

# **ELM GROVE PRIMARY SCHOOL SEPARATED FAMILIES POLICY**



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## 1

### **Vision**

At Elm Grove Primary School, 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).

## 2

### **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: <https://www.gov.uk/parental-rights-responsibilities>

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.*

### 3

#### 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 Elm Grove. We aim to support families wherever we can with the issues that a separation may bring (though it does not in all cases);
- We wish to ensure the school continues to work with families and fully involve all of 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.

### 4

#### 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 after issued. These will be shared only with all relevant staff so we can monitor these in order to fulfil our safeguarding duties;
- Where there is a court order restricting contact with the child, the school will put measures in place to ensure the child is not released to the named individual in the order;

- 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 cannot refuse to allow the child into their care; however the Headteacher (or designated member of staff) is able to use discretion (in the case of an unexpected or unusual request or where there are grave concerns about the child's welfare based on the behaviour or the school's knowledge of the parent) and would seek clarification from the resident parent before making a decision about 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 will inform the resident parent of the request to clarify the situation.

## 5

### 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. In order for us to enable this to happen, all parents who have legal contact and are listed on the pupil registration form will be invited to sign up to School Ping, this is an electronic communication that we use as our mainline of communication to share information with all families. 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 – these are sent home 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 or sent via email;
- 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 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:

- Very few letters are sent as hard copies, where they are these will be placed in the child's book-bag. The vast majority of correspondence is sent via School Ping and all parents with parental responsibility (whose contact information we hold) will have this information sent to them. Information about events will also be available on the school website. We have informed all parents about ParentPay (where voluntary contributions for trips are made and other school purchases eg. uniform) and many separated parents both have these accounts. Separated parents cannot see each other's details. Consent for trips etc will be accepted from either parent;
- School Reports will be sent home 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 or emailed;
- We expect that, wherever possible, separated parents will attend their child's Parents Evening appointments together, we cannot statistically offer 2 appointments as a matter of course for all separated couples. We appreciate there will however be exceptional circumstances to this rule and we are happy to accommodate this;
- We will provide 2 tickets (for performances) for each separated parent if requested;
- 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.

## 6

### **Possible difficulties around separation**

We recognise that parental separations are often (but not always) 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 that do arise will be noted down and shared with both parents;
- Separated parents can feel that their child/ren's well-being has been negatively affected by issues around the separation. Some parents may ask the school to provide support for their child in light of this. 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;

- The consent of both parents or anyone else with parental responsibility must be given 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.

## **7**

### **Evaluation and Review**

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

(May 2021)