



DAVISON CE HIGH SCHOOL FOR GIRLS

POLICY AND MANAGEMENT DOCUMENT

SEPARATED PARENTS POLICY

Chair of Governors:

Date:

Our Vision is that at Davison Church of England High School for Girls, students are free to choose any faith or none, but as a Church school, we want them to flourish, to live life in all its fullness as God intended. We reflect on what God has done for us through Jesus. We model his work through our Christian values. In our school we strive to reflect these values in the way we treat one another, conduct ourselves and care for those in our community and around the world.

At Davison CE High School, it is a prime aim that every member of the school community feels valued and respected, and that each person is treated fairly. We are a caring Christian community, whose values are built on trust, friendship, thankfulness, hope, forgiveness and endurance. This outworks in the form of respect, love and care for all, as reflected in this policy.

Introduction:

Davison High School values the role that a parent plays in the education of their child and as such seeks to foster good relationships with all parents. Where families are affected by separation there can be confusion around expectations and responsibilities. This policy outlines Davison High School's approach to working with separated families.

What is a parent?

The Education Act 1996 defines a parent as:

- All natural parents, including those that are not married;
- Any person who has parental responsibility but is not a natural parent e.g. a legally appointed guardian or the Local Authority named in a Care Order;
- Any person who has care of a child or young person i.e. a person with whom the child resides and who looks after the child irrespective of the relationship

Who has “Parental Responsibility”?

Having parental responsibility means assuming all the rights, duties, powers, responsibilities and authority that a parent of a child has by law. Parental responsibility can be removed in some circumstances.

A mother automatically has parental responsibility for her child from birth.

A father usually has parental responsibility if he's either:

- married to the child's mother
- listed on the birth certificate (after a certain date, depending on which part of the UK the child was born in)

Births registered in England and Wales

If the parents of a child are **married when the child is born**, or if they've **jointly adopted a child**, both have parental responsibility.

They both keep parental responsibility if they later divorce.

An unmarried father can get parental responsibility for his child in 1 of 3 ways:

- jointly registering the birth of the child with the mother (from 1 December 2003)
- getting a parental responsibility agreement with the mother
- getting a parental responsibility order from a court

People other than a child's natural parents can acquire parental responsibility through:

- In the case of step-parents, in agreement with the child's mother (and other parent if that person also has parental responsibility for the child) or as a result of a court order
- Being granted a Child Arrangements Order;
- Being appointed a Guardian;
- Being granted a Residence Order;
- Being named in an Emergency Protection Order (although parental responsibility in a such a case is limited to taking reasonable steps to safeguard or promote the child's welfare);
- Being granted a Special Guardianship Order;
- Adopting a child.
- A parent by virtue of the human Fertilisation and Embryology Act 2008

What does having “care” of a child mean”?

Having care of a child or young person means that a person who the child lives with and who looks after the child, irrespective of what their relationship is with the child, is considered to be a parent in education law. This could be shown by: Interaction with the school – attending meetings, making phone calls, being on the school's record as being involved (in whatever capacity) etc.

It would not be appropriate to assume that someone having a “casual” relationship with the parent of a child necessarily has 'care of the child' unless we have cause to believe the person has some involvement with the child's life – living with the child could be a determining factor as could the other examples outlined below.

- Do they live with the child?
- Are they listed on school records?
- Does the school have contact details for them?
- Do they meet with teachers/attend parents' evenings?
- Have they been involved with the measures designed to improve attendance?
- Do they contact the school on behalf of the child when they are ill?
- How long has the school known of them being connected with the child?
- Does the adult bring/collect the child to/from school?
- Is the adult married to the parent of the child?

It is therefore those adults who are having significant input to a child's life who can be classified as “parent”, or who have “care of a child”. Having “parental responsibility” is defined in law and as a school we will use this guideline when separated parents make contact.

We aim to collaborate with parents in the best interests, and listen to all parties.

All parents can receive information about the child, although, for day-to-day purposes, the school's main contact is likely to be a parent with whom the child lives on school days.

