



# Lumen Learning Trust

Learning together for a brighter future

## Separated Parents Policy

<b>DATE APPROVED BY LUMEN LEARNING TRUST</b>	16 <sup>th</sup> October 2023		
<b>REVIEW DATE Biennial</b>	16 <sup>th</sup> October 2025 [extended to 14/02/2026]		
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## Introduction

Lumen Learning Trust puts the children’s needs at the heart of its provision. Our whole school community is committed to enabling the children to become successful lifelong learners and happy, fulfilled adults who can make positive choices about their future.

## Statement of intent

Lumen Learning Trust recognises that pupils from families whose parents are separated, or are undergoing separation, may experience unique challenges during their time at school that can affect their welfare and attainment.

Separated parents can work well together in the best interest of their child and together can play a role in their child’s education. However, some parents become estranged, and find it difficult to work together or in the best interests of their children, especially during the initial stages of their separation. This is very often traumatic for

any child concerned where personal family problems can have an impact on both the child and the schools the children attend.

This policy has been created to help minimise the educational impact on an affected pupil due to a family separation. We also aim to clarify to all involved parties what is expected from them and what can be expected from the school and its staff.

## **Legal framework**

This policy has due regard to all relevant legislation and statutory guidance including, but not limited to, the following:

- Education Act 1996
- Data Protection Act 2018
- UK General Data Protection Regulation
- DfE (2022) 'Keeping children safe in education'
- Children Act 1989
- The Education (Independent School Standards) Regulations 2014
- Freedom of Information Act 2010
- Gov.uk Understanding and dealing with issues relating to parental responsibility August 2023

This policy operates in conjunction with the following school policies:

- Child Protection and Safeguarding Policy
- Data Protection Policy
- Parent and Visitor Code of Conduct
- Special Educational Needs and Disabilities (SEND) Policy
- Keeping Schools Safe from Abuse, Threats and Violence

## **Definitions**

### *Defining who is a parent*

Parents may be recognised differently under education law and under family law. Section 576 of the Education Act 1996 states that, in relation to a child or young person, a 'parent' includes any person who is not a parent (from which can be inferred 'biological parent') but who has parental responsibility for or care of the child.

For the purposes of education law, the Department for Education (DfE) considers a 'parent' to include:

- all biological parents, whether they are married or not.
- 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, a guardian or other relative.
- any person who, although they are not a biological parent and do not have parental responsibility, has care of a child or young person.

A person typically has care of a child or young person if the child lives with them either full or part time and they look after them, irrespective of what their biological or legal relationship is with the child.

If a person is not the biological parent of a child, does not have parental responsibility for the child, and the child no longer lives with them, it is unlikely they will be recognised as a parent. Any disputes about whether a person is a child's 'parent' within the meaning of section 576 of the Education Act 1996 are for the courts to decide.

DfE may also refer to a 'corporate parent' within statutory and non-statutory guidance. This term is used to describe local authorities and partner organisations that contribute to services provided to looked-after children, namely children who are the subject of a care order. A care order gives the local authority (the 'corporate parent') parental responsibility under section 33(3) of the Children Act 1989.

### Understanding parental responsibility

In family law, under section 3 of the Children Act 1989, parental responsibility means all the rights, duties, powers, responsibilities and authority that a parent has in relation to the child.

A person with parental responsibility can make decisions about the child's upbringing and is entitled to information about the child. For example, they can give consent to their medical treatment and make decisions about their education. They also have the right to receive information about their health and education.

### Who has parental responsibility

A child's birth mother (the person who carried the child) has parental responsibility unless it has been removed by an adoption order or a parental order following surrogacy.

If a child's father and mother were married to each other at the time of the child's birth, they each have parental responsibility. If the parents were not married to each other at that time, the child's father can gain parental responsibility:

- by registering the child's birth jointly with the mother;
- by subsequently marrying the child's mother;
- through a 'parental responsibility agreement' between him and the child's mother that is registered with the court;
- by obtaining a court order for parental responsibility.

If two female parents have a child through fertility treatment, the mother's female partner is treated in the same way as a father. She has parental responsibility if she is married to or in a civil partnership with the mother at the time of the treatment (or if the two women agree in writing that she will be the child's second parent). She can also acquire parental responsibility in the same way that a child's father can.

