

ST JOHN THE BAPTIST CofE PRIMARY SCHOOL



Life in all its fullness

Separated Parents Policy November 2022

- A well led and governed school
- A place to learn 'People Skills' to prepare us to become good citizens
- A happy, healthy, safe place to learn to look after our bodies and minds

Separated Parents Policy

At St John the Baptist Primary School we recognise that while some parents may be divorced or separated, both have a right to be informed of, and involved in, their child's educational progress.

Parental Responsibility

In order to help us to look after children whilst they are in our care, school staff are required at the admissions stage to 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 birth, both parents automatically have parental responsibility.
- For children born from 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.
- Civil partners have parallel rights to married people by holding 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 correct unless a court order or original birth certificate proving otherwise is provided to the school.
- It is the responsibility of parents to inform the school when there is a change in the family's circumstances. The school must be kept up to date with contact details, arrangements for collecting children and emergencies.

Parents 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 admissions decisions
- Ofsted and school based questionnaires
- Participation in any exclusion procedures
- 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 to restrict another.

The school will not seek to make judgments about individual circumstances but will treat both parents equally unless there is a specific ruling in existence. Staff will never pass judgement on either parent to the child.

The school will maintain an open door policy with all parents, and the class teacher and/or Deputy or Head Teacher will be available by appointment to discuss any issues. The school is under no obligation to inform the primary parent of the secondary parent contacting the school. Any such information will be given at the discretion of the Head Teacher.

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 than the other. Only a court order stating the arrangements is deemed to be valid; a letter from a solicitor is not sufficient.

School Communication

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 that they can to communicate with each other and share information from and for the school for the benefit of the child. It is assumed that the parent with whom the child principally resides (primary contact) will keep the other parent (secondary contact) informed.

- All diary dates, newsletters and Head Teacher's letters are available on our website www.st-johns-pri.notts.sch.uk
- Any school emails will be sent to parents listed as the first contact from the parental contact form submitted each September. 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 appropriate.
- We do not expect to send emergency text messages to secondary contacts, which give information on cancelled activities and reminders.
- We will hold one parent's evening appointment per child, three times a year, where both parents are welcome and we expect parents to communicate with each other regarding these arrangements. Unfortunately, the school is unable to offer individual appointments as the school does not have capacity to support this.
- We expect parents to liaise and communicate directly with each other in matters such as the ordering of photographs, tickets for performances and other instances.
- Both parents are entitled to receive progress reports and review their child's pupil records. Progress reports will be sent to the primary contact parent, with whom the child resides, with the expectation that it will be shared with the

secondary parent. The school will email copies of progress reports to the secondary parent if a request is submitted via the school office.

- Should an un-named parent seek information or access to their child, the school will always inform the primary parent 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 secondary 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.

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 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 a child during or at the end of the school day, the primary parent will be contacted in order to ensure that 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 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 them.
- During any discussion or communication from 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.

Staff review: R Ireland

Governor review:

Reviewed: November 22

Next review: November 23

Appendix 1

Extract from DfE guidance <https://www.gov.uk/government/publications/dealing-with-issues-relating-to-parental-responsibility/understanding-and-dealing-with-issues-relating-to-parental-responsibility#what-is-parental-responsibility>

What is parental responsibility?

In [family law](#), parental responsibility means all the rights, duties, powers, responsibilities and authority that a parent has in relation to the child.

A person with parental responsibility can make decisions about the child's upbringing and is entitled to information about their child. For example, they can give consent to the child's medical treatment and make decisions about the child's education. They also have the right to receive information about their child's health and education.

There are specific examples in [general principles for schools and local authorities](#).

Who has parental responsibility?

A child's birth mother (the person who carried the child) has parental responsibility unless it's removed by an adoption order or a parental order following surrogacy.

Where a child's father and mother were married to each other at the time of the child's birth, they each have parental responsibility for the child. Where the parents were not married to each other at that time, the child's father can gain parental responsibility:

- by registering the child's birth jointly with the mother
- by subsequently marrying the child's mother
- through a 'parental responsibility agreement' between him and the child's mother which is registered with the court
- by obtaining a court order for parental responsibility

Where two female parents have a child through fertility treatment, the mother's female partner is treated in the same way as a father. She has parental responsibility if she is married to or in a civil partnership with the mother at the time of the treatment (or if the two women agree in writing that she will be the child's second parent). She can also acquire parental responsibility in the same way that a child's father can.

People who are not the child's biological mother, father or second female parent can also [acquire parental responsibility](#).

Civil partners have parallel rights to married people in terms of parental responsibility. The same provisions for married people apply to them in terms of:

- acquiring parental responsibility - adoption, agreement with their civil partner or by an order from the court
- holding parental responsibility