



**KING EDWARD VI
ACADEMY TRUST
BIRMINGHAM**



**KING EDWARD VI
LORDSWOOD
SCHOOL FOR GIRLS**

Educational excellence for our City

Separated Parents Policy

Committee	Curriculum and Pastoral
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Publish Online	Yes
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1. Aims of the policy

At King Edward VI Lordswood School for Girls, 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 School.

The basis of the advice within this policy is with regards to a child or children who have already been admitted to the School. 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 School with details of all those with parental responsibility for a child. Where this has not happened the School welcomes direct contact from those with parental responsibility providing their own details. However, the School 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 School, the parents must notify the School immediately so that the School can ensure continuing contact with both parents and, in the event that the parents have separated on an acrimonious basis the School will endeavour to accommodate each parent separately in terms of communications and any attendances at the School.

The school recognises that parental separation can be challenging for both parents and children. The school aims to support families whilst ensuring that the welfare of the child remains paramount.

This policy is designed to clarify to all parties what is expected from separated parents and what can be expected from the school and its staff.

Where there are any differences between this policy and any court order, the terms of the court order will prevail.

2. Who is a parent

For the purposes of education legislation, the meaning of the term 'parent' has a meaning that is wider than its 'ordinary' meaning. It includes:

- All biological parents
- Any person who has parental responsibility for a child or young person, even if they're not biologically related (e.g. adoptive parents, step-parents or guardians)
- Any person who has care of a child or young person but is not a biological parent and does not have parental responsibility – usually the person with whom the child lives, even if they do not have legal responsibility (e.g. a foster carer)

This is outlined in: [DfE Guidance: Understanding and dealing with issues relating to parental responsibility](#)

All persons meeting the above definition will be subject to the legal obligation that the child receives a suitable full time education.

3. The school's approach

The school recognises that all parents have a legal right to participate in their child's education. Except as specified in this policy, the school will treat all parents equally.

As defined more specifically in this policy, all parents are entitled to be:

- sent information by the school both of a general nature and in relation to the child
- informed if special educational provision is made for the child at the school
- given the opportunity to participate in school activities e.g. vote in elections for parent governors
- to meet with school staff
- told about meetings regarding the child

Disputes between parents over the exercise of their parental rights need to be resolved between the parents concerned and/or the courts. It is not for the school to provide advice on domestic arrangements or become involved in parental disputes.

4. What is parental responsibility and who has it

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 School 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 School. The School 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 School 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 School 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.

5. Court Orders

At King Edward VI Lordswood School for Girls, 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 School will always act in ways to ensure, as best it can, that no Court order is breached. The School 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 School.

The School 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 School is not informed of the existence of such an order, the parents will be treated equally by the School. If there is an order in place and neither the parents and/or those with parental responsibility inform the School then if there is any breach of such order, the School cannot be held responsible and/or liable. Individuals should seek their own legal advice in the event of any alleged breach of the terms of any order.

6. Disputes and disagreements

King Edward VI Lordswood School for Girls hopes that parents and all those with parental responsibility will support the School 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 School. The School will not mediate, “take sides” or act as an intermediary between parents who do not communicate with each other.

7. Informing the school of a change in family circumstances

We encourage parents to tell us at an early stage if there is a change in family circumstances, such as the separation of parents. Whenever possible, staff will be informed of such changes so that suitable support can be offered.

The school will need to be provided with updated contact details, details of agreed arrangements for collecting children and contacts for emergencies. In particular, the school will need to be informed with which parent the child will be primarily resident i.e. who the child will spend more than half of their time living with (known in this policy as the ‘resident parent’).

Where any court orders are issued which are relevant to the child and the school, a copy of the order should be provided to the school as soon as possible.

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

8. Contacts

Unless there is a court order or the school has been notified in writing of alternative arrangements, the school will treat the resident parent as the school’s main contact and the other biological non-resident parent as the school’s second contact. Any other parent will be noted on the school’s records in the alphabetical order of their surname.

The school will only accept alternative contacts or an alternative order of contacts which have been:

- agreed by all those with parental responsibility who are known to the school and notified to the school in writing, or,
- provided by way of a court order.

9. Provision of information

Day to day communications e.g. Bulletins, letters, newsletters and general updates are sent via email/KEVI LSG App to all parents and/or those who have parental responsibility and to whom have registered for the app and to 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 via the KEVI LSG App). These updates contain all the main School events, including parents' evenings, productions, sports days and class outings and events.

