



Separated and Divorced Parents Policy

Date: August 2018

Review: August 2021

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Introduction & background to policy

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 any children concerned and unfortunately these personal family problems can have an impact on the schools the children attend.

This policy is an attempt to minimise any impact and to clarify to all parties what is expected from separated parents and what can be expected from the relevant academy and its staff. The definition of a parent for school purposes is much wider than for any other situation. 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 i.e. a person with whom the child resides and who looks after the child irrespective of the relationship

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 & academy based questionnaires;
- Participate in any exclusion procedure;
- Attend parent meetings/school events;
- Changing names of children- if applicable.
- Have access to academy records and receive copies of academy reports, newsletters, invitations to academy events, academy photographs relating to their child and information about academy trips.

The Trust recognises that while the parents of some pupils may be divorced or estranged, they are entitled to the above and this entitlement cannot be restricted without a specific court order. In particular, the academy does not have the power to act on the request of one parent to restrict another.

The information provided to the academy 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.

At all BMET academies, **our sole wish is to promote the best interests of the child**, working in partnership with all parents unless otherwise directed by a court order.

Upon receipt of any court order restricting access to a parent, the academy retains the right to consult the Local Authority or the Trust solicitors before taking immediate action. The academy 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 academy. Academies also have no responsibility for enforcing any court order. In the event that the academy is not informed of the existence of such an order, neither parent will have rights superior to the other.

Parents are encouraged to resolve contact issues without involving the academy directly. The interests of the child will always be paramount when deciding whether to accommodate a request from an estranged parent.

Change in parent responsibility:

- It is the responsibility of the parents to inform the relevant academy when there is a change in family circumstances. The academy needs to be kept up to date with contact details, arrangements for collecting children and emergencies.
- We encourage parents to tell us at an early stage if there is a change in family circumstances. Whenever possible, staff will be informed of such changes so that suitable support can be offered. We will, however, recognise the sensitivity of some situations and maintain the level of confidentiality requested by parents as far as possible
- Newsletters & general school updates can be sent to all parents via parent mail. These updates will contain all the main events within school, including productions, sports days, parent's evenings, class trips, etc. Occasionally letters are sent to individual classes. These are paper copies only and not sent via parent's mail. We would expect parents to communicate these messages to each other as and when appropriate.
- We will hold one parents evening appointment per child, where all parents are welcome. We would expect parents to communicate with each other regarding these arrangements. The academy will only consider separate appointments if there is a court order in place restricting parents attending the same appointment.
- We expect that parents should liaise civilly and communicate directly with each other in matters such as the ordering of academy photographs; tickets for performances, booking and paying for academy lunches, after school clubs and academy trips. The academy will not mediate between parents in view of the significantly increased workload that this presents.

Progress reports and Pupil records

Any parent 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 and address in the academy's records specifying where the child resides with the expectation that he/she will share the report with the other parent. If the child is subject to a joint residence order and the academy's records formally capture that the child resides at two addresses, then progress reports will be sent to both addresses.

The academy will send copies of the progress reports to a parent with whom the child does not reside only if that parent submits a written request.

Disagreements between parents must be resolved between the parents and cannot be resolved by the academy. 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 evaluation and services,

the academy will arrange a meeting with all parents (preferably together or separately if required) to attempt to assist the parents to resolve the situation and if it cannot be resolved may refer the matter to the relevant department of the Local Authority.

- The Headteacher or designated deputy will meet with the parent seeking to remove the child and, in his/her presence, telephone the parent to whom the child would normally be released and explain the request.
- 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.
- In the event that the parent to whom the child would normally be released to cannot be reached, the Headteacher or staff member dealing with the issue may make a decision based upon all relevant information available to him/her.
- The Headteacher or staff member may have to refuse permission if consent cannot be obtained.
- 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.

All parents can have equal access to all academy information via our parent mail system, or alternatively request in writing additional copies of communications which are not available on the academy website (all parents are recommended to regularly use the academy's website – it contains all back dated newsletters and has a range of information and links)

Changing a surname

A change of surname is a private law matter and should be resolved between parents. Where the parents have separated or divorced, the surname by which a child is known will not be changed without written evidence (independent of the parent seeking to make the change), that consent has been given by the 'other parent' or by anyone else who has parental responsibility for the child. However, there may be circumstances where a name change has already been effected by the academy and therefore it would not be in the best interests of the child who might be known by a new name to refer back to a different name. Ultimately it is a matter of policy for the academy to decide but the best interests of the child must be the paramount consideration when making a decision.

Review Date: 2021

Trust Director signature

Name

Date