

Separated Parents Policy



Ashley Junior School

Headteacher	Mrs C. Bartolomeo
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Reviewed	Reviewed by	Next Review date	Revisions
	Full Governing Body	July 2028	

Ashley Junior School - Separated Parents Policy

Aims

At Ashley Junior School, we aim to maintain contact with both parents in the best interests of their child(ren). This policy aims to minimise any impact and to clarify to all parties what is expected from separated parents and what can be expected from the school and its staff.

For the purposes of the policy, the term 'separated parents' means any parent, or person with parental responsibility, that is separated, divorced, estranged or living in a different property from another individual with this status.

We are fully aware that when parents separate this can be very traumatic for any children concerned and, with this in mind, we will make every effort to work with both parents to promote the welfare of the children.

Research and experience indicate that whenever separated parents make a concerted effort to work well together, and in partnership with school staff to support their child(ren) in their learning and behaviour, the negative impact on children's overall well-being and academic attainment can be reduced.

Definition of a Parent

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 biological parents, whether they are married or not
- any person who, although not a biological parent, has parental responsibility for a child e.g., an adoptive parent, a legally appointed guardian or the Local Authority named in a Care Order
- any person who, although not a biological parent and does not have parental responsibility, 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 the school. In particular, these entitlements include:

- Appeals against admission decisions;
- Ofsted & school-based questionnaires;
- Participation in any exclusion procedure;
- Attendance parent meetings/school events;
- Having access to school records and receiving copies of school reports, newsletters, invitations to school events, school photographs relating to their child and information about school trips

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.

Parental Responsibility

Parental responsibility is defined in the Children Act 1989 and means the rights, duties, powers, responsibilities and authority that a parent has for their child. In addition to a child's natural parents, it can be acquired by Court Order, being appointed a guardian, adopting a child or a formal agreement.

The information provided to the school when the child was enrolled detailing who has 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. The school will be reliant on such information being provided as accurate and true.

Similarly, the information provided regarding the address(es) where the child lives will be presumed to be correct unless the school is provided with a copy of a Court Order setting out arrangements for where the child should live.

Court Orders

At Ashley Junior School, our sole wish is to promote the best interests of the child, working in partnership with all parents and / or those with parental responsibility 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. The 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. Only a Court Order stating the arrangements is deemed to be valid; a letter from a solicitor is not sufficient.

The school has no responsibility for enforcing any Court Order but will endeavour to ensure that if there are restrictions in place with regards to the collection of a child, such restrictions are adhered to.

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.

School Communications

All parents have a right to be involved with their child's education and to be kept informed of matters related to this. Where possible, we would request that separated parents keep channels of communication open between them, for the benefit of their child/ren.

General school communications are sent to all parents using our online system, Arbor. It is the responsibility of each parent to provide an up-to-date email address and to check their emails regularly.

If circumstances do not permit for parents to share information between themselves, the school should be informed so that specific arrangements can be put in place. These arrangements will be determined on a case-by-case basis.

On Arbor, a parent cannot see the contact details of other parents. This applies to all parents, not just those who are separated or have a court order. However, parents can view the child's details if they live at the same address.

Obtaining Consent

For day-to-day requests/permissions, such as permission to go on a school trip or request to administer medicines, the school will accept permission from and/or requests from the parent the child is usually resident with, which can mean either parent where there is shared residency. We will not seek permission from both parents in such situations.

In cases where the school considers it necessary to seek consent from both parents, for example, where it is believed that the decision will have a long-term and significant impact on the child, permission will be sought from both parents; for example, social media use. In such cases, it is possible that one may give consent and the other withhold it. In such cases, the school will assume that parental consent has **not** been given.

Changes in Family Circumstances

We ask parents to inform the school of changes in family circumstances, at an early stage, so that we can sensitively support the child in school.

It is the responsibility of parents to update the school whenever emergency contact details change for one or both parents and/or there is a new arrangement for collecting children at the end of the school day, in particular if there is any Court Order that has been made.

We recognise the sensitivity of some situations and all staff are aware of the need for discretion and confidentiality. School staff will be informed on a strict need-to-know basis so that suitable support can be offered.

Collecting a child from school

The school will release children to parents in accordance with arrangements notified to the school. It is the responsibility of parents to inform us who can collect a child and to notify us if circumstances change.

