

Separated and Divorced Parents: Statement of Practice

Committee Responsible for Policy: Full Governing Body

Policy written by: Miss Sarah Baxter



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Policy confirmed by the Governing Body of Linchfield Community Primary School on:

Date: March 2018

Signature: Full Governing Body

Policy to be reviewed : Every Year

Introduction & background to statement of practice

Research and experience have shown that separated parents can become particularly 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.

This statement of practice is an attempt 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.

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 e.g. a legally appointed guardian or the Local Authority named in a Care Order;
- Any person who has care of a child i.e. a person with whom the child resides and who looks after the child irrespective of the relationship

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;
- Participate in any exclusion procedure;
- Attend parent meetings/school events;
- Have access to school records, copies of school reports, newsletters, invitations to school events, school photographs relating to their child and information about school trips.

The Governing Body recognise 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.

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. Similarly, 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.

At Linchfield Community Primary School, 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.

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. The school also has no responsibility for enforcing any court order. 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.

Parents are encouraged to resolve contact issues without involving the school directly. The interests of the child will always be paramount when deciding whether to accommodate a request from an estranged parent.

Change in Parental Responsibility

- It is the responsibility of the parents to inform school when there is a change in family circumstances. The school needs to be kept up to date with contact details, arrangements for collecting children and emergencies.
- We encourage parents to tell us at an early stage if there is a change in family circumstances. Whenever possible, staff will be informed of such changes so that suitable support can be offered. We will, however, recognise the sensitivity of some situations and maintain the level of confidentiality requested by parents as far as possible
- Newsletters and general class letters are available for all parents to access via the school website. At times paper copies of these letters (in the case of shared access) will be sent to the parent with whom the child lives for the majority of the time. These letters will contain all the main events within school, including productions, sports days, parent's evenings, class trips, etc. Please access the school website to view current and or previous newsletters and general class letters.
- Occasionally other letters, notes and responses in homework diaries may be sent to individual classes or children. These are paper copies only and not published on the school website. We would expect parents to communicate these messages to each other as and when appropriate.
- We will hold one parents evening appointment per child, where all parents are welcome. We would expect parents 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. It is only realistic for teachers to discuss the child once per Parents' Evening. We hope parents can make amicable arrangements to accommodate this.
- We expect that parents should 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.

Progress Reports and Pupil Records

Any parent has the right to receive progress reports and review pupil records of their children. If the parents are separated or divorced, progress reports will be sent to both parents at the addresses listed in the school's records

Disagreements between parents must be resolved between the parents and cannot be resolved by the school or local authority. 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, 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 may refer the matter to the relevant department of the Local Authority.

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 to 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.
- The Headteacher or staff member may have to refuse permission if consent cannot be obtained.
- 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.

All parents can have equal access to all school information via our school website, or alternatively request in writing additional copies of communications which are not available on the school website but which are readily available via the school's own storage systems (all parents are recommended to regularly use the school's website – it contains all back dated newsletters and has a range of information and links).

We will maintain our open door policy with all parents, and the class teacher will be available to meet by a mutually convenient appointment time to discuss any issues. All appointments to meet with the class teacher should be made direct with the class teacher where possible or via the school office. Where possible all meetings with a class teacher should be made with both parents to avoid duplication of information for the class teacher.