Southerly Point Co-operative Multi-Academy Trust

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NON-RESIDENT PARENTS POLICY

Equality Impact Assessment

The EIA has not identified any potential for discrimination or adverse impact and all opportunities to promote equality have been taken.*	✓
The EIA has not identified any conflict with the Trust's co-operative values and the Church Schools' values.	✓
Adjust the policy to remove barriers identified by the EIA or better promote equality.	✓

*Inclusive of protected characteristics

Provenance	**Date**
Working Party	**Jan 2018**
HR checks	
Union Consultation	**Feb 2018**
Trustees' Ratification	**Mar 2018**
Implementation	**May 2018**

Review Date
April 2021

To be read in conjunction with:	**Safeguarding and Child Protection Policy**

Southerly Point Co-operative Multi-Academy Trust
NON-RESIDENT PARENTS POLICY

The school aims to promote the best interests of the child, working in partnership with all parents where possible. This document is an attempt to clarify to all parties what is expected from separated parents who do not reside with their children and what can be expected from the school and its staff.

1. Parental Responsibility

In order to help us to look after children whilst they are in our care, staff at the school are required at the admissions interview to ask parents to provide certain information, such as names of every parent / carer and their addresses, contact details etc. They are also required to ask who has Parental Responsibility for the child. This is important because it allows the school to be sure who has the right to make decisions about a child's education and medical treatment. However, parental responsibility is a very specific legal term and many parents may be unaware of how it is applied:

- All mothers automatically have Parental Responsibility.
- If a child's parents were married at the time of the birth, both parents automatically have Parental Responsibility.
- For children born from the 1st December 2003 where the father's name is on the birth certificate, the father and mother will both have Parental Responsibility.
- In all other cases, fathers are required to officially obtain Parental Responsibility.
- Parental Responsibility can only be lost through legal adoption.

Those with Parental Responsibility as defined above are entitled to share in the decisions that are made about their child and to be treated equally by schools. In particular, these entitlements include:

- The right to appeal against admission decisions.
- The right to participate in Ofsted & school based questionnaires.
- The right to be asked to give consent; e.g. to the child taking part in school trips. Non-resident parents must contact the school if they wish for their consent to be received for school trips and visits.
- The right to request access to the child's educational record.
- Participation in any exclusion procedure.
- Attendance at parent meetings / school events. Non-resident parents on the school mailing list will receive a letter informing them of the date of Parent Teacher Consultations, asking if an appointment is required. The usual custom is for both parents to attend the same meetings.
- Access to school records and copies of school reports, including:
  - One annual full report.
  - One progress report for each Parent Teacher Consultation evening.
  - Access to an online reporting system for Early years, Tapestry which is updated thoughout the year
  - Access to accelerated reader
- Access to newsletters and letters which advertise school events, which can also be viewed through the school website.
- The right to initiate or be involved in the procedure for obtaining a *statement of special educational needs* for the child.
- The right to withdraw the child from religious education and collective worship and sex education. In order for this to occur, the agreement of both parents would be required.

These entitlements cannot be restricted without a specific Court Order. The school does not have the power to act simply on the request of one parent to restrict another.

The school will not seek to make judgements about individual circumstance but will treat both parents equally, unless there is a specific ruling in existence. Staff will never pass judgement on either parent to the child.

We will maintain our open door policy with all parents and staff will be available by appointment to discuss any issues. The school is under no obligation to inform the resident parent if the non-resident parent contacts the school.

It is important that schools balance the requests of parents with their legislative duties.
Having parental responsibility does not allow a parent to obstruct the school from carrying out their duties under legislation. For example: a non-resident parent, with parental responsibility, informs the school that they do not wish their child's step-parent, who does not have parental responsibility but does share the care of the child with the resident parent with parental responsibility, to receive educational information about that child. The school should inform the natural parent that they cannot comply with that request.

2. Court Orders

Upon receipt of any Court Order restricting access to a parent, the school retains the right to consult the Local Authority before taking immediate action. The school is only obliged to comply with an order if it is properly notified and has received a copy for its files, and only to the extent that it relates to the school. 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. Only a Court Order stating the arrangements is deemed to be valid; a letter from a solicitor is not sufficient.

Parents should therefore ensure that the School is provided with a copy of the most recent Court Order in place so that the school's duties in respect of child safeguarding are supported.

Disagreements between parents must be resolved between the parents and cannot be resolved by the school or local authority.