People who are not the child's biological mother, father or second female parent can also acquire parental responsibility.

Civil partners have parallel rights to married people in terms of parental responsibility. The same provisions for married people apply to them in terms of:

- acquiring parental responsibility: adoption, agreement with their civil partner or by an order from the court;
- holding parental responsibility.

A local authority (the 'corporate parent') acquires parental responsibility under section 33(3) of the Children Act 1989 if it is named when a care order is made in respect of a child.

**The information provided to the school when the child was enrolled detailing whether parents have 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.**

### Other ways to acquire parental responsibility

Parental responsibility can be acquired in other ways, including by:

- adoption, after which only the adoptive parents will hold parental responsibility;
- prospective adoption, when parental responsibility is shared with other parties such as the local authority while the child is placed with the prospective adopter;
- obtaining a parental order following surrogacy;
- being a step-parent, through agreement with the child's mother and their other parent, if that person also has parental responsibility for the child, or as the result of a court order;
- being granted a child arrangements order determining who the child should live with or that a parent should spend time with the child but the child should not live with them;
- being appointed as a guardian or special guardian;
- being named in an emergency protection order – although parental responsibility in such a case is limited to taking reasonable steps to safeguard or promote the child's welfare;
- being the local authority named in the care order for a child.

More than one person, and even several people, can hold and exercise parental responsibility for a child. The parental responsibility of one party does not necessarily stop simply because another person is also given it, although this can happen. Therefore, in some cases, several people may exercise parental responsibility on behalf of a child.

Parental responsibility is not given to a foster parent or a key worker in residential care, but it is essential that schools engage and work with these individuals, who are often the most influential and important people in the child's life. How a school engages with social workers and the birth parents of the child in each case needs to be defined locally.

### Court Orders

Lumen Learning Trust schools aim 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 regard to 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.

Court orders under section 8 of the Children Act 1989, often called section 8 orders (as amended by section 12 of the Children and Families Act 2014) settle areas of dispute in relation to the exercise of parental responsibility or a child's care or upbringing, and can limit how an individual exercises their parental responsibility.

There are different types of section 8 orders, which can be made to address particular issues.

- A prohibited steps order imposes a specific restriction on the exercise of responsibility. This means that no step specified by the court that a parent could take in meeting their parental responsibility can be taken without the consent of the court e.g. one parent wants to take the child abroad for an extended period or prevent the child from attending a form of religious worship against the wishes of the other parent.
- A specific issue order gives directions for the purpose of determining a specific question that has arisen or may arise in connection with any aspect of parental responsibility e.g. an order allowing one parent to agree to a pupil moving school against the wishes of the other parent.
- A child arrangements order sets out the arrangements for whom the child is to live with and when, and the arrangements for which parent they are to spend time or have contact with. It replaces the former residence and contact orders. In line with their safeguarding duties, schools should ask parents to provide them with a copy of the most recent court order in place. However, a parent may first need to seek the permission of the court to share orders with a third party, including the school.
- If a care order is in place, the role parents can play in their child's life and schooling may be limited by the local authority. Schools should note that a court order limiting a parent's exercise of their parental responsibility does not necessarily prevent or restrict a school from carrying out its duties under education law.
- While such cases are rare, in very limited circumstances, the court can also make an order under section 4(3) of the Children Act 1989 to terminate parental responsibility that has been acquired. The exception to this is where parental responsibility was acquired through the marriage of the father or second female parent to the child's mother.

### **General principles for schools and local authorities**

Anyone who is a parent, as recognised under education law, can participate in their child's education.

This is supported by the duty on the Secretary of State for Education, when exercising or performing all of their respective powers and duties under the Education Acts, to have regard to the general principle that pupils are to be educated in accordance with the wishes of their parents.

Under the Education (Pupil Information) (England) Regulations 2005, all parents can also receive information about the child, even though the school's main contact is likely to be the parent with whom the child lives on school days.