There may be occasions when this school needs to decline requests for action from one or more parents.

Individuals who have parental responsibility for, or care of, a child have the same rights as biological parents. For example to:

- receive information – such as pupil reports
- participate in statutory activities – such as voting in elections for parent governors
- be asked to give consent - such as to the child taking part in school trips
- be informed about meetings involving the child - such as a governors' meeting on the child's exclusion

Entitlements also include: -

- Appeal against admission decisions
- Ofsted & school-based questionnaires
- Attend parent meetings/school events
- Have access to school records, receive copies of school reports, newsletters, invitations to school events, school photographs relating to their child and information about school trips.

Davison High School recognise that while the parents of some pupils may be separated they are entitled to the above and this entitlement cannot be restricted without a specific court order. In particular, the school does not have the power to act on the request of one parent to restrict another.

The information provided to the school when the child was enrolled detailing whether parents have parental responsibility for the child will be presumed to be correct unless a court order or original birth certificate proving otherwise is provided to the school.

Similarly, the information provided on the address(es) where the child resides will be presumed to be correct unless a court order proving otherwise is provided to the school. If parental responsibility, addresses and contacts are unclear, then we will make reasonable enquiries to ascertain the information.

If a child or young person is under 16 and is living with someone other than a close family relative, e.g. grandparent, then this may be a private fostering arrangement and the local authority will need to be notified. In any event and if at any time it appears that there is not anyone with parental responsibility who is caring for a child or if it is unclear, and we have taken reasonable steps to find out, we will involve the Local Authority to help clarify and resolve.

Communication with the school

Davison High School fully recognise our responsibilities to promote the best interests of the child, working in partnership with parents.

Newsletters & general school updates are available to all on our website. These updates will contain all the main events within school, including; productions, sports days, parents' evenings etc. Occasionally letters are sent to individual forms or classes. We would expect parents to communicate these messages to each other as and when appropriate.

A parent as defined in Education law 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 they will share the report with the other parent. If the child is subject to a joint Child Arrangements 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 makes this request.

We maintain an open-door policy for all parents, and staff will be available by appointment to discuss any issues or concerns that parents may have in relation to their child or children at the school. Many families experience separation and therefore our staff will not be asked to duplicate workload by meeting or communicating separately, including separate appointments at subject consultation evenings, with separated parents unless there are extenuating circumstances and this has been discussed and agreed with the school in advance.

Estranged Parents

Parents will be encouraged to resolve any issues around estrangement, contact and access to information without involving our school directly. Issues of estrangement are a civil/private law matter and our school 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 services - this school will not arbitrate and will ask parents to resolve the issues between themselves. In cases where there is continued conflict and this cannot be resolved, we will advise the aggrieved parent to pursue the matter through the Family Court. In this circumstance the school will liaise with the parent with whom the child normally, or most frequently resides during term time.

We recognise that a Court Order can restrict a parent in having contact/access to information and we may be bound by this. In this situation we will consult with the Local Authority to obtain advice as this may constitute a safeguarding concern. In any event whereby the parents been estranged is appearing to impact upon the health, wellbeing and safety of a child the matter will be referred to the Local Authority for advice. Should there be any disagreement between this school and the parent this school may advise the parent to use the Complaints process.

This policy takes into account the following legislation:

- Children and Families Act 2014;
- Child Arrangement Order (Sc8 Children act 1989);
- Human Fertilisation and Embryology Act 2008;
- Private Fostering Arrangements (Children Act 1989, Private Fostering Regulations 2011);
- Special Guardianship Order (Regulations 2005 & 2016);

We will also refer to the DfE guidance, September 2018, Understanding and dealing with issues relating to parental responsibility:

<https://www.gov.uk/government/publications/dealing-with-issues-relating-to-parental-responsibility/understanding-and-dealing-with-issues-relating-to-parental-responsibility>

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Next Review: July 2027 and every 3 years by Standards Committee