

Separated Parents Policy

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Approved by Local Governing Body

Chair of Governors: John Garner

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Separated parents

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

Who has 'parental responsibility'?

(The Children Act 1989)

- All birth mothers automatically have parental responsibility unless it is removed by an adoption order or a parental order following surrogacy
- If the parents of a child were married, both parents automatically have parental responsibility
- Where two female parents have a child through fertility treatment, the mother's female partner has parental responsibility if she is married to or in a civil partnership with the mother at the time of the treatment (or if the two women agree in writing that she will be the child's second parent)
- For children born after 1 December 2003 to unmarried parents, where the father's name is on the birth certificate, both the mother and father would have automatic parental responsibility
- In all other cases, parents seeking parental responsibility rights can acquire them through various other means, including:
 - Marrying the birth mother
 - A Parental Responsibility Agreement
 - A Parental Responsibility Order.

At Ruislip High School 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 birth parents. This includes the right to:

- Receive information (eg. student reports, information about school events, etc.)
- Participate in activities (eg. elections for parent governors)
- Give consent (eg. for school trips)
- Be involved in meetings concerning the child (eg. participate in a suspension procedure, appeal against admission decisions).

Schools must treat all adults with parental responsibility for a child equally, unless a court order limits an individual's exercise of parental responsibility. Everyone who has parental responsibility has a right to receive information about the child. This is the case whether they live with the child or not.

Staff will contact the parent with whom the child resides, in the first instance, regarding general communication such as lateness to school, with the expectation that they will share this with the other parent. Should the member of staff not be able to make contact with this parent, and the matter is deemed to be urgent, then the other parent will be contacted. The school will communicate general information to a parent with whom the child does not reside if that parent submits a written or electronic request for this to happen.

Parental responsibilities

The school needs to be kept up-to-date with contact details which may be used in emergencies. We encourage parents to tell us at an early stage if there is a change in family circumstances.

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. Should there be a safeguarding concern that involves a social worker, the school will work in conjunction with them and the family.

We expect that, wherever possible, separated parents attend their child's Parents' Evening appointments together and we cannot offer two appointments as a matter of course for all separated couples. Parents are expected to communicate with each other regarding these arrangements. The school will consider separate appointments only when a court order is in place restricting contact between both parents. However, the school has no obligation to offer this arrangement.

Progress reports and school communication

A parent, as defined in this policy, has the right to receive progress reports and review the student records of their children. If the parents are separated or divorced, progress reports will be sent to both parents where contact details have been provided to school. This also includes information relating to attendance and suspensions, unless outside agency advice has been sought and it is felt that it would be detrimental to the child to communicate this information to the parent the child no longer resides with.

We expect that parents should liaise and communicate directly with each other in matters such as the ordering of school photographs, tickets for performances, enrichment activities and other instances.

Both parents are able to log in to the school's Arbor system. Parents are able to create their own account using their personal email address.

Information sharing must comply with our duties under GDPR and the Data Protection Act 2018. Under the principles of GDPR children and young adults can assume control over their personal information and restrict access to it when they are mature enough to understand their rights. There is no prescribed age in the legislation, but it is generally thought a child from the age of 12/13 is mature enough to consent to their personal data being shared. Therefore, if a child is of the necessary maturity and informs the school they do not wish their personal data to be shared with a parent, the school must comply with the child's request. Consequently, the school's information sharing policy is contingent on observing GDPR.

Obtaining consent

Permission slips for activities will be accepted from either parent with parental responsibility and only one parent with parental responsibility needs to give consent unless the non-resident parent has requested, in writing, to be asked for consent in all such cases. In such cases where both parents have informed the school that they do not agree, the school will consider that consent has not been granted.

Where parents cannot agree, the school will suggest that they seek independent legal advice about obtaining a court order setting out exactly what decisions each parent can make in respect of the child.

In some circumstances parents need to be aware that the student aged over 12 years can provide their own consent if they are considered to be of sufficient understanding eg. school photographs.