Separated Parents Policy

Ringmer Primary and Nursery School

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May 2024	Changed ‘parent mail’ to Arbor MIS to reflect current practice.	

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Introduction

In line with its vision and values, Ringmer Primary and Nursery School will always aim to promote the best interests of the child, working in partnership with all parents or carers where possible. This policy is an attempt to clarify to all parties what is expected from separated parents or carers and what can be expected from the school and staff.

Parental Responsibility

To help us to look after children whilst they are in our care, school staff are required to ask parents or carers to provide certain information, including the names of both parents or carers, address(es) and contact details. Additionally, the school is 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 or carers may be unaware of how it is applied. We have summarised the position below:

- 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 1 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.

Parents as defined above are entitled to share in the decisions that are made about their child and to be treated equally by schools. 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, school photographs relating to their child 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 or carer to restrict another. Additionally, the school will not seek to make judgements about individual circumstances but will treat both parents or carers equally unless there is a specific ruling in existence. Staff will never pass judgement on either parent or carer to the child and will remain independent throughout.

Court Orders

The school is only obliged to comply with a court 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. If the school is not informed of the existence of such an order, neither parent or carer will have rights superior to the other. Only a court order stating the arrangements is deemed to be valid; a letter from a solicitor will not be sufficient. Upon receipt of any court order restricting access to a parent or carer, the school retains the right to consult legal advice before taking any action.

School communications

The school recognises that, while the parents or carers of some pupils may be divorced or separated, both have a right to be informed of, and involved in, their child's education. However, the school expects that parents or carers, 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(ren). It is assumed that the parent or carer with whom the child principally resides will keep the other parent or carer informed. The school does, however, recognise that communication between parents or carers is not always possible. If an estranged parent or carer wishes to receive information from the school such as progress reports or attending parent or carer/ teacher meetings they should contact the school in writing with a specific request for separate communication. The school would not expect to send emergency text messages to absent parents or carers, giving information on cancelled activities and reminders. Should an un-named parent or carer seek information or access to his/her child(ren), 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, the school will seek written confirmation from the main carer. Proof of identity of the non-resident parent or carer will always be required in these cases. Disagreements between parents or carers must be resolved between the parents or carers and cannot be resolved by the school.

Collecting a child from school

The school will release children to parents or carers in accordance with arrangements notified to the school. If one parent or carer seeks to remove the child from school in contravention of the usual arrangements and the parent or carer 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 or carer, 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 or carer will be contacted in order to ensure that they are in agreement with the arrangement. If the parent or carer 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 or carer opposes the other parent or carer wanting to take the child then the school will state that absent a court order, it cannot prevent them from doing so.
- In the event that the parent or carer 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. The member of staff making this decision should keep a written record to justify their decision making and recall of the event.
- During any discussion or communication with parents or carers, 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 or carer is disruptive, the police should be notified immediately.

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