



Transform Trust Separated Parents Guidance May 2022

Introduction

Transform Trust and its Schools recognises that children from families whose parents are separated, or are undergoing separation, may experience difficult or traumatic changes during their time at school. With this in mind, we will make every effort to work in partnership with parents to promote the welfare of children.

This guidance has been created to minimise any adverse impact of separation on pupils' learning and wellbeing and to clarify to all parties what is expected from separated parents and what can be expected from the Trust and its school.

Definitions

Schools have a legal duty to work in partnership with families and to involve all those with parental responsibility in their child's education. Section 576 of the Education Act 1996 defines a 'parent' as:

- All natural parents, whether they are married or not.
- Any person who, although not a natural parent, has parental responsibility for a child or young person.
- Any person who, although not a natural parent, has care of a child or young person (a person with whom the child lives and who looks after the child)

Parents as defined above must be treated equally, unless there is a court order limiting an individual's exercise of parental responsibility. 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.

Individuals who have parental responsibility, or care for a child, have the same rights as natural parents. This includes the right to:

- Receive information (e.g. pupil reports, school events etc).
- Participate in activities (e.g. elections for parent governors).
- Give consent (e.g. for school trips).
- Be involved in meetings concerning the child (e.g. participate in an exclusion procedure, appeal against admission decisions).

Trust and its schools responsibilities

- Will ensure that the school has arrangements in place to ask parents or guardians for the names and addresses of all parents when they register a pupil.
- That names and addresses of all parents, where known, are included in the admission register and in pupil records and are available to the pupil's teachers.
- That names and addresses of all parents are forwarded to any school to which the pupil

moves.

- That details of court orders are noted in the pupil's record.
- Where the address of a non-resident parent is unknown, the Headteacher will tell the resident parent that the non-resident parent is entitled to be involved in their child's education and request that information is passed on to them.

Parental responsibilities

Parents of children joining a Trust school are requested to bring into school their child's birth certificate. This ensures children are joining the correct year group and helps the school ascertain who has parental responsibility.

Parents are responsible for informing the school when there is a change in family circumstances. We recognise the sensitivity of such situations and we will maintain confidentiality requested by parents as far as possible. The school will also not make judgements about individual circumstances, and both parents will be treated equally.

Where there is a court order in place, a copy needs to be retained by the school. We will put measures in place to ensure the child is not released to any individuals named in the court order as persons who do not have parental responsibility.

Parents who have joint custody of the child are requested to keep the school informed, in writing, of any disputes they have with each other regarding the collection of children.

If a leave of absence request form is received and signed by only one parent, the school will endeavour to seek confirmation that the other parent is aware.

Children's welfare and safety are paramount, where there are issues over access to children, the parent with whom the child resides should contact the school immediately.

The Trust and its school's policy are to hold one parents evening appointment per child, where both parents are welcome. Separated parents may request alternate appointments and the school will endeavour to accommodate this, wherever possible. Online appointments can also be made available. Parents are expected to communicate with each other regarding these arrangements.

Parents are expected to liaise and communicate directly with each other in matters such as the ordering of school photographs, tickets for performances and other such instances.

Progress reports and pupil records

Any parent has the right to receive progress reports and review pupil records of their child. If the parents are separated or divorced, progress reports will be sent to the parent and address noted in the school's records specifying where the child resides with the expectation that they will share the report with the other parent. If the child is subject to a joint residence order and the school's records formally capture that the child resides at two addresses, then progress reports will be sent to both addresses. The school will send copies of the progress report to a parent with whom the child does not reside if that parent submits a written or electronic request for this to happen.

Collecting a child from school

Where a separated parent has parental responsibility, and requests to take the child during or at the end of the school day, the resident parent will be asked to confirm that they are aware of this, providing a non-contact order is not in place. The Headteacher will exercise discretion on the decision to allow a child to leave the premises with a non-resident parent. The school will notify the resident parent that the child has been collected early. When a child is released early or to the parent who is not due to collect this should be recorded on MyConcern.

Obtaining consent for off-site activities

If parental consent is required for outings or activities, the school will seek 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 consider it necessary to seek consent from both parents, it is possible that one gives consent and the other withholds it. In such cases, the school will assume that parental consent has **not** been given.

Name change

Parents are responsible for resolving potential conflicts about the change of a surname. There must be consent from both parents after divorce or separation for registering a change of name of a pupil. The school will ensure that the change in surname is supported by written evidence. A separated parent who has parental responsibility, but no longer lives with the child, may refuse to consent to changing the child's surname. In such cases, the parent wishing to change the child's name would need to apply to the courts for permission to do so.

In circumstances where a name change has already been implemented by the school and it is in the interest of the child, who might be known by a new name, to refer back to a different name, the school will make a decision holding the best interests of the child under paramount consideration.

Disputes and disagreements

Disagreements between parents must be resolved between the parents and cannot be resolved by the school.

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 and participation in extracurricular activities, the school will assist by facilitating a meeting with all parents if it will assist the parents in resolving the situation.

Where, in the reasonable opinion of the school, the issue requiring parental consent is likely to have a long term and significant impact on the child, the school may require the consent of all those with parental responsibility for the child who are known to the school. An example of the circumstances where joint consent is likely to be required includes the decision to withdraw a child from sex education or religious education within the school curriculum.

The school will maintain an open-door policy with both parents and will be available to discuss any issues. In extreme circumstances, if there is a belief that a possible abduction of the child may occur or if the parent is threatening, the police will be notified and advice will be sought.

This guidance will be reviewed annually.