

Westminster Community Primary School
Separated Parents Policy February 2017

At Westminster Community Primary School, we aim to promote the best interests of the child, working in partnership with all parents where possible. This policy is an attempt to clarify to all parties what is expected from separated parents and what can be expected from the school and its staff

Registering a child at our school

When a child is registered at our school we ask for certain information to be provided. This includes the names of both parents and emergency contact details. We also ask who has parental responsibility for the child.

The information provided to the school when the child was enrolled detailing 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.

Parental Responsibility

Education law defines a 'parent' as:

- All biological parents, regardless of marital status.
- Any person who, although not a biological parent, has care of (i.e. are the person who looks after and lives with the child), or parental responsibility for a child or young person.

Family law defines 'parental responsibility' as the rights, duties, powers, responsibilities and authority that a parent has in relation to a child.

Non-biological parents can acquire parental responsibility through:

- Adopting a child.
- Being appointed a guardian.
- Being named in an emergency protection order.
- Being granted a child arrangements order stating the child should live with them.
- The agreement of a child's mother (and other parent if that person also has parental responsibility).
- A court order.

If a child's father and mother are married at the time of the child's birth, each has parental responsibility. If they are not married, the father can gain parental responsibility by:

- Registering the child's birth with the child's mother.
- Marrying the child's mother.

- Registering a ‘parental responsibility agreement’ between him and the child’s mother with the court.
- Obtaining a court order for parental responsibility.

A Local Authority has parental responsibility if it is named in a child’s care order.

Civil partners have parallel rights to married couples.

More than one person may have parental responsibility for a child, in some cases several people may be regarded as one child’s parents.

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 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.

Staff will never pass judgement on either parent to the child.

We will maintain our open door policy with all parents, and the 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.

Change in parent 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

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

Parents should provide schools with the most recent copy of any court order in place.

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. We do, however, recognise that communication between parents is not always possible. If an estranged parent wishes to receive information from the school such as progress reports or attending parent/ teacher meetings they should contact the school in writing with a specific request for separate communication. We would not expect to send emergency text messages to absent parents, which give information on cancelled activities and reminders.

Friday newsletters can be sent to all parents via email. These letters will contain all the main events within school, including productions, sports days, parents' evenings, class trips, etc. Occasionally letters are sent to individual classes or individual pupils. We would expect parents to communicate these messages to each other as and when appropriate.

We are able to offer separate parents' meetings.

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

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

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 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.
- 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