

Separated Parent Policy

This policy has been created to clarify what is expected from separated parents and what can be expected from the school and its staff.

Parental Responsibility

In order to help us to look after children whilst they are in our care, we require on our enrollment form for parents to provide certain information such as name of both parents, address, contact details etc. We are also required to ask who has Parental Responsibility for the child. This is important because it allows the school to be sure who has the right to make decisions about a child's education and medical treatment. However, this is a very specific legal term and many parents may be unaware of how it is applied:

Section 576 of the Education Act 1996 defines a 'parent' as:

(Parents may be recognised differently under education law, than under family law)

- The biological parents of a child, whether they are married or not.
- Anyone who although not a biological parent has parental responsibility for a child.
- Any person who, although not a biological parent and who does not have parental responsibility, has care of a child or young person.
- A person typically has care of a child or young person if they are person with whom the child lives, either full or part time and who looks after the child, irrespective of their biological or legal relationship with the child (for example, a carer who has been delegated responsibility for taking day-to-day decisions about the child but does not have parental responsibility).
- A person who is not the biological parent of a child, who does not have parental responsibility for the child and with whom the child no longer lives is unlikely to be recognised as a "parent".

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:

- To attend school parent meetings.
- To express a preference when choosing a school (final decision made by resident parent).
- To receive information on the child's education.
- To participate in activities (e.g. sports day).
- To give consent (e.g. for school trips -consent of one parent required).

This entitlement cannot be restricted without a specific court order. **The school does not have the power to act simply on the request of one parent to restrict another.** The school will not seek to make judgements about individual circumstances but will treat both parents equally unless there is a specific court ruling in existence.

Important notes:

- Any dispute needs to be resolved between the 'parents' (as defined above) and not by the school.
- The school cannot be asked to withhold a child from either parent in the absence of a court order. A solicitor's letter is not a court order.
- If there is a serious concern about a parent abducting or leaving the country with the child, the parents/guardian should request their solicitor to seek a court order instructing the school and any other carers regarding rights of access.

We will maintain our open door policy with all parents, and the class teacher and Headteacher will be available by appointment to discuss any issues.