



**Working with Separated Families Policy**

Taken to Community Meeting dated.....

Approval at full Governing Body meeting dated.....

Signed (Chair of Governors).....

## School Aims

We aim for our children to

- . Reach their full potential
- . Develop a positive self-image
- . Be responsible and make informed choices

We

- . Provide a supportive and caring environment
- . Promote high achievement
- . Encourage independent learning

This policy is designed to ensure effective contact and liaison with separated families, which will help us to achieve our aims.

## Introduction

The policy aims to show how staff at Irby Primary School will continue to work with families, in the best interests of children, after parents separate.

Schools have a legal duty to work in partnership with families and to involve all those with parental responsibility in their child's education (see Appendix Guidance on Parental Responsibility).

Schools must treat all parents equally, unless a court order limits an individual's exercise of parental responsibility. (DfE guidance)

This obligation on schools continues even when family circumstances change, for example, relationships between parents break down. It is generally in the best interest of children if parents and schools can work together.

It is important that the school is aware of who the resident parent is and that it is confirmed in writing from both parents who the resident parent is.

However, 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 to inform one parent about communications with the other parent.

### Rights of those with parental responsibility

The DfE's guidance on parental responsibilities, referred to above, explains that individuals who have parental responsibility for a child have the right to:

- . Receive information, such as pupil reports
- . Participate in activities, for example voting in elections for parent governors

- . Be informed about meetings involving the child; for example, parent consultation evenings and a governors' meeting on the child's exclusion
- . Timely information about upcoming events provided by letter/email or text
- . To be asked to give consent e.g. to the child taking part in school trips, photographs in press or on VLE, food tasting
- . Be kept updated with Newsletters sent electronically or by post to non-resident parents

### **Guidance for Headteachers on managing parental responsibility.**

The DfE's guidance also provides advice for Headteachers, who should:

- . Ask parents to provide a copy of the child's Birth Certificate, Marriage Certificate, Parental Responsibility Agreement or Court Order
- . Ask parents or guardians for the names and addresses of all parents and people with parental responsibility when they register a pupil
- . Ensure that names and addresses of all parents and people with parental responsibility, where known, are included in the admission register and also in pupil records and are available to the pupil's teachers
- . Ensure that names and addresses of all parents and people with Parental Responsibility are forwarded to any school to which the pupil moves
- . Ensure that details of court orders are noted in a pupil's record
- . Where the address of a non-resident parent is unknown, tell the resident parent that the non-resident parent is entitled to be involved in their child's education and ask that information is passed on to them.

## **Obtaining Consent**

Where parental consent is required for outings and activities, headteacher's should seek the consent from the resident parent unless the decision is likely to have a long-term and significant impact on the child or the non-resident parent has requested to be asked for consent in all cases.

In cases where the school considers it necessary to seek consent from both parents, it is possible that one gives consent and the other withholds it. When this happens the school will assume that parental consent has not been given.

## **Name changes for child/ren**

There must be the consent of both parents after divorce or separation 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.

## **What the schools expect from parents/carers**

As part of the Induction Pack, when children start school, all parents will receive a copy of this policy. (Working with Separated Parents)

Parents of children joining the school are asked to bring their child's birth certificate. This ensures children are joining the correct year group and also helps the school ascertain who has Parental Responsibility.

Separated parents are required to inform the school and to return a form (Appendix B) indicating ways in which they would like to be kept informed.

Children's welfare and safety are paramount and, where there are issues over access to children, the parent with whom the child resides should contact the school immediately.

Where there is a court restraining order in place, a copy needs to be retained by the school, which will put in place measures to ensure the child is not released to a named individual.

Where an absent parent has parental responsibility and there is no court order in place, the school is required to allow the child home with them; however the Headteacher is able to use her discretion and would seek clarification if it was felt there was a child protection issue.

Parents who have joint custody of the child/ren are requested to keep the school informed, in writing, of any disputes they have with each other regarding the collection of children.

Leave of absence request forms signed by one parent must be accompanied by a letter of consent from the other parent.