If a parent who does not usually collect the child tries to do so (and the parent who usually collects the child has not notified the school of any change), we will try to take the following steps:

- The headteacher or designated deputy will meet with the parent seeking to collect the child and then contact the parent to whom the child would normally be released to explain the request;
- If the parent to whom the child would normally be released gives consent, the child may be released and the records will reflect that the permission was granted verbally;
- If the parent to whom the child would normally be released opposes the other parent wanting to take the child, then the school will advise that

without a court order we cannot prevent them from doing so and that, as it is a civil matter, we would ask that parents try to reach an amicable solution themselves;

- During any discussion or communication with parents, the school may determine that it is appropriate for a suitably qualified member of staff to supervise the child in a separate room, in order to safeguard their emotional welfare.

If it is felt that a child could be at risk if we release them to any individual (parent or otherwise), we will follow our protocols and policies for safeguarding children. Please see our safeguarding policy for further information.

In extreme circumstances, where there is a belief that a possible abduction of the child may occur or if the parent is aggressive, violent or disruptive, the police will be notified immediately.

Parent Consultations

Under normal circumstances, there will be one parents' evening appointment allocated per child. Both parents are entitled to attend. We would request that, where possible, parents work together to agree mutually convenient arrangements.

In circumstances where it is not appropriate for both parents to attend the same appointment, or where this would be particularly distressing for any of the parties involved, the school will usually be able to offer a second, separate appointment. If this is the case, either parent can request this by contacting the school directly via the school office.

All those with parental responsibility, who have set up the Arbor app, will be able to see that parent meetings have been booked by one/both parents.

Written Reports

Any person who is known to the school to have parental responsibility for a child has the right to receive written progress reports for their child. These will be provided to separated, divorced or estranged parents who have parental responsibility and for whom the school has been provided with up-to-date contact details.

Change of Name

A parent can only change their child's name (forename and/or surname) either by both parents providing a letter confirming such consent and bearing wet signatures, or by an order of the Court. Unless either of the above are provided, the child will be known and addressed by their birth name as recorded on their birth certificate.

Ashley Junior School is under no obligation to do so but they may effect an informal change of name if that is requested by the parent(s) for example (a) verbally addressing a child (b) name on books etc. It is important to note that the school database (Arbor), unless changed by an order of the Court, will reflect the child's name at birth. In addition, and as stated, any informal change of name addressing the child is at the school's complete discretion after the school has taken into account all of the circumstances.

Referrals to external agencies

If the school feels it is appropriate to make a referral to an external agency (for example, social care, CAMHS, Educational Psychologist), the school may inform the other parent and ask if they would like their details included and recorded. Each parent can request that any personal details and information related to them be redacted (removed) before a copy is shared with the other parent.

If we feel that sharing information may result in a safeguarding issue, we will follow our safeguarding processes.

Pupils Moving Schools

In the case of separated parents, case law states that all those with parental responsibility must be consulted before important decisions are made, such as removing a child from their school, when they should leave the school or which new school they should attend.

If the school receives a request to remove a child from our school roll, there is no statutory obligation on the school to notify one parent if the other decides to remove their child – that responsibility rests solely with the separated parents.

Nonetheless, the child's welfare is paramount, so, if the school is aware that parents are separated and one parent decides to remove their child, staff may ask that parent if the other has been informed and has agreed to this.

Disputes and Disagreements

Ashley Junior School hopes that parents and all those with parental responsibility will support the school in working together for the benefit of their children.

It is very important to note that any dispute between parents sharing these rights will need to be resolved between them. In all cases where parents and/or those with parental responsibility cannot agree on various issues, parents should seek independent legal advice as to the options available to resolve those issues, either by agreement or by obtaining a Court Order.

Parents should seek to resolve contact issues without involving the school directly. The school will not mediate, "take sides" or act as an intermediary between parents who do not communicate with each other.

In conclusion

At Ashley Junior School, we understand that in some cases, personal family difficulties can additionally have an impact on the school the children attend. We endeavour to work positively and in partnership with parents, but we have a clear expectation that parents' behaviour, even in difficult circumstances, is in keeping with expectations set out in our policies relating to how parents communicate with the school.