HINGUAR PRIMARY SCHOOL AND NURSERY

SEPARATED PARENTS POLICY

Responsible members of Staff
Mrs. Willis-Acting HeadTeacher
Mrs. Ramsay-Parent Governor
Mrs. Wilson-Learning Mentor
Mrs. C. Hamblin–School Office Team Leader

This Policy s approved by governors January 2019 and will be reviewed on a bi-annual basis. (updated November 2019)

“Hinguar Primary School and Nursery is committed to safeguarding and promoting the welfare of its’ children and expects all staff, parents, governors and volunteers to share this commitment”.

Related Documents
Superseded documents
DfES/0092/2000: Schools, “Parents” and “Parental Responsibility
**Introduction**

Research and experience have shown that separated parents can become particularly estranged, especially during the initial stages of the split. This is very often traumatic for those children concerned. Inevitably these personal family problems can also have an impact on the school or Nursery that the child attends. We aim to encourage and support the on-going involvement of both parents in the education of their child, regardless of the family circumstances. This policy is an attempt to clarify to all parties what is expected from separated parents and what can be expected from Hinguar Primary School and Nursery and its staff.

**Definition of a ‘Parent’**

For the purposes of education legislation, the meaning of the term “parent” has a particular meaning that is wider than its ‘ordinary’ meaning. It includes not only the child’s father and mother but also:

- Any other person who has *parental responsibility* for a child or young person; and;
- Any other person who *has care* of a child or young person, that is, a person with whom the child lives and who looks after the child.

**Definition of ‘Parental Responsibility.’**

Having *parental responsibility* means having all the rights, duties, powers, responsibilities and authority that a parent of a child has by law in relation to that child. The parental responsibility of one party does not stop simply because another person is also given it. So, in some cases, several people may have parental responsibility and may, therefore, be regarded, for the purposes of education law, as being a “parent” of a child.

**Who has Parental Responsibility?**

Parents married to each other at the time of a child’s birth both have parental responsibility for that child. If the parents of a child were not married when the child was born, the mother automatically has parental responsibility, but the father does not, unless he has subsequently acquired it in one of the following ways. By:

- Registering as the child’s father by jointly registering with the mother the birth of the child, if the child was born on or after 1 December 2003. If the child was born before 1 December 2003, the fact that the father is named on the birth certificate does not give him parental responsibility.
- Entering into an agreement with the child’s mother that he will have parental responsibility. To have legal effect, the agreement must be in the prescribed form and registered in the prescribed manner.
- Court order.
- Marrying the mother of the child.

A person, other than a child’s natural parents, can acquire parental responsibility through:

- Being granted a residence order.
• Being granted a special guardianship order.
• Being appointed as guardian.
• Being named in an emergency protection order (although parental responsibility in such a case is limited to taking reasonable steps to safeguard or promote the child's welfare); or
• Adopting a child.

A step –parent (whether the relationship is the result of marriage or civil partnership) may also acquire parental responsibility for a child of their spouse or civil partner, either by agreement between the step-parent and the parents who have parental responsibility for the child, or by order of the court.

In addition, a local authority can acquire parental responsibility if it is named in the care order for a child, although any person who is a parent or guardian retains parental responsibility and may exercise it providing their actions are not incompatible with the care order. While the care order is in force, the local authority can limit the extent to which parents can exercise their parental responsibility, where it is necessary in order to promote or safeguard the child’s welfare. The local authority can temporarily terminate contact between a parent and a child in care where this is necessary in order to promote or safeguard the child’s welfare or there may be a court order authorising the local authority to refuse contact between a parent and a child in care. Children can also be “accommodated” by the local authority, where there is a joint arrangement between the parents and the local authority that the latter will look after the child. This does not, however, involve a court order and the parents can withdraw from the arrangement if they choose to do so.

