



Uplands Juniors School Separated Parents Policy

January 2023

Review Date January 2025

Introduction

At Uplands Junior School, we recognise that children from families whose parents are separated may go through traumatic changes during their time at school. We will make every effort to work with parents to promote the welfare of children. This policy has been created to minimise any confusion and to clarify to all parties what is expected from separated parents and what can be expected from the school and its staff following Department for Education guidance in 'Understanding and dealing with issues relating to parental responsibility' September 2018.

This policy has also been written in line with the UN Convention on the Rights of the Child article:3 best interest of the child, 9 separation from parents, 18 parental responsibilities and state assistance.

At Uplands junior school we wish to promote the best interest of the child, working in partnership with both parents, unless directed by a court order or a safeguarding concern. In the event that the school is not informed of the existence of such order, neither parent will have rights superior to the other.

Parents will be encouraged to resolve any issues around estrangement, contact and access to information without involving Uplands Junior School directly. The school and its staff should not be placed in a compromising situation as a result of disagreements between separated parents.

Issues of estrangement are a civil/private law matter and Uplands Junior School cannot be involved in providing mediation, helping an estranged parent to communicate with their child or children, or using the school premises for purposes of contact.

For our purposes the **Resident Parent** is the parent with whom the child primarily resides with during the school week. The **Non-Resident Parent** is the parent who holds joint parental responsibility but with whom the child is generally not resident with during the school week. For clarification of 'Who is a parent?' and 'What is parental responsibility?' please refer to the DfE document 'Understanding and dealing with issues relating to parental responsibility' September 2018.

Managing Parental Responsibility

The DFE's provides advice for Headteachers, who should:

- Ask parents or guardians for the names and addresses of all parents when they register a pupil.
- Ensure that names and addresses of all parents, where known, are included in the admission register and also in pupil records, and are available to the pupil's teachers.
- Ensure that names and addresses of all parents, where known, are forwarded to any school to which the pupil moves.
- Ensure that details of court orders are noted in a pupil's record, shared with relevant staff and kept in the safeguarding file.
- Resident parent should be made aware that the non-resident parent is entitled to be involved in their child's education and ask that information is passed on to them.
- The information provided to the school when the child was enrolled detailing whether both parents have 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.

What does Uplands Junior School expect of parents?

- 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.
- Where there is a court mandated restraining order in place, parents should provide a copy to the school. Uplands Junior School will put in place measures to ensure the child is not released to the named individual in the court order.
- Parents who have joint custody of the child/ren are requested to keep the school informed, in writing, of any arrangements such as collection arrangements, court orders etc.
- The parent with whom the child primarily resides with during the school week will be the school's first point of contact unless informed otherwise.
- Children's welfare and safety are paramount and, where there are issues over access to children, the parent with whom the child primarily resides should contact the school immediately.

- We will hold one parents evening appointment per child, where both parents are welcome. We would expect parents to communicate with each other regarding these arrangements. If this is not possible we will do our best to accommodate this.
- 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 school events. In view of potential increased workload and restricted space, time and resources the school cannot guarantee to handle individual requests from separated parents.
- In the event of a name change Uplands will request written evidence in support of any surname changes.
- Disagreements between parents must be resolved between the parents and cannot be resolved by the school or local authority.

Provision of Information to Separated Parents

The Governing Body and school recognise that while the parents of some pupils may be divorced or estranged, both have a right to be informed of and involved in their child's educational progress. Therefore reasonable attempts will be made by the school to obtain contact details of both parents.

- Parents are entitled to request access to, or a copy of their child's educational record even if the child does not wish them to access it, subject to information that the school could not lawfully disclose.
- In cases where school does not know the whereabouts of a non-residential parent, it should make the resident parent aware, in writing, that the other parent is entitled to be involved in their child's education and request that information is passed on.
- If the resident parent refuses to share information with the other parent and also refuses to provide contact details so that the school can deal with the non-resident parent, Uplands will then attempt to gain information from the child's previous school after that Uplands can do nothing more. A record of the action taken by Uplands and the requests made will be formally noted on the child's file or wherever appropriate.
- If the non-resident parent subsequently contacts the school and requests access to information, the school should provide it to that

parent direct, after taking reasonable steps to satisfy that the individual is, in fact, the child's parent.

- School should also be mindful to protect the private data of each parent from any other and avoid inadvertent disclosure following GDPR and Safeguarding guidelines.

