



Separated Parents Policy

ALL HALLOWS CATHOLIC COLLEGE, MACCLESFIELD

CHESHIRE EAST COUNCIL

This policy takes into account the government's explanation of [Parental rights and responsibilities](#) and the Department for Education's (DfE) [guidance Understanding and dealing with issues relating to parental responsibility](#) Government guidance outlines what is [parental responsibility and who can obtain it](#).

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1. Introduction

At All Hallows, we aim to maintain contact with both parents in the best interests of their child(ren). This policy aims to minimise any impact and to clarify to all parties what is expected from separated parents and what can be expected from the College.

The basis of the advice within this policy is with regards to a child or children who have already been admitted to the College.

The person(s) with parental responsibility who applied for the child's admission should have involved all others with parental responsibility in making the decision to apply. They should have provided the College with details of all those with parental responsibility for a child. Where this has not happened the College welcomes direct contact from those with parental responsibility providing their own details. However, the College cannot be held responsible for excluding a parent or person with parental responsibility if the information has not been provided to them.

If parents separate whilst their child already attends the College, the parents are asked to notify the College in a timely manner so that the College can ensure continuing contact with both parents and, in the event that the parents have separated on an acrimonious basis the College will endeavour to accommodate each parent separately in terms of communications and any attendances at the College.

2.0 Definition of 'Parent'

The definition of a "parent" for College purposes is much wider than for any other situation. Section 576 of The Education Act 1996 defines a parent as:

- all biological parents, whether they are married or not
- includes 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 do not have parental responsibility but have been delegated the responsibility for taking day-to-day decisions about the child.

Parents, as defined above, are entitled to share in the decisions about the child's education and to be treated equally by Colleges. In particular, these entitlements include, but are not limited to, the following:

- receiving copies of College reports
- having access to College records
- attending parent meetings
- receiving newsletters
- invitations to College events
- information about College trips
- College photographs relating to their child
- participation in any exclusion procedure and
- dealing with any medical issues that arise and/or vaccinations that may be offered.

The College recognises that whilst the parents of some pupils may be separated, divorced or estranged, they are still entitled to the above and this entitlement cannot be restricted without a Court order. If the parents are involved in proceedings before the Court directly relating to the child(ren), the parents should seek the Court's permission to disclose the Court order(s) made to the College. In addition, and should the Courts so require, the College will be willing to provide a letter setting out any information that is specified in a Court order.

3.0 Parental Responsibility

Parental responsibility is defined in the Children Act 1989 and means the rights, duties, powers, responsibilities and authority that a parent has for their child. 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 College 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 College. The College will be reliant on such information being provided as accurate and true. The information provided regarding

the address(es) where the child lives will be presumed to be correct unless the College is provided with a copy of a Court order setting out arrangements for where the child should live.

Every parent with parental responsibility for a child has an equal right to be engaged with decisions regarding their education. Unless there is a Court order limiting an individual's exercise of parental responsibility the College must treat all parents equally and must provide them with the same information.

Where contact has been limited by a Court order, the parent still has the right to receive information about the child and be involved in decisions regarding their education and welfare, unless a Court order restricts what information they can receive or removes their parental responsibility. We will not remove a parent's contact details without such a Court order being in place or a parent asks for their own contact details to be removed.

4.0 Court orders

At All Hallows, our sole wish is to promote the best interests of the child, working in partnership with all parents and/or those with parental responsibility. If there is a Court order in place, the College will always act in ways to ensure, as best it can, that no Court order is breached. The College can only be expected to comply with an order if it is properly notified and has received a sealed digital or paper copy for its files, and only to the extent that it relates to the College.

The College has no responsibility for enforcing any Court order but will endeavour to ensure that if there are restrictions in place with regards to the collection of a child, such restrictions are adhered to.

In the event that the College is not informed of the existence of such an order, the parents will be treated equally by the College. If there is an order in place and neither the parents and/or those with parental responsibility inform the College then if there is any breach of such order, the College cannot be held responsible and/or liable.

5.0 Disputes and disagreements

All Hallows hopes that parents and all those with parental responsibility will support the College in working together for the benefit of their children. It is very important to note that any dispute between parents sharing these rights will need to be resolved between them. In all cases where parents and/or those with parental responsibility 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.