**Our School Commitment**
We wish to promote the best interests of the child, working in partnership with both parents, unless directed by a court order. The school may also request further information from parents to satisfy themselves there are no significant safeguarding concerns such as a history of domestic violence. If appropriate, both parents will be encouraged to engage in an active partnership with the school concerning their child’s education. All parents also have obligations, for example to ensure that a child of compulsory school age receives a suitable full-time education and it is the responsibility of the parents to inform the school or Nursery when there is a change in the families’ circumstances. It is important that we are kept up to date with contact details, arrangements for collecting children and who to contact in the event of emergencies at all times. We will ask for the contact details of non-custodial parents as a matter of course. In the event of shared care arrangements parents must keep the school or Nursery informed of any collection day details and any changes to these arrangements so that we are able to contact the correct person in the event of child illness, etc. If pick-ups and drop-offs differ from what our records show in terms of access agreements, the school or Nursery will ring to check with the primary carer before releasing the child. The school will only recognise in its procedures this primary carer. For example, in its’ daily communications, via text and email. In case of an emergency when there is a need to contact it will be the primary carer initially and then down the list of key people. Therefore it is vital to agree or nominate a primary carer as part of the separation policy.

All non-resident parents will experience the same rights as resident parents to access
information about their children’s progress at school, except, of course, where a court order provides otherwise. For example, all parents can expect to be:

- Sent information by the school both of a general nature (e.g. the school newsletter). Newsletters can be sent to both parents on receipt of a written request. Newsletters will contain all the main events within school, including productions, sports days, parent’s evenings, class trips, etc. All parents are recommended to regularly use our website (**www.hinguarprimary.org**) to keep up to date with events. It contains all our back dated newsletters and has a range of information and links.

- Given the opportunity to participate in school activities (e.g. attend events held for parents at the school such as performances). Non-resident parents where a court order isn’t being implemented will be entitled to two tickets to any performance alongside the resident parent.

- Sent information in relation to their own child (e.g. report on the child’s progress and attainment) is available and we will send out two copies of reports, if requested by parents, otherwise one report will be sent to the main carer.

- Informed if special educational provision is made for the child at the school, we will send out two copies of IEPs, if requested by parents, otherwise one IEP will be sent to the main carer.

- Informed if a CAF form is written by a member of staff if deemed appropriate. Advice from the school’s Locality Manager will be followed before any contact is made with the non-resident parent. An appointment will be sought by the school regarding a CAF form with a non-resident parent if deemed appropriate.

- Given the opportunity to meet with school staff e.g. to discuss their child’s report. We will normally hold one parents evening appointment per child, where both parents are welcome and we would expect parents to communicate with each other regarding these arrangements. The school or Nursery expects that at such meetings both parents will be civil to all parties involved in the meeting and respectful of the occasion. However, if it is not in the best interests of the child that both parents attend at the same time, the school will facilitate alternative arrangements.

- Told about significant meetings regarding the child (e.g. a governors’ meeting to review the child’s exclusion from school). We will normally hold one meeting, where both parents are welcome and we would expect parents to communicate with each other regarding these arrangements. However, if it is not in the best interests of the child that both parents attend, the school will facilitate alternative arrangements.

- Both parents can have equal access to all school information via our parent mailing system upon written request however, for day to day purposes such as minor first aid, the school’s main contact will be the parent with whom the child lives on school days.

**Administration and Admissions**
The headteacher and the administration team through the admission process will:

- Ask the parent who registers the child at the school for the names and addresses of all the child’s parents.
- Will ensure that a copy of the child’s **full** birth certificate is obtained upon entry to the school and held on their school file.
- Will ensure these details, where known, are included in the admission register
and pupils records.

- Will ensure that the school has details of who to contact in the case of an accident or medical emergency.
- Will ensure the information is forwarded to any school to which the child moves.

Details of court orders (where known) will also be noted in a pupil’s record. Such information will be necessary when deciding who can give parental permission for a school visit, or who needs to be contacted if the child is ill, as well as what to do in more difficult situations - for example, if a parent, rather than a foster-parent, comes to collect a child in local authority care from school.

