Separated Parents Policy

Vision

At R A Butler Academy, we aim to think carefully and proactively about the welcome we give to all parents and children at our school and recognise that there can be challenges in making this welcome equal to parents who are separated. Our vision is that, where parents are separated, both parents feel welcome by the school and involved in their child's education (unless there are legal reasons preventing this). We also recognise that there can often be challenging issues arising out of parental separation and these can sometimes impact upon children. We would like separated parents to have clarity about the school's role and boundaries around these issues.

Definition of 'parent' / parental responsibility

Section 576 of the Education Act 1996 defines '**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 (having care of a child or young person means that a person with whom the child lives and who looks after the child, irrespective of what their relationship is with the child, is considered to be a parent in education law)

Parental Responsibility

We are required to ask who has **Parental Responsibility** for your child and we will ask for sight of a child's birth certificate, or other documentary evidence, on joining the school to confirm all who have parental responsibility.

This is important because all adults with parental responsibility have the right to make decisions about a child's education and medical treatment. However, we are aware that this is a very specific legal term and many parents may be unaware of how it is applied:

- All birth mothers automatically have Parental Responsibility
- If a child's parents were married or civil partners at the time of the birth or joint adoption, 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
- For same sex partners who aren't civil partners or married at the time of the birth, the second parent would be 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 http://www.direct.gov/uk/en/Parents/ParentsRights/DG_4002954

Schools must treat all adults with parental responsibility for a child equally, **unless a court order limits an individual's exercise of parental responsibility**. 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 for school to inform one parent about communications with the other parent.

Aims

- Many of the pupils in our care are members of families where parents have separated before they came to the school and many other pupils go through changes in family circumstances during their time at R A Butler. We aim to support families wherever we can with the issuesthat a separation may bring
- We wish to ensure the school continues to work with families and fully involve all those with parental responsibility in the life of the school, in the best interests of the child, after parents separate
- We will remain neutral in difficult family circumstances and will not police one parent for another. All children's welfare and well-being is central to all we do and if we have any such concerns about a child we will involve all adults with parental responsibility

Procedures

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 would 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
- 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 Headteacher (or designated senior leader) 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

Information Sharing

Some parents, who are not providing equal or any day-to-day care for their children after separation, find it difficult to obtain the information they need about their children's wellbeing and development from professionals working in education, health and other services.

The Department for Education offers the following general principles for schools:

Everyone who is a parent, as defined above (whether they are a resident or non-resident parent) has a right to participate in decisions about a child's education and receive information about the child (even though, for day-to-day purposes, the school's main contact is likely to be a parent with whom the child lives on school days).

School and Local Authority staff must treat all parents equally, unless there is a court order limiting an individual's exercise of parental responsibility. Individuals who have parental responsibility for, or care of, a child have the same rights as natural parents. Parents have rights:

- to receive information, e.g. pupil reports
- to participate in activities, e.g. vote in elections for parent governors; opinion-gathering exercises etc
- to be asked to give consent, e.g. to the child taking part in school trips
- to be informed about significant meetings involving the child, eg a governors' meeting on the child's exclusion; parent/carer pupil progress meetings etc

To ensure we are fair to all parents, we will communicate in this way:

- Some letters (those with a reply slip – eg trip permissions or club applications) are sent as hard copies and will be placed in the child's book-bag. The vast majority of correspondence is emailed or texted and all parents with parental responsibility (whose contact information we hold) will have this information sent to them. Letters and information about events will also be available on the school website. Some information will not fall into this category (eg hard copy flyer about summer holiday activities)
- Permission slips for activities etc will be accepted from either parent with PR and only one parent with PR needs to give consent
- One Annual School Report will be sent via the child's book-bag but all parents with PR (whose contact details we hold) will be informed of this and requests for additional reports are welcome – to be collected from the school office
- We expect that, wherever possible, separated parents attend their child's Parents Evening appointments together and we cannot statistically offer 2 appointments as a matter of course for all separated couples. We appreciate there will be exceptional circumstances where this is not possible and we are happy to discuss this
- 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

- If a child has a Health Care Plan, we will send a hard copy home in the child's book bag if and when if needs updating. As the information on a health care plan is primarily from a GP or medical professional, we ask both parents to share this with each other, before returning to the school.

Difficult issues around separation

We recognise that parental separations are often not easy and that disagreements or difficulties between separated parents may occur

- Some separated parents occasionally ask school staff to monitor their child (eg their presentation/tiredness) on days spent with their former partner. This we cannot do, although any concerns we do have will be noted down and shared with both parents
- Separated parents often feel that their child/ren's well-being has been negatively affected by issues around the separation. Some parents ask the school to provide support for their child in light of this. We would always want to provide support for any child in need, however, if the situation in which the child lives is causing the child's anxiety, it might be the 'situation' itself which needs support to change. We are always happy to discuss an individual child's needs / situation and whether support at school is appropriate or possible. In considering this, we will look at the child's emotional presentation in school alongside parent concerns
- 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.

Removal from school

Where the school knows there are separated parents and we have received notification from one parent that they wish to remove the child from the school roll, we will check this with the other parent as a matter of courtesy. Where safeguarding concerns are in place, this process may be changed.

Monitoring, Evaluation and Review

The school will review this policy biannually and assess its implementation and effectiveness by discussing it with separated parents. The policy will be promoted and implemented throughout the school.

October 2020

Reviewed 2026