Those who have parental responsibility for or care of a child have the same rights as biological parents to:

- receive information, such as school reports
- participate in statutory activities, such as voting in an election for parent governors
- be asked to give consent, such as to the child taking part in a school trip
- be informed about meetings involving the child, such as a governors' meeting on the child's exclusion from school

School and local authority staff must treat all parents equally, unless a court order limits a parent's ability to make educational decisions, participate in school life or receive information about their child. In most circumstances, the question a school must ask itself when making decisions is not just whether a parent holds parental responsibility but whether they are a parent under education law.

All parents also have legal obligations under section 7 of the Education Act 1996 – for example, to ensure that a child of compulsory school age receives a suitable full-time education.

If a parent's action or proposed action contravenes the school's ability to act in the child's best interests, the school should try to resolve the problem with the parent but avoid becoming involved in any conflict. However, there may be occasions when a school needs to decline requests for action from one or more parents.

In cases where schools cannot resolve the conflict between separated parents, they should advise the aggrieved parent to pursue the matter through the family court.

### **Information sharing**

It is important that schools balance the requests of parents with their statutory duties. Having parental responsibility does not allow a parent to obstruct a school from carrying out its duties under the legislation.

#### Information sharing legislation

Under the principles of the UK General Data Protection Regulations 2018 (UK GDPR) and the Data Protection Act 2018, a child or young adult can assume control of their personal information and restrict access to it from the age of 13.

However, until they reach the age of 18, their parent is entitled to request access to or a copy of their educational record even if they do not wish them to access it. Nonetheless, a parent is not entitled to information the school could not lawfully disclose to the child under the UK GDPR or to which the child would have no right of access under the Education (Pupil Information) (England) Regulations 2005.

A local authority with parental responsibility for a child is also entitled to inspect or receive a copy of the educational record of a child who is the subject of a care order.

Requirements of academies differ slightly from maintained schools and are derived from part 6 of the schedule to the Education (Independent School Standards) Regulations 2014. Academies must provide a parent with an annual written report of a registered pupil's progress and attainment in the main subject areas unless the parent has agreed otherwise.

### **Resident Parent definition**

For the purpose of this policy, a "resident parent" is defined as the parent with whom the pupil primarily lives, if a joint residency arrangement is not in place. A "non-resident parent" is a parent with whom the child does not primarily live.

**The information provided on the address or addresses where the child resides will be presumed to be correct unless a court order proving otherwise is provided to the school.**

### **Roles and responsibilities**

The **Headteacher** is responsible for:

- Ensuring that names and addresses of all parents, where known, are included in the admission register and also in the pupil's records, and are available to the pupil's teachers.
- Ensuring that names and addresses of all parents are forwarded to any school to which the pupil moves.
- Ensuring that details of court orders are noted in the pupil's record.
- Ensuring at least one emergency contact per pupil is obtained – where possible, two or more will be obtained.
- Where the address of a non-resident parent is unknown, telling 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.
- If the resident parent refuses either to share information with the non-resident parent or to provide their contact details, if they have them, so the school can deal with them direct, the school can do nothing more.
- If the non-resident parent subsequently contacts the school and requests access to information, the school should provide it to that parent direct, after taking reasonable steps to satisfy itself that the individual is, in fact, the child's parent.
  - Should the un-named parent seek information or access to their child, the school will always inform the resident parent of this and ensure no court order is in place preventing this. For the avoidance of doubt, the school will seek written confirmation from the resident parent. Proof of identity of the non-resident parent will always be required in these cases.

**Parents** are responsible for:

- The parent with residency is required to provide details of all persons with parental responsibility on the child's data sheet. These details include names, addresses, telephone numbers, and email. Parents are requested to update these promptly via the school office or school website if required.
- Informing the school when there is a change in family circumstances. The school recognises the sensitivity of these situations and will maintain all 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.
- Where there is a court-mandated restraining order in place, providing the school with a copy, which will put measures in place to ensure the pupil is not released to named individuals.
- Informing the school in writing of the details of any disputes they have regarding the collection of their child from school which will be discussed with those parents with parental responsibility.
- Attending parents' evening appointments for their child – the school expects parents to communicate with each other regarding this.
- Liaising and communicating directly with each other in matters such as the ordering of school photographs, tickets for performances and other instances. The school will not deal individually with these requests.

The **resident parent** i.e. with whom the pupil either wholly or mainly resides is responsible for:

- Contacting the school immediately where issues to the access of their child arise or there is a change in access arrangements.

