

# **ATLP Separated Parents Policy**



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## Introduction

The Arthur Terry Learning Partnership's 'Separated Parents Policy' is established to ensure that schools provide a supportive and fair educational environment for children whose parents are separated or divorced, as we believe that open and transparent relationships between school and parents are in the best interests of our children. This policy aims to adhere to the legal framework established under the Children Act 1989, which defines parental responsibility and the child's best interests as paramount.

## Legal Framework & Definitions

**The definition of a "parent":** The Education Act 1996 definition of parent for school purposes is much wider than for any other situation. A parent is defined as:

- 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, guardian or other relative
- any person who, although not a biological parent and 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 the person with whom the child lives, either full or part time and who looks after the child, irrespective of what their biological or legal relationship is with the child. For example, this may be a foster carer or family and friends carer who does not have parental responsibility but has been delegated the responsibility for taking day-to-day decisions about the child.

**Parental Responsibility:** The Children Act 1989 defines parental responsibility as the legal rights, duties, powers, responsibilities, and authority which a parent has in relation to their child. This encompasses a wide range of responsibilities, including decisions about the child's education, health, and welfare. 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. 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.

Unless there is a court order limiting an individual's exercise of parental responsibility, for example, an order preventing the absent parent from having contact with the child, the school must treat all parents equally and must provide them with the same information.

Further information regarding parental responsibility in education settings as published by the Department for Education is available [here](#).

## Key Principles

1. **Inclusivity:** Schools recognize that both parents have equal rights and responsibilities for their child's education. This includes access to school information, participation in school activities, and decision-making regarding the child's welfare.
2. **Communication:** Schools will maintain open and effective communication with both parents, ensuring that information relevant to the child's education is shared, regardless of the parents' relationship status.
3. **Consistency:** Schools will strive to provide a consistent and supportive environment for the child, understanding that transitions between separated parents' homes may be challenging.
4. **Child's Best Interests:** Decisions made by the school, including those concerning access and involvement of parents, will always prioritize the child's best interests as outlined in the Children Act 1989.

## Implementation

1. **Contact Information:** Both parents are encouraged to provide up-to-date contact information, including addresses, phone numbers, and email addresses. This allows the school to maintain communication with both parties.
2. **Parental Meetings:** Schools will offer flexible scheduling for parent-teacher meetings to accommodate the availability of both parents. We ask where possible, that separated parents attend face to face or virtual meetings together. If it is required that meetings are to be held separately, the same information will be shared with both parents.
3. **School Records:** All relevant school records, including academic reports, attendance records, and communications, will be provided to both parents, ensuring transparency in the child's educational progress.
4. **Access to School Events:** Both parents will be informed of school events, such as parent-teacher meetings, school performances, and extracurricular activities, and encouraged to attend or participate as appropriate.
5. **Emergency Contacts:** Both parents will have the option to list emergency contacts, including individuals authorized to pick up the child from school. In situations where a parent is denied access to the child, the school will follow the guidance of a legally binding court order. We expect parents to update the school whenever emergency contact details change for one or both parents.
6. **Court Orders:** In cases where there are court orders specifying the rights and responsibilities of each parent, or requests to the school to respond to requests for information, the school

will comply with these orders and may require a copy for reference. Schools can only be expected to comply with an order if it is properly notified and has received a digital or paper copy for its files, and only to the extent that it relates to the school. Schools will not provide information for legal proceedings without a request direct from the court. School responses to court orders will seek to limit opinion unless specifically requested from the court.

7. **Conflict Resolution:** Schools are committed to maintaining a neutral and supportive stance in disputes between parents. Parents should seek to resolve disputes or contact issues without involving the school. The school will not mediate, 'take sides' or act as an intermediary between parents who do not communicate with each other. In all cases where parents 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. Should parents approach schools regarding information about one another, schools will adhere to local data protection and safeguarding laws and regulations and may seek legal advice to make case-by-case determinations based on the specific circumstances.
8. **Changes in family circumstances:** We ask parents to inform the school whenever something outside school – such as a change in family circumstances occurs so that we can sensitively support the child in school. We expect parents to update the school whenever there is a new arrangement for collecting children at the end of the school day. We recognise the sensitivity of some situations, and all staff are aware of the need for discretion and confidentiality. The school reserves the right to request identity documentation for verification purposes as required.
9. **Release of children:** Schools will release children in accordance with school's published procedures. Where school's release of children is directly to parents, schools will act in accordance with arrangements notified to the school. If one parent seeks to remove the child from school in contravention of the notified arrangements, and the parent to whom the child would normally be released has not consented, the following steps will be followed:
  - The headteacher or senior teacher will meet with the parent seeking to remove the child and then telephone the parent to whom the child would normally be released and explain the request.
  - If the parent to whom the child would normally be released agrees, the child may be released and the records will reflect that the permission was granted orally.
  - In the event that the parent to whom the child would normally be released to cannot be reached, the headteacher or designated deputy dealing with the issue may make a decision based upon all relevant information available to her.
  - The headteacher or designated deputy may have to refuse permission if consent cannot be obtained.
  - During any discussion or communication with parents, the child may be supervised by an appropriate member of school staff in a separate room.
  - In extreme circumstances if there is a belief that a possible abduction of the child may occur or if the parent is disruptive, the police will be notified immediately.

## **Conclusion**

This Separated Parents Policy seeks to ensure that the rights and responsibilities of both parents are respected, in compliance with the Children Act 1989. The child's best interests and educational well-being remain at the forefront of all school actions and decisions. Schools will continue to foster an inclusive and supportive environment for children and parents experiencing separation or divorce.