On rare occasions information is sometimes sent home with the child (e.g. school photo information) and it is the child's responsibility to pass this information to the parent. Duplicates will be available upon request.

Where possible, parents should endeavour to attend/access parent meetings together/make additional appointments via school cloud. Where this is not possible, parents should notify the school in reasonable time so that alternative arrangements can be investigated.

A copy of the annual written report/termly interim reports of a pupil's progress will be provided electronically to both parents as long as they are registered for the KEVI LSG App, and we are informed that this is a requirement.

Under the principles of the Data Protection Act 2018, children can assume control over their personal information and restrict access to it from the age of 13, assuming the child is able to understand and deal with the implications of exercising their rights. This control extends to cover information which is held within a child's educational record. When considering whether to respond to parental requests for information about a child, the school will consider

- the child's level of maturity and their ability to make decisions about their own information
- the nature of the personal data being requested
- any court orders relating to parental access or responsibility that may apply
- any duty of confidence owed to the child
- any consequences of allowing the parent to have access to the child's information
- any detriment to the child if the parent cannot access this information
- any views the child has on whether their parents should have access to information about them

10. Consent

In most cases, the school will accept consent or permission forms relating to the child from any person with parental responsibility for the child, whether or not they are the resident parent.

Where, in the reasonable opinion of the school, the issue requiring parental consent is likely to have a long term and significant impact on the child, the school may require the consent of all those with parental responsibility for the child who are known to the school. Examples of the circumstances where joint consent is likely to be required include:

- withdrawal from sex education or religious education
- consent to undertake a school visit outside of the United Kingdom

11. Collection of children from school

The school will release a child to any person with parental responsibility, or a person authorised by them, unless alternative arrangements have been notified to the school or the school has safeguarding concerns about sending a child home with a particular parent/person. The school will only accept alternative arrangements which have been:

- agreed jointly by all those with parental responsibility who are known to the school and notified to the school in writing, or,
- provided by way of a court order.

If a person seeks to remove the child from school in contravention of notified alternative arrangements, the following steps will be followed:

- a member of staff will meet with the parent/person seeking to collect/remove the child and, in his/her presence, telephone the person to whom the child would normally be released and explain the request
- if the person to whom the child would normally be released agrees, the child may be released and the records will reflect that the permission was granted verbally
- unless it is reasonable to comply with the request, the member of staff may have to refuse permission if agreement/consent cannot be obtained
- if there is a belief that a possible abduction of the child may occur or if the parent is disruptive, the police and the local authority will be notified immediately

12. Requests for a change of pupil name

Where a child is deemed by the school to be of sufficient age or maturity and requests that their informal / known/ by name / preferred- is changed, then the school's records will be updated accordingly.

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.

For pupils under the age of 16 the school will only change the child's legal name in the school's records on receipt of a signed and witnessed change of name deed poll which has been enrolled with the court. This will require the agreement of all persons with parental responsibility.

For pupils aged 16 and above, the school will change the young person's legal name in the school's records on receipt of a signed and witnessed change of name deed poll.

Where there is a special guardianship order or a child arrangements order which relates to whom a child will live, the school is legally unable to arrange for a child to be known by a new surname (even informally) without the written consent of every person with parental responsibility or evidence of a court order confirming the change.

13. Requests to remove a child from the school roll

The school will ordinarily require confirmation that all those with parental responsibility for a child consent to the removal of the child from the school roll to attend another school or be home educated.

Where there is disagreement between parents about the removal of a child from the school roll, parents should seek their own legal advice and/or a court order. The school will refer the matter to the local authority where there are concerns about the welfare of the child.

14. Procedure following contact from absent parents

The school has no legal obligation to make enquiries of those enrolling children at the school on whether other individuals with parental responsibility agree with their decision. On enrolment, we do expect to be provided with the contact details of all those with parental responsibility for the child, if known. Information provided to the school when the child was enrolled will be presumed to be correct unless a court order or original birth certificate proving otherwise is provided to the school.

Where the school is contacted by a parent of a child on roll at the school with whom the school has no previous information (known in this policy as an 'absent parent'), the school will contact the resident parent to confirm whether the person is known to them and whether there is any legal reason why information should not be provided, i.e. a court order.

If no court order exists, the school will contact the absent parent to ask them to confirm their identity and to confirm whether they have parental responsibility for the child.