The **DSL** is responsible for:

- Ensuring pupils are safe and happy at school.
- Making decisions regarding sharing information with parents about safeguarding concerns.
- Referring a pupil to the relevant support services, where required.

## **Obtaining consent**

### Extra-curricular visits and activities

If a school needs parental consent for extra-curricular visits and activities, a headteacher should seek the consent of the resident parent. Exceptions to this are when 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 cases.

If a school considers it necessary or has been asked to seek consent from both parents, it may wish to assume parental consent has not been given unless both agree. Such an approach ensures that the school has treated the views of each parent equally and will help safeguard its position in terms of exposure to any civil liability if, for example, the child is injured while on a school trip.

The school will avoid becoming involved in any disagreement between parents, and if necessary will suggest that, if they cannot agree, they seek independent legal advice about obtaining a prohibited steps order or specific issue order setting out exactly which decisions each parent can make in respect of their child.

### Medical treatment following an accident or injury

Where the school requires urgent consent because a child needs emergency medical treatment, the Children Act 1989 allows the school to act in place of a parent (in loco parentis) or to seek consent from a parent that does not have parental responsibility.

### SEND provision

The Trust and its schools ensure their focus is on the best interests of the pupil. In line with the Special Educational Needs and Disabilities (SEND) Policy, the school will ensure it identifies and addresses any SEND.

The school will assert that it does not need parental consent to provide SEND provision to a pupil. The school will inform the pupil's parents that such a decision has been made.

The school will seek parental consent where it feels that a pupil needs to attend an external agency or service to support their SEND. In this case, consent from the pupil's resident parent will be sought, unless explicitly stated otherwise.

Where there is a dispute between the pupil's parents about the provision of SEND support, the school will consider the wider implications of the dispute, the pupil's welfare, and whether there is a potential safeguarding issue present, e.g. the pupil is being used as a tool for control.

### Change of Name

A parent can only change their child's name (forename and/or surname) either by both parents providing a letter confirming such consent 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.

In circumstances where a name change has already been affected 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.

### Informal name changes

The school is under no legal obligation to accept informal name change requests from parents, also called 'known as' names, unless ordered to do so by a court.

Where the school accepts an informal name change without the order of a court, it will ensure the name is only used informally for example (a) verbally addressing a child (b) name on books etc. It is important to note that the school database, official documents and other school systems, 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 the School has taken into account all of the circumstances.

### Pupils moving schools

Case law states that all those with parental responsibility must be consulted before important decisions are made, such as removing a child from their school, when they should leave the school or which new school they should attend.

Schools must still comply with the Education (Pupil Registration) (England) Regulations 2006 when they receive a request to remove a child from the school register. However, 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.

Nonetheless, the child's welfare is paramount, so, if our school is aware that parents are separated and one parent decides to remove their child, staff may wish to ask that parent if the other has been informed and has agreed to this.

#### Changes to records

The school will not remove a parent's details from the school records unless a court order is in place to this effect.

Where a court order to this effect is in place, the school will ensure it seeks evidence of this. In an emergency situation, the school may accept written confirmation from a solicitor as evidence.

Details of all known parents will be retained unless a court order instructs otherwise.

### **School Communication**

We recognise 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.

- The school will maintain its open-door policy with all parents. The class teacher, Key Stage Lead, Inclusion Lead and/or Head Teacher will be available by appointment to discuss any issues or concerns with regard to separated/divorced/estranged parents in relation to their child/ren at the school.
- Where a court order is in place that expressly states a parent is not entitled to their child's pupil information, the school will uphold the court's instruction.
- As Lumen Learning Trust schools are classified as an academy parents do not have an automatic right to request **progress reports** and review **pupil records** of their child and may be subject to certain limitations. The school is responsible for the data it holds and will therefore process requests for pupil information in line with the Data Protection Act 2018 and the Freedom of Information Act 2010.
  - If the pupil's parents are separated or divorced, progress reports will be sent home with the child, with the expectation that the receiving parent will share the report with the other parent. A second report would be made available for collection from the School Office. The office will send the second report to the non-resident parent if that parent sends a written request and their identity is verified by the school.
- **Newsletters & general school updates** will be sent to all parents with parental responsibility via email. These updates will contain all the main events within school, including productions, sports days, parent's evenings, class trips, etc. We would expect parents to communicate these messages to each other as and when appropriate or to arrange with the school to ensure they are on the circulation list. In general, day to day communication from the school office will only be received by the adults marked as having parental responsibility for your child in the school management information system as they are commonly the adult/s your child resides with most, if not all, of the time.
  - It is the responsibility of the separated parent with parental responsibility who is not Priority 1 or 2 to request in writing to the school office that they receive day to day texts and emails so that this can be logged and actioned.
- Lumen Learning Trust schools hold **parent consultation appointments** during each academic year. We expect parents to communicate with each other regarding these arrangements and attend an appointment together. If parents cannot attend together they are responsible for arranging who will

