

Separated Parents Policy 2024-2025



I. Policy Statement & Purpose

Kensington Aldridge Academy recognises that children from families whose parents are separated, or are undergoing separation, may go through difficult and sometimes traumatic changes during their time at the school. The school will make every effort to work with parents to promote the welfare of their child and provide information on how the school will support the child's emotional wellbeing.

This policy has been created to try to minimise the impact on the child, to provide guidance to separated parents and to set out the steps that will be taken by the school. Unless there is a specific court order in place limiting an individual's exercise of parental responsibility, the school will ensure that parents are dealt with in an equal manner and in accordance with this guidance.

School may seek legal guidance themselves if the circumstances impact on the school and will contact the Local Authority if there are safeguarding and wellbeing concerns that arise from parental separation.

There will also be occasions where the school has been advised/instructed by the Local Authority that a parent should not have contact with their child due to significant safeguarding concerns (without a court order in place) and we will follow this guidance in order to ensure we fulfil our safeguarding responsibilities.

The school's principal consideration in making decisions arising from this guidance will be the welfare of the child. The school will endeavour to help resolve problems that may arise between parents regarding their child's education, but will not become involved in conflict between parents. This document is intended to set out general policy and guidance of working practice. In the event that a child's circumstances are not covered by the guidance contained in this policy, the school will endeavour to provide specific guidance related to those circumstances but cannot, of course, provide legal advice to parents.

Kensington Aldridge Academy will also work to the guidance set out by DfE in the document, **'Understanding and dealing with Issues relating to Parental Responsibility'**. (<https://www.gov.uk/government/publications/dealing-with-issues-relating-to-parental-responsibility/understanding-and-dealing-with-issues-relating-to-parental-responsibility>)

2. Definitions

The school has a legal duty to work in partnership with parents regarding their child's education. Section 576 of the Education Act 1996 provides a wide definition of 'parent'. For the purpose of school educational provision, a 'parent' is defined as:

- All natural birth parents, whether they are married or not
- Any person who, although not a natural parent, has parental responsibility for a child or young person e.g. through adoption
- 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 irrespective of what their relationship is with the child, is considered to be a parent in education law).

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

- To receive information (e.g. pupil reports, details of school events etc.)
- To participate in activities (e.g. elections for parent Trustees, attending school events etc.)
- To give consent (e.g. school trips)
- To be involved in meetings concerning the child (e.g. participate in an exclusion procedure, appeal against admission decision, participate at attendance panels etc.).

3. Providing and recording relevant information

To ensure that when parents separate/divorce the child's best interests are supported, it is essential that relevant, up-to-date information and documentation is provided and recorded in a timely manner.

With this in mind, parents are requested to ensure that the school has the following information:

- The names, addresses, contact telephone number(s) and email address of all parents
- Written notification of any formal or informal residence/contact arrangement (with, where appropriate, relevant supporting documents e.g. copy of a court order)
- Notification (with a copy of any relevant documentation) of any court-imposed restrictions relating to a parent's - or any other person's - contact with a child
- Written notification of any collection from school arrangements between a resident¹ and non-resident parent. This particularly if there is court order in place that stipulates a child must be collected.
- Written notification of any relevant changes in family circumstances including any disputes regarding residence and contact or collection from school arrangements.

The school will ensure that:

- Confidentiality is maintained and that information is only shared to the extent that it is in the child's best interests to share that information
- Separated parent details will be updated alongside other essential contact details
- The names and addresses of all known parents are included in pupil records and available to the pupil's teachers
- The details of any court orders are promptly noted in a pupil's record
- All formal and informal arrangements notified to the school relating to residence, contact, and collection from school are promptly and accurately recorded.

4. Guidance on specific matters

School/Parent Communication

All parents are entitled to equal access to all school information and are advised to download and install our Parent SIMs app. It is used to record all rewards and sanctions for students. Further details of events, unexplained absences from school etc. are sent via InTouch.

¹ Throughout this policy, there is reference to 'resident' and 'non-resident' parent. Should there be a custodial arrangement or similar, we acknowledge that this could be in reference to either parent, dependent on the day. It is the responsibility of parents to notify the relevant Directors of Learning of the details of the arrangement in order for actions to be taken accordingly.

The pupil planner will be used to communicate messages from home to school and vice versa. The planner must stay with the child so that it can be used each day as a method of communication.

Given time constraints and managing expectations of staff, matters will be discussed with the resident parent, unless unavailable or agreed otherwise. It is the responsibility of the parents to communicate with one another. If requested, we can send information via email addressed to both parents so that parents are receiving the same information at the same time. If, for safety reasons, email addresses cannot be shared within an email, then separate emails can be sent.

For day-to-day issues, such as absences, the school will contact the resident parent/s.

In relation to emails sent directly from a member of staff, e.g. an email from a form tutor offering additional context about a behaviour concern, the email address of the resident parent will typically receive this, as it is assumed that parents will communicate. Should this be problematic, the relevant Directors of Learning should be notified so explicit guidance can be issued to staff regarding the required recipients.

Parents' evenings

Both parents are encouraged to attend parents' evening together. However, in certain circumstances where there may be safety concerns, the school will make arrangements for separate appointments. Where it is safe to do so, the school expects parents to communicate with each other regarding these arrangements.

Progress reports and pupil records

Any parent has the right to receive progress reports and review pupil records of their child unless a court order or advice from the Local Authority instructs the academy otherwise.

Private Law Matters

In the event that the parents are unable to agree with one another on decisions regarding their child's education - including but not limited to placement, participation in extra-curricular activities, and providing consent - Kensington Aldridge Academy will not provide any form of mediation, however we will signpost families to the Local Authority. Ultimately, however, disagreements between parents must be resolved by the parents, or in the final resort, the courts.

