



### Separated Parents Policy

<b>Produced by</b>	Lark Hill Nursery School
<b>Date approved and agreed by Governing Board</b>	Autumn 2024
<b>Review Date</b>	Autumn 2026
<b>Published on website</b>	Autumn 2024

Separated parents can work well together in the best interests of their child, however, some parents may find this difficult. This can be traumatic for any children concerned and personal family problems can have an impact on the child and on the schools the children attend.

This policy is an attempt to minimise any impact, clarify to all parties what is expected from separated parents and what can be expected from the school.

**The definition of a parent for school purposes** is much wider than for any other situation. The Education Act 1996 defines a parent as:

- All natural parents, including those that are not married;
- Any person who has parental responsibility but is not a natural parent e.g. a legally appointed guardian or the Local Authority named in a Care Order;
- Any person who has care of a child i.e. a person with whom the child resides and who looks after the child irrespective of the relationship

#### **Who has “Parental Responsibility”?** (The Children Act 1989)

Having parental responsibility means assuming all the rights, duties, powers, responsibilities and authority that a parent of a child has by law. People other than a child's natural parents can acquire parental responsibility through:

- Being granted a Residence Order
- Being appointed a Guardian
- Being named in an Emergency Protection Order (although parental responsibility in a such a case is limited to taking reasonable steps to safeguard or promote the child's welfare)
- Adopting a child.

If the parents of a child were not married to each other when the child was born, the mother automatically has parental responsibility; however, the father only has parental responsibility from 1st December 2003 and by jointly

registering the birth of the child with the mother. He can, however, subsequently acquire parental responsibility.

Parents 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: -

- Attend parent meetings/school events
- Appeal against admission decisions
- Ofsted & school based questionnaires
- Participate in any exclusion procedure
- Have access to our online learning journey 'Tapestry', copies of progress summaries, newsletters, invitations to school events, school photographs relating to their child and information about school events.

The Governing Body recognise that while the parents may be separated they are entitled to the above 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.

The information provided to the school when the child was enrolled detailing whether a parents have parental responsibility for a child will be presumed to be correct unless a court order or birth certificate proving otherwise is provided to the school. Similarly the information on the address(es) where the child resides will be assumed to be correct unless a court order proving otherwise is provided to the School.



Lark Hill Nursery School fully recognises its responsibilities, and it is our sole wish is to promote the best interests of the child, working in partnership with all parents.

We will maintain our open door policy with all parents, and the key person and/or Head Teacher will be available by appointment to discuss any issues or concerns with regard to separated/divorce estranged parents may have in relation to their child or children at the school.

Parents will be encouraged to resolve any issues around estrangement, contact and access to information without involving us directly.

Issues of estrangement is a civil/private law matter and we cannot be involved in providing mediation, helping an estranged parent to communicate with their child or children, or using the school premises for purposes of contact. We recognise that a Court Order can restrict a parent in having contact/access to information and we may be bound by this. In this situation we will consult with the Local Authority to obtain advice as this may constitute a safeguarding concern.

In any event whereby the parents been estranged is appearing to impact upon the health, wellbeing and safety of a child the matter will be referred to the Local Authority for advice.