



# Separated Parents Policy

## Document Control

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## **1. RATIONALE**

This policy seeks to clarify to all parties what is expected from separated parents and what can be expected from Leger Education Trust and its school and staff. It has been written with regard to the DfE guide for schools and parental responsibility. [Understanding and dealing with issues relating to parental responsibility - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/understanding-and-dealing-with-issues-relating-to-parental-responsibility)

## **2. ROLES AND REPOSIBILITIES**

### **Governors**

The Governing Body of each Academy recognises that while the parents of some pupils may be divorced or estranged, both have a right to be informed of and involved in their child's educational process. The information provided to the school when their child was enrolled detailing whether both 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.

At Leger Education Trust we wish to promote the best interests of the child, working in partnership with both parents, unless directed by a court order. In the event that an Academy is not informed of such action, neither parent will have rights superior to the other except as detailed below.

### **Parents**

It is the responsibility of the parents to inform their child's school when there is a change in the families' circumstances. We need to be kept up to date with contact details, arrangements for collecting children and emergencies.

If one parent seeks to remove the child from their Academy, and the parent with whom the child ordinarily resides, 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, in his/her presence, telephone the parent with whom the child ordinarily resides and explain the request. If the parent with whom the child ordinarily resides agrees, the child will be released and the records will reflect that the permission was granted orally.
- In the event that the parent, with whom the child ordinarily resides, 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 refuse permission if consent cannot be obtained.

In extreme circumstances, if there is reason to believe that a possible abduction of the child may occur or if the parent is disruptive, the police will be notified immediately and information passed to social care.

## **3. OUR ACADEMIES**

All parents are recommended to regularly use the Academy website where newsletters and letters are posted, and has a range of information and links regarding Academy business.

Occasionally letters are sent to individual classes. E.g. School Trips, After School Clubs etc. These may be emailed (or a text alert sent) to the first contact parent and are available to view on the Academy website. Non-resident parents should be added to the text messaging service unless it is requested otherwise by the non-resident parent.

Where parental consent is required, this would only be requested from the parent with whom the child resides. If the parent with whom the child normally resides is away, a written note from this parent giving permission for the absent parent to consent must be provided to the school.

We will hold one parents evening appointment per child, where both parents are welcome. We would expect parents to communicate with each other regarding these arrangements. Wherever possible it is preferable for both parents

to attend the same meeting at the same time, however, we do recognise that there may be circumstances where this may not be possible and alternative arrangements may need to be made.

We expect that parents should liaise and communicate directly with each other in matters such as the ordering of photographs; tickets for performances and other instances. If this is not possible then the absent parent may request that their Academy send this information directly to them. The request must be made to the Academy in person (where proof of identity will be required) or, if that is not possible, by phone (where a series of security questions will be asked) and followed up in writing, clearly stating the information required.

#### **4. PARENTAL RESPONSIBILITY**

Academies must provide an annual written report of each registered pupil's progress and attainment in the main subject areas taught, to the parents of that registered pupil (except that no report need be provided where the parent has agreed otherwise).

In cases where a school does not know the whereabouts of a non-resident parent, it should make the resident parent aware that the other parent is entitled to be involved in their child's education and request that information is passed on.

If the resident parent refuses to share information with the other parent and also refuses to provide contact details so that the school can deal direct with the non-resident parent, the school can do nothing more. It should be noted, however, that the resident parent might be genuinely unaware of the non-resident parent's whereabouts.

If the non-resident parent subsequently contacts the school and requests access to information, the school should provide it to that parent direct, after taking reasonable steps to satisfy itself that the individual is, in fact, the child's parent.

Schools are not required to seek the consent of the parent with whom the child resides before either recording the contact details of the non-resident parent, or sending them their child's prescribed statutory educational information. There is also no requirement for a school to request a solicitor's letter from a parent who does not live with the child, as evidence that they are a parent entitled to educational information about their child. Nor does a school need a court order directing them to provide statutory information to any parent who is entitled to it.

#### **5. CONSENT**

Where schools need parental consent to outings and activities, headteachers 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 such cases.

In cases where the school considers it necessary or has been asked to seek consent from both parents, you may wish to assume that parental consent has not been given unless all parents agree. Such an approach ensures that the school has treated the views of each parent equally and will also help to safeguard the position of the school in terms of exposure to any potential civil liability where, for example, the child is injured while on a school trip.

Schools should avoid becoming involved in any disagreement between parents but might want to suggest that where parents cannot agree they seek independent legal advice about obtaining a court order setting out exactly what decisions each parent can make in respect of the child (a Specific-Issue or Prohibited Steps Order as appropriate).

#### **6. CHANGE OF NAME**

A change of surname is a private law matter and should be resolved between parents. Where one parent seeks to change the surname by which their child is known, schools should ensure that they do not change the surname without written evidence that consent has been given by the other parent or by anyone else who has parental responsibility for the child. Schools should source this evidence independent of the parent seeking to make the change.

Regulation 5(1)(a) of the Education (Pupil Registration) Regulations 2006 requires a school to record the full name of every pupil in alphabetical order in the admissions register. This means the child's full legal name and not any other name that the child is known by.

However, there may be circumstances where an informal name change has already been adopted in the school and it would not be in the best interests of the child, who might be called by a new name, to refer back to a different name. In these circumstances, schools should decide what action to take but the best interests of the child must be the paramount consideration when making a decision.

## **6. PARENTAL CONFLICT**

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 assessment and services, the school will arrange a meeting with both parents (either together or separately) to attempt to resolve the situation. If it cannot be resolved the school may consider referral to the relevant support services. In the event of such a dispute, the parents may be asked to take the matter back to court. The school's role is not to adjudicate between parental disagreements. Where necessary the school will decide in the best interests of the child. It is vitally important that both parents remain involved in their children's learning and to this end, we will maintain our open-door policy with both parents. The class/form teacher will be available to discuss any issues by phone or meeting.