



# Attleborough Primary School

Inspire Achieve Grow

## Absent Parent Policy

**Date:** July 2021

**Review:** July 2024

At Attleborough Junior School we recognise that while some parents may be divorced or separated, both have a right to be informed of, and involved in, their child's educational progress.

### **Definitions**

Schools have a legal duty to work in partnership with families and to involve all those with parental responsibility in their child's education. Section 576 of the Education Act 1996 defines a 'parent' as:

- All natural parents, whether they are married or not.
- Any person who, although not a natural parent, has parental responsibility for a child or young person.
- 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).

Parents as defined above must be treated equally, unless there is a court order limiting an individual's exercise of parental responsibility. 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.

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

- Receive information (eg. Pupil reports, school events etc)
- Participate in activities (eg elections for parent governors)
- Give consent (eg for school trips)
- Be involved in meetings concerning the child (eg participate in an exclusion procedure, appeal against admission decisions).

This entitlement 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.

### **Headteacher responsibilities**

The headteacher will ask parents or guardians for the names and addresses of all parents when they register a pupil.

It is the duty of the Headteacher to 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.

The headteacher will ensure that names and addresses of all parents are forwarded to any school to which the pupil moves.

The Headteacher will ensure that details of court orders are noted in the pupil's record.

Where the address of a non-resident parent is unknown, the headteacher will tell the resident parent that the non-resident parent is entitled to be involved in their child's education and request that information is passed on to them.

## **Parental Responsibility**

In order to help us to look after children whilst they are in our care, staff are required at the admissions interview to ask parents to provide certain information, such as name of both parents, address, 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, this is a very specific legal term and many parents may be unaware of how it is applied:

- Parents of children joining the school are asked to bring their child's birth certificate. This ensures children are joining the correct year group and also helps the school ascertain who has parental responsibility.
- 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 cannot be lost, except by legal adoption, although it does not guarantee contact.
- Where there is a court mandated restraining order in place, a copy needs to be retained by the school which will put measures in place to ensure the child is not released to named individuals.
- Parents who have joint custody of the child are requested to keep the school informed, in writing, of any disputes they have with each other regarding the collection of children.
- The information provided to school when the pupil was enrolled, detailing whether both parents have parental responsibility, will be presumed to be correct unless a court order or original birth certificate proving otherwise is provided to the school.
- It is the responsibility of parents to inform the school when there is a change in the family's circumstances. We recognise the sensitivity of such situations and we will maintain confidentiality requested by parents as far as possible. The school will also not make judgements about individual circumstances and both parents will be treated equally unless there is a specific ruling in existence. Staff will never pass judgement on either parent to the child. We need to be kept up to date with contact details, arrangements for collecting children and emergencies.
- Children's welfare and safety are paramount, where there are issues over access to children, the parent with whom the child resides should contact the school immediately.

In the event that the parents are unable to agree with one another on decisions regarding their child's educational programme, including but not limited to placement and participation in extra-curricular activities, the school will arrange a meeting with all parents in order to assist the parents in resolving the situation.

We will maintain our open door policy with all parents, and the class teacher and/or Head Teacher will be available by appointment to discuss any issues. The school is under no obligation to inform the resident parent of the absent parent contacting the school. Any such information will be given at the discretion of the Head Teacher.

### **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.

### **Obtaining consent**

If parental consent is required for outings or activities, the school will seek consent from the resident parent, unless the decision is likely to have a long-term and significant impact on the child or the non-resident parent has requested to be asked for consent in all such cases.

In cases where the school considers it necessary to seek consent from both parents, it is possible that one gives consent and the other withholds it. In such cases, the school will assume that parental consent has not been given.

### **Name changes**

Parents are responsible for resolving potential conflicts about the change of a surname.

There must be consent from both parents after divorce or separation for registering a change of name of a pupil.

The school will ensure that the change in surname is supported by written evidence.

A separated parent who has parental responsibility, but no longer lives with the child, may refuse to consent to changing the child's surname. In such cases, the parent wishing to change the child's name would need to apply to the courts for permission to do so.

In circumstances where a name change has already been effected by the school and it is in the interest of the child, who might be known by a new name, to refer back to a different name, the school will make a decision holding the best interests of the child under paramount consideration.

### **School communications**

The school recognises that, while the parents of some pupils may be divorced or separated, both have a right to be informed of, and 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.

We would not expect to send emergency text messages to absent parents, which give information on cancelled activities and reminders.

- All diary dates, Newsletters, and Head Teacher's letters are available on our website.

- Class emails will be sent to both parents. Parents are responsible for providing a correct email address. Occasionally paper letters are sent home with pupils and we expect parents to communicate these messages to each other as and when appropriate.
- We would not expect to send emergency text messages to absent parents, which give information on cancelled activities and reminders.
- We will hold one parent's evening appointment per child, three times a year, where both parents are welcome and we expect parents to communicate with each other regarding these arrangements. Unfortunately the school is unable to offer individual appointments as the school does not have the capacity to support this.
- We expect parents to liaise and communicate directly with each other in matters such as the ordering of school photographs; tickets for performances and other instances.
- Both parents are entitled to receive progress reports and review their child's pupil records. Progress reports will be sent to the parent with whom the child resides with the expectation that he/she will share the report with the other parent. The school will email copies of progress reports to the noncustodial parent if a written request is submitted.
- Should an un-named 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. For the avoidance of doubt, we will seek written confirmation from the main carer. Proof of identity of the non-resident parent will always be required in these cases.

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

**Collecting a child from school**

The school will release children to parents in accordance with arrangements notified to the school. If one parent seeks to remove the child from school in contravention of the usual arrangements and the parent to whom the child would normally be released has not notified the school of any change the following steps will be followed:

- Where a separated parent, who has parental responsibility and no court order in place, wishes to take the child during or at the end of the school day, the resident parent will be contacted in order to ensure that they are in agreement with the arrangement. If the parent to whom the child would normally be released agrees, the child may be released and the records will reflect that the permission was granted orally. If the parent opposes the other parent wanting to take the child then the school will advise that without a court order we cannot prevent them from doing so.
- In the event that the parent to whom the child would normally be released to cannot be reached, the Head Teacher or staff member dealing with the issue will make a decision based upon all relevant information available to him/her.
- During any discussion or communication with parents, the child will be supervised by an appropriate member of school 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 should be notified immediately.