

# Separated Parents Policy

**November 2020**

**Next Review November 2022**

## Introduction and Context

Research and experience have shown that separated parents can work well together in the best interests of their children and can together play a role in their children's education. However, some parents become estranged, and do not work together or in the best interests of their children, especially during the initial stages of their separation. This is very often traumatic for any children concerned where personal family problems can have an impact on the child and on the schools the children attend.

This policy is an attempt to minimise any impact, clarify to all parties what is expected from separated parents and what can be expected from the school / staff.

The definition of a parent for school purposes.

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 the child lives with and is looked after by that person, irrespective of what their relationship is).

Anyone with parental responsibility for a child has certain rights including:

- To receive information, for example pupil reports
- To participate in activities, for example vote in elections for parent governors
- To be asked to give consent, for example to the child taking part in school trips
- To be informed about meetings involving the child, for example a governors' meeting on the child's exclusion.

## Our Responsibilities

Elmgrove Primary School and Nursery fully recognises its' responsibilities, and it is our sole wish is to promote the best interests of the child, working in partnership with all parents.

Elmgrove Primary School and Nursery will maintain our open door policy with all parents, and the class teacher and/or Headteacher will be available by appointment to discuss any issues or concerns with regard to separated/divorced/estranged parents may have in relation to their child or children at the school. Parents will be encouraged to resolve any issues around estrangement, contact and access to information without involving Elmgrove Primary School and Nursery directly.

Issues of estrangement is a civil/private law matter and Elmgrove Primary School and Nursery cannot be involved in providing mediation, helping an estranged parent to communicate with their child or children, or using the school premises for purposes of contact.

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; if it cannot be resolved the school may refer the matter to the relevant department of the Local Authority.

The interests of the child will always be paramount when deciding whether to accommodate a request from an estranged parent. We recognise that a Court Order can restrict a parent in having contact/access to information and we would be bound by this. In this situation we may, if necessary and if there is a safeguarding concern, consult with the Local Authority to obtain advice and particularly where there is an impact upon the health, wellbeing and safety of a child the matter will be referred to the Local Authority for advice.

### **Our Policy**

It is the responsibility of the parents to inform Elmgrove Primary School and Nursery 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 school updates can be sent to all parents via email and can be found on the school website. These updates will contain all the main events within school. Including; productions,

sports days, parent's evenings, class visits, etc. Occasionally letters are sent to individual classes. We would expect parents to communicate these messages to each other as and when appropriate.

We will hold parent evenings and open days. We would expect parents to communicate with each other regarding these arrangements. The school will consider separate appointments but by prior agreements only or when a court order is in place restricting contacts with both parents.

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.

A parent as defined in this policy 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 the parent at the address in the school's records specifying where the child resides with the expectation that he/she will share the report with the other parent.

If the child is subject to a joint child arrangements/residence order and the school's records formally capture that the child resides at two addresses, then progress reports will be sent to both addresses.

The school will send copies of the progress reports to a parent with whom the child does not reside only if that parent submits a written request.

In the matter of the release of a child or children:

Elmgrove Primary School and Nursery will follow the standard agreed procedure in the release of a child or children.

In the case of separated parents, Elmgrove Primary School and Nursery will release a child or children to a parent in accordance with any specific 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, designated deputy or Designated Safeguarding Lead will meet with the parent seeking to collect/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 verbally.
- 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 agreement/consent cannot be obtained and may need to take advice before a child or children are collected / released.
- Elmgrove Primary School and Nursery cannot **prevent** the other parent collecting the child or children but we will endeavour to reach an agreement and this may mean keeping the child or children safe whilst the school try and reach such an agreement.
- If there is a Court Order restricting contact or it is in contravention of any access agreement, the child or children will not be released into their care and the other parent advised to take the necessary action which does not involve the school.
- During any discussion or communication with parents, the child or children will be supervised by an appropriate member of school staff in a separate room.
- In 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 and the Local Authority notified.

### **Management of the Policy**

The Headteacher/Designated Safeguarding Lead(s) will familiarise themselves with this policy and ensure all Staff, Governors and Volunteers are aware of the procedures to follow should the need occur.

The policy will be made available to parents and published on our school website.