Parents should seek to resolve contact issues without involving the College. The College will not mediate, "take sides" or act as an intermediary between parents who do not communicate with each other.

6.0 Changes in family circumstances

We ask parents to inform the College whenever something outside College – such as a change in family circumstances – occurs so that we can sensitively support the child in College. We expect parents to update the College whenever emergency contact details change for one or both parents and/or there is a new arrangement for collecting children at the end of the College day, in particular if there is any Court order that has been made.

We recognise the sensitivity of some situations and all staff are aware of the need for discretion and confidentiality. College staff will be informed on a strict need-to-know basis so that suitable support can be offered.

7.0 The release of child(ren)

On being admitted to the College, and unless notified to the contrary, the College will release children to either or both parents and/or those with parental responsibility and/or those with care of the child. If one parent seeks to remove the child from College 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 Principal or designated deputy 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 (such agreement to immediately be confirmed by an email to ensure there is record on the College's files), the child may be released and the records will reflect that the permission was granted.
- In the event that the parent to whom the child would normally be released to cannot be reached, the Principal or designated deputy dealing with the issue may make a decision based upon all relevant information available to him/her.
- The Principal or designated deputy may have to refuse permission if consent cannot be obtained.
- During any discussion or communication with parents and/or those with parental responsibility, the child may be supervised by an appropriate member of College 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.

8.0 Communication between College and separated parents

Newsletters and general updates are sent via email to all parents and/or those who have parental responsibility for whom we have up-to-date contact details who are recorded as

priority 1 (requests for both parents to be priority 1 contacts must be requested and checked when data sheets are distributed each year). Parents can check their priority on the Parental Gateway. Parents are reminded to check and update their records at least once a year. These updates contain all the main class/College events, including parents' consultation evenings, productions, sports days and trips and events. On rare occasions information is sometimes sent home with the child and it is the child's responsibility to pass this information to the parent. Duplicates will be available upon request.

The College is able to deal with separate requests for invitations to College events and performances made by separated, divorced or estranged parents who have parental responsibility. However, the College would be grateful if parents could communicate directly on such matters if they can, although in some instances the College recognises that this may not be possible should there be a Court order in place preventing the parties from contacting each other. The College will try to comply with requests; however, in certain circumstances, and as stated above, it will not always be possible, for example when a Court order preventing contact with the child or each other is in place.

In all circumstances, we aim to maintain our open-door policy with all parents.

Class/subject teachers/Family Support Worker and/or the Principal will be available by appointment to discuss any issues.

When one parent makes a request for a referral to an external agency (for example early help, mental health support team, CAMHS in relation to the child), the college will inform the other parent and request if relevant if they would like their details included and recording. Each parent can request that any personal details and information related to them be redacted before a copy is shared with the other parent this also applies should a parent request individual support for themselves, to an external agency. A child also has the right to request that their personal information be redacted should they not wish for it to be shared with a parent. Should we feel that the sharing of information may result in a safeguarding issue this may be withheld and the advice of the Educational Safeguarding Team sought.

9.0 Parents consultation evening appointments

Whenever requested, we will offer separate parents' evening appointments for separated, divorced or estranged parents who have parental responsibility. Where appointments are online dual appointments are available with both parents receiving the link and attending in separate locations.

10.0 Written pupil reports

Any person who is known to the College to have parental responsibility for a child has the right to receive written progress reports for their child. These will be provided to separated, divorced or estranged parents who have parental responsibility and for whom the College has up-to-date contact details. All parents can access reports through Parental Gateway.

11.0 Change of name

A parent can only change their child's name (forename and/or surname) either by both parents providing a letter confirming such consent and bearing wet signatures or by an order of the Court. Unless either of the above are provided, the child will be known and addressed by their birth name as recorded on their birth certificate.

The College is under no obligation to do so but they may, effect an informal change of name if that is requested by the parent(s) for example (a) verbally addressing a child (b) name on books etc. It is important to note that the College database, unless changed by an order of the Court, will reflect the child's name at birth. In addition, and as stated, any informal change of name addressing the child is at the College's complete discretion after the College has taken into account all of the circumstances.

12.0 Access to College information

Key information is available on the All Hallows website. Parents may also receive information via email. For parents who do not have access to the internet paper copies of communications may be requested from the College.