

## **Bernard Gilpin Primary School Separated Parents Policy**

At Bernard Gilpin 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. At Bernard Gilpin 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, Bernard Gilpin 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 the birth, 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.
- 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 to be 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. We need to be kept up to date with contact details, arrangements for collecting children and emergencies.

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, school photographs relating to their child and information about school visits/ residential.

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 judgements 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.

We will maintain our open door policy with all parents, and the class teacher and/or Deputy Headteacher 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 Headteacher.

### **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. Only a Court Order stating the arrangements is deemed to be valid; a letter from a solicitor is not sufficient.

### **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 would not expect to send emergency messages to absent parents, which give information on cancelled activities and reminders. All diary dates, newsletters, and significant letters are available on our website at [www.bernardgilpin.com](http://www.bernardgilpin.com)

Paper letters are sent home with pupils and we expect parents to communicate these messages to each other as and when appropriate.

Under normal circumstances, we will hold one parent's evening appointment per child, twice a year, where both parents are welcome and we expect parents to communicate with each other regarding these arrangements. Under certain circumstances, the school can offer a secondary appointment but this must be discussed with individual class teacher involved.

We expect parents to liaise and communicate directly with each other in matters such as the ordering of school photographs; residential/school visits; 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 parent with whom the child resides with the expectation that he/she will share the report with the other parent. The school will provide a progress reports to the noncustodial parent if a request is submitted.

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. For the avoidance of doubt, we will seek written confirmation from the main carer. Proof of identity of the non-resident 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 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 Deputy Headteacher 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 should be notified immediately.

**Links with other school policies and practices**

- Child Protection Policy
- Equality Policy
- SEND Policy
- Behaviour and Discipline Policy
- Photographic images consent

**Monitoring and evaluating**

Senior staff and Governors will evaluate the effectiveness of the policy and agree adjustments that may be necessary to address any ongoing concerns. The policy will also be updated in line with any legal changes.