3. School Communications

The school recognises that, while the parents of some students may be divorced or separated, both have a right to be informed of / involved in their child's education. However, we expect that parents, whatever the nature of their separation, will do all they can to communicate with each other and share information from and for the school, for the benefit of their child. It is assumed that the parent with whom the child principally resides will keep the other parent informed.

For all day to day communications, the school with only contact the resident parent. This includes informing resident parents of any:

- Personalised educational support the school is providing for the child.
- Behaviour incidents involving the child (except in the case of exclusion).
- Accidents or injuries.
- Illnesses which require a child to be collected from the school early.

Unless the non-resident parent has specifically asked the school to receive consent from them for trips, the school will act on consent from the resident parent. In cases where the non-resident parent wishes to be consulted, consent from both parents will be needed before the child takes part in any trip or visit. The school cannot hold places for students whilst parents consult and the onus is on the family to indicate that both parents give consent. We do not send text messages to non-resident parents, which give information on cancelled activities and reminders regarding events in the school.

We do, however, recognise that communication between parents is not always possible. If an estranged parent (one who is not on the school records) wishes to receive information from the school such as progress reports or an invitation to attend parent / teacher meetings, they should contact the child's school in writing with a specific request for separate communication.

Should an estranged parent seek information or access to his/her child, the school will always inform the main carer of this to check Parental Responsibility and ensure no Court Order is in place. Proof of identity and of Parental Responsibility of the non-resident parent will always be required in these cases.

4. Collecting a Child from School

If a parent has parental responsibility, the school cannot refuse that parent the right to collect their child from the school. There must be a legitimate reason for removing the child during the normal school day. If there are any contentious issues, the Resident Parent should inform the School. Any safeguarding issues will override Parental Responsibility in the short term.

5. Changing a Child's Surname

A pupil should be registered on the school admission register with the name that appears on their birth certificate, even if they are known under a different name.

Although an adult may change their own surname informally or by deed poll, a parent who wishes to change the surname of their child must have the consent of all those who have Parental Responsibility

for the child, or a Court Order specifically permitting them to have the child's surname changed. Proof of this consent or Court Order will be needed to alter the school records. Even informal arrangements for a child to be known as a new name or via a hyphenated name require consent.

6. Students over 18 years of age

Once a student reaches 18, they are legally allowed to determine who the school passes personal and academic information to. If students have informed us in writing to remove parental responsibility from either parent (resident or non-resident), the school will be unable to disclose information without the student's express permission.

7. Contact Details

If non-resident parents want to be kept informed by the school, they are required to keep the school informed of current contact details, including postal and email addresses. Postal and email address details will be checked, via a letter, once a year. If the school does not receive confirmation by the specified date on that letter, then the school will be unable to send school reports (or any other information regarding your child).

In cases where the school does not know the whereabouts of a non-resident parent, it will make the resident parent aware that the other parent is entitled to be involved in their child's education and request that information is passed on.

8. Day to Day Procedures and Practice

a) All Staff:

- When responding to contact from a previously unknown parent (i.e. not a contact on SIMS), they must check identity and, as far as is possible, contact the resident parent.
- Should be mindful to protect the private data of each parent from any other and avoid inadvertent disclosure (particularly as some parents will have been, or may be risk of being, a victim of domestic violence).
- Be aware that changes to the student's name in the school records, following the breakdown of a marriage, cannot be made unless consent to effect the change is given in writing from the other parent.
- Be aware of the procedure to follow when releasing a child to a non-resident parent.
- Be aware when arranging trips and visits which students need consent from both parents. One consent form is required but both parents should provide written consent.

b) Administrative Staff:

- That both biological parents are included on the enrolment forms for new students. (Be aware in some circumstances this may not be possible – e.g. adoption; IVF donor)
- 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 the school has details of who to contact in the case of an accident or medical emergency;
- Ensure that contact details, including names and addresses, of all parents are forwarded to any school to which the pupil moves;
- Ensure that details of Court Orders are noted in a pupil's record.

c) Heads / Assistant Heads / Heads of Progress:

- To enquire about any non-resident parents and any Court Orders at the initial interview.
- To ensure that all new students have the names of both biological parents on the enrolment form, along with details of any Court Order. (Be aware in some circumstances this may not be possible – e.g. adoption; IVF donor)
- Inform new resident parents that the non-resident parent is entitled to be involved in the child's education, although the school can do nothing if the resident parent refuses to share information on the student with the non-resident parent.