



Separated Parents Policy

Berkeley Primary School

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Rationale

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 primarily an attempt to minimise any impact on the welfare and learning of a pupil. It also aims to clarify to all parties what is expected from separated parents and what can be expected from the school and its staff.

DEFINITION

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 (biological) parents, whether they are married or not;
- 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.

Who has “Parental Responsibility”? (The Children Act 1989)

If the parents of a child were not married to each other when the child was born, the mother automatically has parental responsibility but the father only does by jointly registering the birth of the child with the mother. He can, however subsequently acquire parental responsibility by various legal means.

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

- being granted a residence order
- being appointed a 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)
- adopting a child

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 and school-based questionnaires;
- participate in any exclusion procedure;
- attend parent meetings/school events;
- becoming / voting to become a parent governor;
- have access to school records and receive copies of school reports, newsletters, invitations to school events, school photographs relating to their child and information about visits.

Court Orders

The school recognise 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 school does not have the power to act on the request of one parent to restrict another or to change a chosen or legal name.



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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.

At Berkeley Primary School, 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 school retains the right to consult the Local Authority before taking immediate action.

Berkeley Primary 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. Berkeley Primary School has no responsibility for enforcing any court order. 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.

Parents are encouraged to resolve contact issues without involving school directly. The interests of the child will always be paramount when deciding whether to accommodate a request from an estranged parent. The school will not pass on messages, presents etc. from an estranged parent or grandparent.

Unfortunately, in extreme circumstances outside agencies may be involved in a family breakdown. In these circumstances Berkeley Primary School will work fully with other professionals to support the welfare of the children.

Change in Parental Responsibility

It is the responsibility of the parents to inform the school when there is a change in family circumstances. The school 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.

Communication and Information

Newsletters and school updates will be sent to all parents via text, email, Class Dojo or the school website. These updates will contain all the main events within the school, including productions, sports days, parent's evenings, class visits, etc. Paper copies of letters are only sent on request if adults cannot access the website or email. There is an expectation that parents will communicate these messages to each other as and when appropriate.

We hold two parents evening per year, where all parents are expected to attend. We would expect parents to liaise with each other regarding these arrangements. The school will, however, send a letter to a parent with whom the child does not reside if that parent submits a written request. The school will consider a second appointment at another mutually agreeable time if there are difficulties in parents attending the same appointment.



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When Data Collection sheets are completed by parents, care is taken to make sure UK-General Data Protection Regulation (UK-GDPR) procedures are followed and the other parents' details will not be able to be seen.

We expect that parents should liaise and communicate directly with each other in matters such as the ordering of school photographs; tickets for performances and other instances. The school will not deal individually with these requests in view of the significantly increased workload that they represent.

All parents can have equal access to all school information via our website, alternatively they can make a request, in writing, for additional copies of communications which are not available on the website.

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 both parents on request.

Disagreements between parents in this regard must be resolved between the parents and cannot be resolved by Berkeley Primary School or the Local Authority.

Procedure for releasing a child

Berkeley Primary School will release children to parents in accordance with arrangements notified. If one parent seeks to remove the child from school in breach of the notified arrangements (Court Order), and the parent to whom the child would normally be released has not consented the following steps will be followed:

- The Headteacher or designated deputy will meet with the parent seeking to remove the child and 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 designated deputy dealing with the issue may make a decision based upon all relevant information available to him/her;
- The Headteacher or designated deputy 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 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 will be notified immediately.

If both parents have parental consent and one parent removes the child unexpectedly, Berkeley Primary School is unable to prevent this but a staff member will contact the other parent immediately.

We will maintain our 'open door' policy with all parents, and the class teacher, and/or SLT members/ Headteacher will be available by appointment to discuss any issues. We hope that by working together with parents we can achieve the best possible outcomes for our pupils.