Problems can arise following the breakdown of a marriage in relation to the surname by which a child is known. For example, a mother with whom a child resides following divorce may ask the school to change the child’s name in its records, perhaps to her maiden name. If a residence order or a care order is in force, no one is allowed to change the child’s surname without the written consent of every other person who has parental responsibility for the child. As a school we will not make any change to a child’s name in our records unless the request is good evidence that the parent seeking to make the change has legal authority to take this step. The best evidence is, of course, the written consent of the other parent. The headteacher will seek further guidance as appropriate if this situation arises.

**Provision of information to parents**

In cases where as a school we do not know the whereabouts of a ‘non-resident’ parent we will inform the resident parent that the non-resident parent is entitled to be involved in the child’s education; and request that information is passed on to the non-resident parent. If the resident parent refuses to share information with the non-resident parent or to provide contact details so that we can deal directly with the non-resident parent, the school can do nothing more. However, if the non-resident parent subsequently contacts the school and requests access to information, the senior management will be informed and will provide it to that parent direct - after taking reasonable steps to satisfy themselves that the individual is, in fact, the child’s parent, and that it is safe to do so. Due to the nature of some information to be provided it is essential that a non-resident parent ensures their details are kept up to date and current for any provision of information.

**Obtaining parental consent to**

1. **Take a child on a residential or trip abroad:** The school will provide an information sheet or a consent form to obtain not only consent but information about a child that may help the group leader. There is no legal requirement for schools to obtain the consent of all “parents” before taking the child on an educational visit or off-site activity. Only a parent who has parental responsibility may give consent. Where more than one person has parental responsibility for a child, each of them may act alone and without the others in meeting that responsibility. As a school where we need a parental consent for an off-site residential or overseas activity, the group leader will seek the consent of the resident parent. Where the non-resident parent has asked the school to provide information about the child, the school will inform them that the resident parent has or has not given permission for their child to participate in such school trips. In cases where the school considers it necessary to seek consent it will approach all parents who have parental responsibility, it is
possible that one gives consent and other withholds it. The school will treat the situation as one in which parental consent has \textit{not} been given to the child undertaking the activity in question.

2. \textbf{Emergency Medical Treatment} - A person (such as a head teacher) who does not have parental responsibility but, nonetheless, has care of a child may “do what is reasonable in all the circumstances of the case for the purpose of safeguarding or promoting the child’s welfare”. For example, it is clearly reasonable for the school to take a child who has been injured to hospital. However, the parents - including any non-resident parent who has asked to be kept informed of events concerning the child - will be informed as soon as possible.

3. \textbf{Administer medication in school} - No pupil will be given medication without their parent’s written consent. The consent of one person with parental responsibility (normally the one who has arranged with the school for medicines to be administered to the child in school) is sufficient.

4. \textbf{Informing parents about an accident during an educational visit} - If an accident occurs during an off-site educational visit, the school will determine whether a non-resident parent should be notified separately or whether the resident parent can be relied upon to inform the non-resident parent. This is judged by the severity of the accident and is at the discretion of the headteacher.

5. \textbf{Participate in Sex and relationship education (SRE)} - As a school we make all parents aware of their right to withdraw their children from all or part of the SRE provided at school except for those parts that are required by the science curriculum. As a school we are not required to consult each parent individually about this right, but rather it is for the parents who want to withdraw their child from SRE to approach the school and explain their wishes. Those elements of sex education that form part of statutory science lessons are compulsory and parents have no right to withdraw their child from these. If a parent, including a non-resident parent, requests to withdraw the child from SRE then they will be withdrawn. The school will inform the parent who hasn't made the request of this decision.

6. \textbf{Religious Education and Collective Worship} – As a school we will make parents aware of their rights to withdraw a child from these aspects of the curriculum, but it is for the parent who wishes to withdraw their child from RE and or collective worship to approach the school, if they wish to exercise these rights. Parents have the right to ask that their child/ren be withdrawn from all or any parts of religious education and/or collective worship. They do not have to give a reason, and we will comply with the request. As a school we will then work with parents on finding a suitable alternative activity while the other children are taking part in religious education or collective worship.
Appendix 1 – Parenting Plan

This Parenting Plan is designed to help you make arrangements for your child/ren whilst at Hinguar Primary and Nursery School. If you fill in this plan and sign it, it is a statement of your intentions as parents. To develop this plan we will contact both parties. It is not a legal document. It is not an order of the court, nor is it intended to be enforced by the court. The Plan is simply designed to help support the school working in partnership with both parents and your child. It is important that as a school we are kept up to date with any changes to your circumstances, these changes and this plan will be held on your child’s file.

