

## Separated Parents Guidance

This document is informed by:  
**Right to Love UK Model template**  
**Government Guidance on [Parental rights and responsibilities](#)**  
**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.**

### Document Control

<b>Version Number:</b>	2
<b>Applicable To:</b>	All Academies
<b>Committee:</b>	Executive Board
<b>Approved By Executive Board</b>	January 2025
<b>Review Cycle:</b>	Every 2 years
<b>Date of Next Review:</b>	January 2027

### Revisions

<b>Version</b>	<b>Page/Para No.</b>	<b>Description of Change</b>	<b>Approved</b>
2	Pg 4 / 3	<b>Addition of detail around Parental Responsibility</b>	<b>January 2025</b>

## Contents Page

1	Introduction	3
2	Definition of Parent	3
3	Parental Responsibility	4
4	Court Orders	4
5	Disputes & Disagreements	4
6	Changes in family circumstances	5
7	The release of the Child(ren)	5
8	Communication between school and separated parents	5
9	Parents evening appointments	6
10	Written Pupil records	6
11	Change of name	6
12	Removal from roll	6
13	Access to Academy information	6

## 1. Introduction

Within all of our Academies we aim to maintain contact with both parents in the best interests of their child(ren). This guidance aims to minimise any impact and to clarify to all parties what is expected from separated parents and what can be expected from each Academy.

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

The person(s) with parental responsibility (PR) 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 Academy with details of all those with parental responsibility for a child.

Where this has not happened, the Academy welcomes direct contact from those with parental responsibility providing their own details. However, the Academy 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 Academy, the parents must notify the Academy immediately so that the staff can ensure continuing contact with both parents and, if the parents have separated on an acrimonious basis the Academy will endeavour to accommodate each parent separately in terms of communications and any attendances at the Academy.

## 2. Definition of "parent"

The definition of a "parent" for education law purposes is much wider than in other situations. 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 schools. These entitlements include, but are not limited to, the following:

- receiving copies of school reports
- attending parent meetings
- receiving newsletters
- invitations to school events
- information about school trips
- school 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 Academy 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 Academy. In addition, and should the Courts so require, the Academy will be willing to provide a letter setting out any information that is specified in a Court order.

### **3. 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. You can lose parental responsibility if your child is adopted by someone else.

#### **Who has Parental responsibility?**

- Birth mothers
- Birth fathers if married to the child's mother
- Birth fathers if their name is on the child's birth certificate
- Same sex (female) partners will both have parental responsibility if they were married or in a civil partnership with each other prior to insemination
- Same sex (male) partners tend to adopt
- Offenders, even if the offence is against the mother and/ or child still have parental responsibility; although a Child Arrangement Order can dictate who can do what.

The information provided to the Academy 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 Academy. The Academy 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 Academy 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 Academy 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. Court orders**

Within our Academies, 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 Academy will always act in ways to ensure, as best it can, that no Court order is breached. The Academy 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 Academy.

The Academy 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 Academy is not informed of the existence of such an order, the parents will be treated equally by the Academy. 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 Academy cannot be held responsible and/or liable

### **5. Disputes and disagreements**

Meridian Trust hopes that parents and all those with parental responsibility will support the Academy 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 Academy. The Academy cannot be expected to and therefore will not mediate, “take sides” or act as an intermediary between parents who do not communicate with each other.

## **6. Changes in family circumstances**

We ask parents to inform the Academy whenever something outside school – such as a change in family circumstances – occurs so that we can sensitively support the child in school. We expect parents to update the Academy 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 school 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. Staff will be informed on a strict need-to-know basis so that suitable support can be offered.

## **7. The release of child(ren)**

On being admitted to the Academy, and unless notified to the contrary, the Academy will release children to any parent unless alternative arrangements have been notified to the Academy or the Academy has safeguarding concerns about sending a child home with a particular parent/person.

If one parent seeks to remove the child from school 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 Headteacher 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 school’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 Headteacher or designated deputy dealing with the issue may make a decision based upon all relevant information available to him/her.
- The Headteacher 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 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. Communication between school and separated parents**

Bulletins, newsletters and general updates are sent via routine school communication methods to the parent who is the named contact, all parents upon request. It is the parent’s responsibility to ensure the school has up-to-date contact details. These updates contain all the main class/school events, including parents’ evenings, productions, sports days and class outings and events.

The Academy is able to deal with separate requests for invitations to events and performances made by separated, divorced or estranged parents. However, the Academy would be grateful if parents could communicate directly on such matters if they can although in some instances the Academy recognises that this may not be possible should there be a Court order in place preventing the parties from contacting each other. The Academy 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 and/or the Headteacher will be available by appointment to discuss any issues.

### **9. Parents' evening appointments**

It is preferable that parents should try to attend appointments together where possible. Where this is not possible, the school should be contacted in good time so they can make alternative arrangements. Whenever requested, we will endeavour to offer separate parents' evening appointments for separated, divorced or estranged parents who have parental responsibility.

### **10. Written pupil reports**

All parents have the right to receive written progress reports for their child. These will be provided to separated, divorced or estranged parents for whom the school has up-to-date contact details.

### **11. Change of name**

For pupils under the age of 16, the Academy will only change a child's legal name (forename and/or surname) in the Academy's records on receipt of a signed and witnessed change of name deed poll (enrolled or unenrolled). This will require the agreement of all persons with parental responsibility. Prior to changing Academy records, the Academy may ask parents to confirm in writing that all those with parental responsibility have signed the Deed.

For pupils aged 16 and over, the Academy will change the young person's legal name in the Academy's records on receipt of a change of name deed poll (enrolled or unenrolled) signed by the pupil and witnessed.

The Academy is under no obligation to do so but they may, effect an informal change of "known-by" name if that is requested by the parent(s) or a pupil where the pupil is deemed by the Academy to be of sufficient age and maturity. It is important to note that the school 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 school's complete discretion after taking into account all of the circumstances.

### **12. Removal from roll**

There is no statutory obligation on a school to notify one parent if the other decides to remove their child – that responsibility rests solely with the separated parents. For further information on this matter please refer to [Government Guidance](#)

### **13. Access to Academy information**

Key information is available on both the Meridian Trust and local Academy websites.

For parents who do not have access to the internet, paper copies of communications may be requested from the Academy directly.