

## Guidance for supporting separated parents

Schools are required by law to engage with pupils' parents in a number of different ways. It is easy to get caught up in disputes between adults, with each claiming to have parental responsibility for a particular child(ren). This is particularly challenging with children who are living in social care, where parental responsibility can be confusing or unclear.

Here at St Anne's we recognise that when parents separate it can be traumatic for the child(ren) and also for the parents involved and we want both parents to feel welcome and involved in their child's education (unless there are legal reasons preventing this).

### **Parents:**

The Law states that a parent includes:

- all biological parents, whether they are married or not
- any person who, although not a biological parent, has parental responsibility for a child or young person – this could be an adoptive parent, a step-parent, a guardian or other relative
- any person who, although they are not a biological parent and do not have parental responsibility, has care of a child or young person
- a 'corporate parent' such as local authorities and partner organisations that contribute to services provided to looked-after children, namely children who are the subject of a care order.

### **Parental Responsibility**

In law parental responsibility means all the rights, duties, powers, responsibilities and authority that a parent has in relation to the child.

A person with parental responsibility can make decisions about the child's upbringing and is entitled to information about the child. For example, they can give consent to their medical treatment and make decisions about their education. They also have the right to receive information about their health and education.

### **Who has parental responsibility?**

A child's birth mother (the person who carried the child) has parental responsibility unless it has been removed by an adoption order or a parental order following surrogacy.

If a child's father and mother were married to each other at the time of the child's birth, they each have parental responsibility. If the parents were not married to each other at that time, the child's father can gain parental responsibility:

- by registering the child's birth jointly with the mother
- by subsequently marrying the child's mother
- through a 'parental responsibility agreement' between him and the child's mother that is registered with the court
- by obtaining a court order for parental responsibility

If two female parents have a child through fertility treatment, the mother's female partner is treated in the same way as a father. Her partner can also acquire parental responsibility in the same way that a child's father can.

People who are not the child's biological mother, father or second female parent can also acquire parental responsibility.

A Local Authority (the corporate parent) acquires parental responsibility under Section 33 of the Children's Act 1989

## **How to Support Families**

Many children are members of families where parents have separated before they came to the school and many other children go through changes in family circumstances during their time at St Anne's. We aim to support children and families during these challenging times and fully involve all those with parental responsibility. Key to this is remaining neutral and keeping the child(ren's) welfare and well-being at the centre of all that we do.

## **Procedures**

Where there are issues over access to children, any adult with parental responsibility for the child should contact the school immediately to discuss these. If there is a Court order preventing an individual's access to a child or detailing contact arrangements which would involve the school they should be provided immediately. These will be shared with all relevant staff

Where there is a Court restraining order in place, the school will put measures in place to ensure the child is not released to the named individual. Documentation must be provided.

Where a separated parent has parental responsibility but is not the parent with whom the child usually resides and there is no court order in place, the school is required to allow the child home with them; however the Headteacher (or designated senior leader) is able to use discretion (in the case of an unexpected or unusual request) and would seek clarification from the resident parent before allowing the child to leave the premises.

Should anyone without parental responsibility seek information or access to a child the school will provide no information and will inform the resident parent of the situation.

For the non-resident parent it can be difficult to obtain information about their child(ren's) wellbeing and academic development.

The Department for Education offers the following general principles for schools:

Everyone who has parental responsibility (whether they are a resident or non-resident parent) has a right to participate in decisions about a child's education and receive information about the child (even though, for day-to-day purposes, the school's main contact is likely to be a parent with whom the child lives on school days). School staff must treat all parents equally, unless there is a court order limiting an individual's exercise of parental responsibility. This includes: the right to receive information, e.g. pupil reports, to participate in activities, e.g. vote in elections for parent governors; opinion-gathering exercises etc, to be asked to give consent, e.g. to the child taking part in school trips and to be informed about significant meetings involving the child. The vast majority of our correspondence is sent via Weduc (Reach More Parents) and all parents with parental responsibility (whose contact information has been shared with school) will have this information sent to them. Most letters and information about events will also be available on the school website. Permission slips for activities etc will be accepted from either parent with PR and only one parent with PR needs to give consent. One Annual School Report will be sent via the child's book-bag but all parents with PR will be informed of this and requests for additional reports are welcome – to be collected from the school office.

We expect that, wherever possible, separated parents attend their child's Parents Evening appointments together. We cannot statistically offer 2 appointments as a matter of course for all

separated couples. We appreciate there will be exceptional circumstances where this is not possible and we are happy to discuss this.

In case of an accident or emergency, we will phone the parent with whom the child mainly resides (or the priority phone number held on our system; or the parent with whom the child is residing on that day if we hold that information) although of course, depending on the severity of need we would try and contact both parents.

We recognise that parental separations are often not easy and that disagreements or difficulties between separated parents may occur. Some separated parents occasionally ask school staff to monitor their child (eg their presentation/tiredness) on days spent with their former partner. This we cannot do, although any concerns we do have will be noted down and shared with both parents. Separated parents often feel that their child/ren's well-being has been negatively affected by issues around the separation. Some parents ask the school to provide support for their child in light of this. We would always want to provide support for any child in need, however, if the situation in which the child lives is causing the child's anxiety, it might be the 'situation' itself which needs support to change. We are always happy to discuss an individual child's needs / situation and whether support at school is appropriate or possible. In considering this, we will look at the child's emotional presentation in school alongside parent concerns.