We acknowledge that each of us as a school and as parents have parental responsibility and are jointly accountable for the welfare and development of our child/ren.

<table>
<thead>
<tr>
<th>Mother</th>
<th>Father</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name</td>
<td></td>
</tr>
<tr>
<td>Signature</td>
<td></td>
</tr>
<tr>
<td>Date</td>
<td></td>
</tr>
<tr>
<td>Does your child have regular time spent with both parents?</td>
<td></td>
</tr>
<tr>
<td>Please provide the name and contact details of the nominated primary carer.</td>
<td></td>
</tr>
</tbody>
</table>

**To be completed by the Schools Administration Team**

<table>
<thead>
<tr>
<th>Has a copy of the child’s full birth certificate been obtained?</th>
<th>Do both parents have parental responsibility? YES/NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Signed: _________________________       Date: ____________</td>
<td></td>
</tr>
</tbody>
</table>

If the father is not identified on the full birth certificate or if the child was born before 1 December 2003

<table>
<thead>
<tr>
<th>If No please provide additional evidence of documentation:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Legal agreement form signed.</td>
<td></td>
</tr>
<tr>
<td>Court Order</td>
<td></td>
</tr>
<tr>
<td>Marriage certificate</td>
<td></td>
</tr>
</tbody>
</table>

Signed: _________________________       Date: ____________

**Contact Details of Non-Resident Parent:**

Please note: We require a contact number for school use and emergency response where there is the facility to leave a message. **Please ensure that you tell us of any change of contact details.**

<table>
<thead>
<tr>
<th>Non-Resident Parent</th>
<th>Relationship to child ___________________________</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr/Mrs/Miss/Ms</td>
<td>First name: ___________________________</td>
</tr>
<tr>
<td></td>
<td>Surname: ________________________________</td>
</tr>
<tr>
<td>Address:</td>
<td>______________________________________________</td>
</tr>
<tr>
<td>Postcode:</td>
<td>___________________________ E-mail address: __________</td>
</tr>
<tr>
<td>Home Telephone Number:</td>
<td>___________________________</td>
</tr>
<tr>
<td>Mobile Telephone Number:</td>
<td>___________________________</td>
</tr>
<tr>
<td>Work Contact Number:</td>
<td>___________________________</td>
</tr>
</tbody>
</table>
**Information Requested by the non-resident parent with parental responsibility**

Please tick the relevant boxes if you wish to receive the following information:

<table>
<thead>
<tr>
<th>Information Requested</th>
<th>Relevant Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Whole school weekly newsletters. (available on school website)</td>
<td>Twice yearly information regarding special educational provision.</td>
</tr>
<tr>
<td>Letters providing specific information regarding productions, class trips, sports day, parents evening-personal to your child.</td>
<td>Separate parent evening appointments and other school appointments.</td>
</tr>
<tr>
<td>Twice yearly progress reports for your child.</td>
<td>Child/ren's school photograph.</td>
</tr>
<tr>
<td>2 tickets for school events such as performances.</td>
<td>Information regarding residential or overseas visits.</td>
</tr>
<tr>
<td>To receive medical information such as the administration of major first aid e.g. paramedic intervention (in accordance with our first aid policy)</td>
<td></td>
</tr>
</tbody>
</table>

It is essential that if you are requesting any of the above information that this must be sent to a **current personal address** rather than a business address. The school will conduct an annual request to confirm this current personal address. It is the non-resident parent’s responsibility to provide this in writing to the school before any information is sent.

I understand that if there is a change of circumstances: for example legal proceedings or court order restrictions this parenting plan will be null and void and circumstances may change.

Signed_________________________ Date___

Signed_________________________ Date___