attend and then share the information with the other parent afterwards.

- A school's time and resources are such that two appointments cannot be offered as standard. In some circumstances the school may agree to a separate telephone appointment with the other parent but this is at the school's discretion based on their time and resource constraints.
- Where appointments are online, dual appointments will be made available wherever possible with both parents receiving a meeting link and attending in separate locations.
- We expect that parents should liaise and communicate directly with each other for the **ordering of school photographs**. The order form will be sent home in a child's book bag. It is the responsibility of the receiving parent to arrange any orders with the other parent. The school may be able to provide a copy of the proof for if requested via the school office via email but any orders would need to be made online direct with the school photographer.
- We expect that parents should liaise and communicate directly with each other regarding **performance ticketing**. Parents must co-ordinate who will attend events using the number of tickets pre-allocated by the school. Extra tickets or seats will not be offered as standard. In some exceptional circumstances, where a school has a number of unclaimed tickets or seats following general release to all families, there may be the opportunity to claim additional tickets/seats but this is in no way guaranteed.
- Any adult with parental responsibility will have a **school payment account** created for them. Each account will have its own log in so that contact and payment card details are not shared but will both be synched to record payments for school meals, trips, extra curricular clubs for your child as a whole. Should any queries arise, the school office will contact the parent who made the specific payment.

### Collecting a child from school

The school will ask a parent with parental responsibility to provide a collection password so that any adult who is able to accurately provide the password can collect a child.

- Parents with parental responsibility must contact the school to reset the collection password.
- Where a separated parent has parental responsibility, and wishes to collect their child during or at the end of a school day not listed in a Court Order as their allocated contact day, the resident parent will be contacted to ensure that parents are in agreement, providing a non-contact order is not in place. Please note that allocated contact days can only be recognised by the school if specifically listed in a Court Order.
- 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 a member of the Senior Leadership Team will meet with the parent seeking to collect/remove the child and, in his/her presence, 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, the child may be released and the records will reflect that the permission was granted verbally.
  - In the event that the parent to whom the child would normally be released to cannot be reached, the Headteacher or senior staff member dealing with the issue may make a decision based upon all relevant information available to him/her.
  - The Headteacher or staff member may have to refuse permission if agreement/consent cannot be obtained and may need to take advice before a child or children are collected/released.
  - Lumen Learning Trust schools cannot prevent the other parent from collecting their child/ren but will endeavour to reach an agreement and this may mean keeping the child or children safe whilst the school tries to reach such an agreement.
  - During any discussion or communication with parents, the child or children will be supervised by an appropriate member of school staff in a separate room.

- The school will not permit the child to be collected by a parent for whom a non-contact order is in place. Where a child arrangements order is in place, the school will be vigilant for breaches of this order in terms of parents collecting their child, e.g. if a parent collects their child on a day they have not been allocated.
- If there is a Court Order restricting contact or it is in contravention of any access agreement, the child or children will not be released into their care and the other parent advised to take the necessary action which does not involve the school.
- In 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 and the Local Authority notified.

### **Parent disputes**

Parents will be encouraged to resolve any issues around estrangement, contact and access to information without involving the Trust and their child's school directly.