Progress Reports

If the parents are separated or divorced, progress reports will be sent to the resident parent at the address noted in the school's records specifying where the child resides with the expectation that he/she will share the report with the other parent. However:

- 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 through the child or post.
- Uplands will send copies of the progress reports to a parent with whom the child does not reside only if that parent submits a written request.
- As is the case for all pupils, we will maintain our open door policy with both parents and the class teacher will be available to discuss any issues by phone or meeting regarding the child's education.

General School Information

- Up to date school information and reminders are sent out regularly via our 'Teachers to Parents' text mail service, website and social media. This is available to both parents should they request it otherwise it will be sent to the resident parent only.
- The school will endeavour to send copies of newsletters and whole school information to both sets of parents should it be requested. Occasionally class letters are sent home via the child or through the child's homework diary. We would expect parents to communicate these messages to each other as and when appropriate.
- All parents are recommended to regularly use our website. www.uplandsjuniorschool.org.uk It contains all our policies, back dated newsletters and has a range of information and links.

Collecting a child from school

- Where a non-resident parent has parental responsibility and there is no court order in place, and requires to take the child during or at the end of the school day outside normal arrangements, the school will make reasonable efforts to contact and notify the resident parent. However,

the non-resident parent with parental responsibility will be able to collect the child unless there are safeguarding concerns.

- The Headteacher will use her discretion (e.g child is distressed or expresses a wish not to go) on the decision to allow a child to leave the school building with a non-resident parent if it was felt that there was a child protection issue.

Obtaining Consent

- If a parent consent is required for outings/activities, Uplands will seek consent from the resident parent unless the decision is likely to have a long-term and significant impact, for example moving schools, on the child or the non-resident parent has explicitly requested in writing to be asked for consent in all such cases.
- In cases where the school considers 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. Such an approach ensures that the school has treated the views of each parent equally and will also help to safeguard the position of the school in terms of exposure to any potential civil liability where, for example, the child is injured while on a school trip.

Safeguarding and Wellbeing

Uplands Junior School emphasises that everyone who comes into contact with children and their families has a role to play in safeguarding children. School is particularly important, as we are in a position to identify concerns early and provide help for children, to prevent concerns from escalating. We consider, at all times, what is in the best interest of the child.

If a child is in immediate danger or is at risk of harm, a referral will be made immediately to children's social care and/or the police as appropriate. At Uplands we have a designated safeguarding lead (Mrs Webster-Smith) and 3 deputy leads (Mrs Walker, Mrs Roberts and Mrs Shakesheave).

School will consider the level of information to be shared on a case-by-case basis that is provided to parents where referrals have been made to children's social care.

The designated safeguarding lead working with children's social care should generally lead on any decisions about sharing information related to safeguarding

concerns with parents. Information sharing will always be in the best interest of the child. It will be especially important that a school works closely with children's social care, to consider next steps, if there is reason to believe sharing information with a parent will potentially put a child at greater risk of harm.

Working with a social worker

There may be occasions where a child's social worker collects them from school. This will be by prior agreement with the birth parents and/or foster carers depending on the individual circumstances. Social workers should not enter school premises to collect children to attend care review meetings or go to contact meetings without prior agreement of teachers, foster carers, parents or the children themselves.

Social workers will be contacted in some incidents. For example, in matters relating to health or absenteeism. However, in most circumstances, it's the primary carer who is best placed to have that conversation and then report on to social workers.

Medical Treatment

- The Children Act 1989 provides that people who do not have parental responsibility but nonetheless have care of a child may:
'...do what is reasonable in all the circumstances of the case for the purpose of safeguarding or promoting the child's welfare'.
- This would allow Uplands to act '*in loco parentis*', i.e. in place of a parent, or allow them to seek consent from a parent who may not hold parental responsibility.
- It would clearly be reasonable for school to take a child who needs to have a wound stitched up to hospital, but the parents, including non-resident parent who has asked to be kept informed or events involving the child, should be informed as soon as possible.

Conclusion

Our first consideration is to safeguard the child and protect their welfare whilst trying to support the wishes of parents. In the event of a concern being raised where school is unclear how to act, independent legal advice will be sought to ensure that a parent's rights and responsibilities are not infringed and the actions of school are compliant with educational law. .

Headteacher: Mrs Webster-Smith

Chair of Governors: Mrs Anslow