Collecting a child from school

Most students travel independently to and from school and do not require collection by parents. However, if a child is required to be collected from school, we will try to ensure that a child is not released to a parent where this would be in breach of any court order. This relies on the parents making the school aware of the court order.

It is the duty of both parents to co-operate in arrangements to collect their child from school. Where there is a disagreement about who is collecting the child that day, the school will not get involved or take sides. Parents are encouraged to abide by court orders in place.

Where a parent has safeguarding concerns about their child when in the care of the other parent, and uses this as a reason not to adhere to the arrangements set out in the court order, they should contact the Local Authority.

When collecting the children from school, parents should refrain from negative behaviours that would directly impact their child's physical and emotional wellbeing and those around them.

Where a separated parent has parental responsibility but is not the parent with whom the child usually resides and there is no court order in place, the school is required to allow the child home with them; however, the Principal (or Designated Safeguarding Lead) is able to use discretion (in the case of an unexpected or unusual request) and would seek clarification from the resident parent before allowing the child to leave the premises.

In school events

Both parents are welcome to attend in school events, unless there is a court order stating otherwise. We expect parents to avoid any conflict and arguments at these events otherwise they will be asked to leave. If academy staff feel concerned by the nature of any conflict, the school will seek further guidance from the Local Authority to ensure any safeguarding risks are assessed and managed.

Obtaining consent

If parental consent is required for visits/activities, the school will seek consent from the resident parent. In the majority of cases, it is only necessary to seek consent from one parent. If the school considers it necessary to seek consent from both parents but one parent declines to give this consent, the school will assume that consent has not been given.

A leave of absence request must, if only signed by one parent, be accompanied by a letter of consent from the other parent if the absence involves more than 2 days out of school.

Name changes

Parents are responsible for resolving issues relating to any change of surname. Any change of known-as surname requires written consent of both parents. Any change of legal surname requires a change of name deed. The school needs to see the original copy of this deed before it can record the change of name.

In the absence of joint consent, the parent wishing to change the child's name would need to obtain permission from the court to do so before the school can record any requested change.

5. Responsibilities of parents

We encourage parents to tell us at an early stage where there are changes in family dynamics to ensure that the right support is put in place for the child/children, recognising the sensitivity of this information and maintaining the level of confidentiality.

Parents should not expect the Principal, or any other member of staff, to be involved in or intervene in domestic disagreements regarding childcare, child arrangements in relation to residence and contact, or any other matter which does not directly involve educational or school attendance matters.

The Principal or other members of staff will not be expected to provide witness statements or any other written or verbal evidence to be used in legal proceedings beyond factual information regarding education or attendance, such as a child's progress report. When changes to court orders have been made it is the responsibility of the parents to ensure school have the most up to date information.

6. Roles and responsibilities of the school and Board of Trustees

The school will ensure that:

- All statutory elements of the policy are adhered to by members of staff, both teaching and administrative
- All relevant information regarding a pupil's educational attainment and progress is made available to all parents
- The Board of Trustees is fully involved in decision-making processes that relate to any future amendments to the policy, and the governing body is advised on statutory requirements in order to make informed decisions
- The Principal ensures that reference is made to this policy in other associated policies as they are updated, and, where changes are made to this policy, all other school policies and procedures are checked/amended
- In any event whereby a parent's behaviours are appearing to impact upon the health, wellbeing, and safety of a child, the matter will be referred to the Local Authority for advice. Should the concern be that the child is at risk of significant harm school may call 999.

The Board of Trustees will ensure that:

- Parents are entitled to equal access to their child's educational attainment and this entitlement cannot be restricted without a specific court order. In particular, the school does not have the power to act on the request of one parent to restrict another and should not be asked to do so.
- The governing body will not become involved in separated families' disputes
- It considers the advice of the Principal when approving this policy and when reviewing the school's working practices
- Any issues raised by parents are dealt with effectively and sympathetically, whilst mindful to the potential workload implications for the Principal and school staff
- Staff understand their role in ensuring this policy is adhered to

7. Mental health and wellbeing support

Where there are concerns for a child's emotional wellbeing, support can be provided for them in school. This can be accessed through their Director of Learning who can then make referrals to our mentoring and therapeutic teams.

Parents are encouraged to contact school if they have any concerns about their child's wellbeing. This should be done by contacting the Director of Learning by email and booking an appointment if necessary. The school may not always be able to accommodate requests for a meeting without a prior appointment. Parents are asked to refrain from attempting to discuss these issues at the start and end of day when staff may be on duty at the entrance/exit. This is to ensure the safety of

children as well as to protect the child's right to confidentiality by preventing anybody overhearing issues of a sensitive/private nature.

Parents who are struggling with the mental, emotional or practical aspects of co-parenting following divorce or separation may find support from the following organisations:

- <https://parents.actionforchildren.org.uk/>
- <https://www.nspcc.org.uk/keeping-children-safe/support-for-parents/separation-and-divorce/>
- <https://www.cafcass.gov.uk/>
- <https://www.samaritans.org/>

Parents who require mediation or conflict resolution support may find support from the following organisations:

- <https://www.nfm.org.uk/>
- <https://www.cafcass.gov.uk/parent-carer-or-family-member/my-family-involved-private-law-proceedings/alternatives-time-and-energy-needed-go-court/mediation-and-dispute-resolution>
- <https://greater-london-kensington-and-chelsea.trusted-mediators.co.uk/#:~:text=At%20Trusted%20Mediators%20Greater%20London,efficient%20and%20cost%20Deffective%20manner.>