- Issues of estrangement are civil/private law matters and the Trust and its schools 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.
- The school will ensure all parents are treated equally unless there is a court order in place. Where one parent makes a claim that a court order against another parent is in place, the school will ask for evidence of the court order and ensure that the order is valid.
- In the event that a pupil's 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 extracurricular activities, the school will arrange a meeting with all parents, preferably together, to assist them in resolving the situation in the best interests of the child.
- The school will seek advice from the Local Authority and/or the Trust solicitors about parent disputes, where required. 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.
- The school expects all parents to understand and adhere to the Lumen Learning Trust Parent and Visitor Code of Conduct.

### **Safeguarding**

The school will always have regard to the statutory guidance 'Keeping children safe in education' and enact its safeguarding procedures in line with its Child Protection and Safeguarding Policy. The school will always put the best interests of the pupil first.

"Child abduction" is the unauthorised removal or retention of a child and can be considered as such even if the child is removed or retained by somebody with parental responsibility. The school will ensure it acts accordingly in the event that a pupil is considered to be abducted by a parent, including calling the police.

While parental responsibility is not given to a foster parent or key worker in residential care, the school will engage and work with these individuals, who are often the most influential and important people in the pupil's life.

If the school believes a pupil is in immediate danger or at risk of harm, it will immediately make a referral to children's social care or the police, as appropriate.

Where referrals have been made, the school will consider the level of information to provide to parents on a case-by-case basis.

The DSL is responsible for safeguarding, including decisions regarding sharing information with parents about safeguarding concerns.

A child's social worker may collect them from school – in these instances, a prior agreement with the pupil's birth parents and/or foster carers depending on the individual circumstances will be in place.

Schools will not permit social workers to enter the school premises to collect children to attend care review meetings or go to contact meetings without the prior agreement of teachers, foster carers, parents or the children themselves.

### **Governance and administration**

The school will not restrict parent governors' eligibility to nominate, vote or otherwise participate in governor elections to parents holding parental responsibility.

The school will protect the private data of each parent from any other individual and avoid inadvertent disclosure.

### **Monitoring and review**

This policy is reviewed biennially by the Chair of Directors and Executive Principal of the Trust as shown on the cover page of this policy.

Any changes to this policy will be communicated to all staff and parents.

## **Appendix 1: Frequently Asked Questions**

### ***What happens if the school discovers my family has separated through means other than by me? Will a school contact me to find out the new arrangements?***

Parents are responsible for informing the school when there is a change in family circumstances. The school will not make judgements about individual circumstances and will continue with current arrangements until such time as the parent/s contact the school to confirm any new arrangements.

### ***What does a school office need me to provide to prove parental responsibility?***

If there are additional adults who are non-biological parents but have parental responsibility for the child, the family must submit the required documentation to demonstrate this such as a:

- An adoption certificate
- An emergency protection order
- A guardianship order
- A child arrangements order
- A court order

### ***I am not happy about my child's other parent collecting them from school but there is no court arrangement in place to stop them. Can I still ask the school to not release my child to them?***

The school can only refuse to release a child to an adult with parental responsibility where a non-contact order is in place. A child will never be released to an adult without parental responsibility unless they are named as an approved collector or are in receipt of the collection password, as per the specific school's collection procedures.

### ***My ex-partner wants to take my child on holiday during term time and I don't agree with it. Can I stop them from taking them out of school?***

If your ex-partner has parental responsibility and is not subject to a non-contact order in place they are able to take your child out of school to go on holiday. If a fixed penalty notice is enforced this will only be applied to your ex-partner and not you.

### ***I don't agree with my child's image being taken and used by the school but my ex-partner does. What happens now?***

In most cases the school will seek consent from the parent your child lives with either all or most of the time (the resident parent) and abide by their decision. If the school feels that the decision is likely to have a long-term or significant impact on your child they will seek your opinion too. The choice to consult the non-resident parent is at the school's discretion. Where both parents have been asked their decision and they do not agree the school will then consider that parental consent is not granted.

### ***My ex-partner has agreed for our child to go on a school trip but I don't want them to go. What happens now?***

In most cases the school will seek consent from the parent your child lives with either all or most of the time (the resident parent) and abide by their decision. If the school feels that the decision is likely to have a long-term or significant impact on your child they will seek your opinion too. The choice to consult the non-resident parent is at the school's discretion. Where both parents have been asked their decision and they do not agree the school will then consider that parental consent is not granted.