorced, progress reports will be sent to the parent and address noted in the school's records specifying where the child resides with the expectation that they will share the report with the other parent.

### **5.3. Joint residence order**

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.

### **5.4 Reports**

The school will send copies of the progress reports to a parent with whom the child does not reside only if that parent submits a written request.

Disagreements between parents must be resolved between the parents and cannot be resolved by the school.

The school will maintain an open door policy with both parents and the class teacher will be available to discuss any issues.

### **6. 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.
- 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.
- 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.

### **7. Obtaining consent**

If parental consent is required for outings or 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 parental consent has not been given.

### **8. Name changes**

Parents are responsible for resolving potential conflicts about the change of a surname.

There must be consent from both parents after divorce or separation for registering a change of name of a pupil.

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The school will ensure that the change in surname is supported by written evidence.

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 cases, the parent wishing to change the child's name would need to apply to the courts for permission to do so.

In circumstances where a name change has already been effected by the school and it is in the interest of the child, who might be known by a new name, to refer back to a different name, the school will make a decision holding the best interests of the child under paramount consideration.

### **9. Court Orders**

Upon receipt of any court order restricting access to a parent, the school retains the right to consult the Local Authority before taking immediate action. 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. In the event that the school is not informed of the existence of such an order, neither parent will have rights superior to the other. Only a Court Order stating the arrangements is deemed to be valid; a letter from a solicitor is not sufficient.

### **10. Monitoring and review**

This policy is reviewed every two years by the Headteacher and approved by the governing body.

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