We would not expect to send emergency text messages to absent parents, which give information on cancelled activities and reminders unless we are asked in writing to do so.

The welfare of the child is at the heart of all we do and the Headteacher and Governors maintain the right to discontinue any of the above if it is deemed to be significantly against the child's best interests. Court orders may also alter the position the school adopts.

(Suggested procedure) for all staff to follow to ensure there is no breach of data protection.

On answering the telephone

If asked if a child/ren are registered in the school, (in the case of a known absent parent or parent the school staff has never met)

"I am sorry we cannot disclose information about children over the phone. If you would like to request information please write to the school. You will be asked to provide photographic proof of your identity (e.g. passport, driving licence) and proof of your relationship to the child/ren. Please also include a

copy of one of the following documents: Child's birth Certificate, Marriage certificate, Parental responsibility Agreement. On receipt of these documents, we will send you (Appendix B)"

This procedure should be visible in the school office to ensure the correct information is given.

If the children are not in the school we will give the same answer as above.

If we have met the parent, who is now no longer living with the family and he/she requests information, we ask them to complete the form in Appendix B.

In person

If a parent unknown to the school arrives at the school unannounced, asking for confirmation that children are at the school. We would say we cannot confirm information that children are in the school without documents proving the identity of the person asking. We would ask them to put their request in writing to the school together with photographic evidence (e.g. passport, driving licence) of their identity.

The resident parent would not be informed of the absent parent contacting the school by anyone other than the Headteacher who is under no obligation to do so.

## **Working with separated parents - Appendix A**

### Guidance on Parental Responsibility

In order to help us to look after your children whilst they are in our care, we are required to ask you to provide certain information, such as name of parents, address, contact details etc. We are also required to ask who has Parental Responsibility for your child. This is important because it allows us to be sure who has the right to make decisions about your child's education and medical treatment. However, we are aware that this is a very specific legal term and many of you may be unaware of how it is applied. This policy aims to provide you with an explanation of who has parental responsibility so that you are able to provide us with accurate information.

- . 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.

(If you would like further guidance, there is clear information on the government website:

[www.direct.gov.uk/en/Parents/ParentsRights/DG\\_4002954](http://www.direct.gov.uk/en/Parents/ParentsRights/DG_4002954) )



**Working with separated parents - Appendix B**

At Irby Primary School we are committed to working with families and understand the importance of continuing the relationship between school and parents who do not live with their child.

Please complete the form below and return to the school office indicating how you would like to be kept informed about your child's education.

Name of Resident Parent:.....Mother/Father (please circle)

Signature:.....(Mother)

Signature:.....(Father)

**(Please ensure this is signed by both parents)**

**Name of parent:**

Name of child/children:

Address:

Telephone number/s: Home:

Work:

Mobile:

Email:

**Name of parent:**

Name of child/children:

Address:

Telephone number/s: Home:

Work:

Mobile:

Email:

Please advise who is priority one in case of an emergency?

Name:

Telephone number/s: Home:    Work:    Mobile:

Please advise who is priority two in case of an emergency?

Name:

Telephone number/s: Home:    Work:    Mobile:

Please advise who is priority three in case of an emergency?

Name:

Telephone number/s: Home:    Work:    Mobile:

If it varies by day, please indicate who is priority on specific days below:

Mon:                      Tues:                                      Weds:                                      Thurs:                                      Fri:

Signature:.....(Mother)

Signature:.....(Father)

**(Please ensure this is signed by both parents)**

Please circle the best way to send information to you:

**Mother**

Via your child / email / post (please circle)

Please tick the information you would like to receive:

- . Newsletter
- . Information about upcoming events
- . Parents' Evenings
- . End of year reports
- . Copies of Individual Education Plans (IEPs)
- . Order form for photos
- . All Consent forms for trips and activities

**Father**

Via your child / email / post (please circle)

Please tick the information you would like to receive:

- . Newsletter
- . Information about upcoming events
- . Parents' Evenings
- . End of year reports
- . Copies of Individual Education Plans (IEPs)
- . Order form for photos
- . All Consent forms for trips and activities

