

DIVORCED AND SEPARATED PARENTS

Policy applies to all Staff and Parents	
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01.23 v1	30.01.2023	All	Policy has been re-drafted.	Mr Luke Goodman

Clifton High School is committed to child protection and safeguarding children and young people and expects all staff, visitors, and volunteers to share this commitment.

Related Policies

Admissions

School Terms and Conditions



1. Introduction

Separation is often traumatic for the children involved and can affect their school life. Separation can also lead to a breakdown of communication between parents, which can result in schools becoming caught up in disputes between the parents. The purpose of this policy is to set out the legal obligations on Clifton High School, to clarify what is expected from separated parents and what is expected from the School and its staff, and to attempt to minimise the impact of separation on the children involved.

The School will not attribute blame to any parent or make any judgements about family circumstances; the School will always seek to treat parents equally, encourage parents to communicate and to support the children involved.

2. Legal position

Schools are required by law to engage with parents in a number of different ways. The level of engagement depends on whether a person is a “parent” and whether that person has “parental responsibility” according to the statutory definition of the terms.

2.1 Who is a parent?

The Education Act 1996 defines a parent as:

- all biological parents, whether or not they are married;
- any person who, although not a biological parent, has parental responsibility, for example a step-parent or adoptive parent; and
- 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.

2.2 What is parental responsibility?

Parental responsibility means all the rights, duties, responsibilities and authority that a parent has in relation to a child.

2.3 Who has parental responsibility?

The following people have parental responsibility:

- a child’s birth **mother**;
- **father** (or the **mother’s female partner** if the mother and her partner have the child through fertility treatment), where:
 - the mother and father (or mother’s female partner) were married (or in a civil partnership) at the time of the child’s birth;
 - the father (or the mother’s female partner) gains PR by registering the child’s birth with the mother, by marrying (or entering a civil partnership with) the mother,

through a parental responsibility agreement between him and the mother, which is registered with the court; or by obtaining a court order for PR.

- **People who are not the biological mother or father, or who are not the second female partner can acquire PR by :**
 - adoption (or prospective adoption);
 - a parental order following surrogacy;
 - step parents, through agreement with the mother and other parent (if the other parent has PR);
 - a child arrangements order;
 - being appointed a guardian; or
 - being named in an emergency protection order.

2.4 Rights of parents and persons with parental responsibility

Anyone who is a parent can participate in their child's education and has the right to receive information about their child. Individuals who have parental responsibility have the same rights as biological parents. Parents and people with parental responsibility have the right to:

- receive information about the child, such as school reports;
- receive school communications and information about educational visits;
- inspection and school questionnaires;
- attend parents' evenings and school events;
- be asked to give consent, such as for educational visits;
- withdraw their child from religious education, collective worship and/or sex education;
- be informed about meetings involving the child, such as exclusion meetings; and
- participate in statutory activities, such as voting for parent governors.

2.5 Equal treatment

All parents must be treated equally, unless a court order limits a parent's ability to make educational decisions, participate in school life or receive information about their child. The School does not have the power to act on the request of one parent to restrict the other parent's rights unless there is a court order in place.

3. School Terms and Conditions and the payment of fees

This section explains how separation or divorce does not have an impact on the application of the School Terms and Conditions and the payment of fees. For a complete view you should read the School's Admissions Policy and School Terms and Conditions.

3.1 Acceptance Form and the Terms and Conditions

If parents are already separated or divorced when a place at the School is offered to a child, in accordance with the School's Admissions Policy, other than in exceptional circumstances the



School requires all those with parental responsibility for a pupil to sign the Acceptance Form, irrespective of any court order or other arrangement that parents may have entered into regarding parental responsibilities.

Where parents are separated or divorced after a child has started at the School, both parents remain bound by the School Terms and Conditions.

The School Terms and Conditions explain how the terms and conditions apply to both parents together and to each parent on their own. Each person who signs the Acceptance Form has an individual responsibility to ensure that the fees and supplemental charges owing to the School are paid. The School Terms and Conditions also set out how and when the School may accept instruction from one parent and those occasions when the instruction of both parents is required (e.g. when notice is being given).

3.2 Invoicing and payment of fees

In the majority of cases, the School will continue to issue a single invoice on a termly basis for each pupil's fees, and the School expects parents whose relationship has broken down to resolve by agreement how those fees will be settled. The School is willing and able to issue duplicate invoices to both parents, or to allocate specific percentages, or specific elements of the fees, to each parent separately. However, for the avoidance of doubt, both parents remain jointly and severally liable for all School fees and charges. The School will not normally enter into any agreement that allows one or other parent to opt out. If fees and/or supplemental charges are overdue, the School reserves the right to contact both parents as necessary.

3.3 Means tested bursary awards

Where an application is received for a means-tested bursary award the financial circumstances of both parents will be considered. The School will not normally accept applications for means-tested awards based on the circumstances of one parent alone, even if it is custom and practice for that parent to settle fees.

3.4 Further information

Any parents who have concerns about how the School's Terms and Conditions are applied in practice may contact the Finance Department for further information (finance@cliftonhigh.co.uk).

4. Information provided to the School

School Office 0117 973 0201
schooloffice@cliftonhigh.co.uk

College Road, Bristol, BS8 3JD
cliftonhigh.co.uk

Admissions 0117 933 9087
admissions@cliftonhigh.co.uk



When a pupil joins the School, or when family circumstances change, the Pupil Information - Family Circumstances form in Appendix A should be completed by the parents. The School may then decide to meet with the parents to discuss the arrangements for the care of their child/children.

It will be assumed by the School that the information provided to the School setting out who has parental responsibility for a pupil is correct unless a court order or an original birth certificate, marriage certificate or parental responsibility agreement proving otherwise is provided by a parent to the School. Similarly, the address(es) where the child resides provided to the School are presumed to be correct unless a court order proving otherwise is provided by a parent to the School.

Parents should inform the School when there is a change in the family's circumstances. Parents should ensure that the School has up to date contact details including current address, telephone number and arrangements for collecting pupils including in emergencies. If there is an emergency and a parent has safety concerns for their child, they should contact the Designated Safeguarding Lead immediately.

5. Court Orders

A copy of any existing court order must be provided to the School on admission or when a new court order has been made. The School will follow the court order fully and will not allow any parent to overrule its contents. The School is not obliged to comply with a court order if it has not received a copy of it, and in such circumstances neither parent will have rights superior to the other.

6. Communication with Parents

Clifton High School aims to promote the best interests of pupils with separated parents by working in partnership with both parents, unless directed by a court order. Both parents receive login details for all of the online services (including Operoo and the Parent Portal, which provides access to Insight) and apps used by the School to communicate with parents, and both parents receive email communications from the School.

The School expects parents (whatever the nature of their separation) to do the following for the benefit of their child/children:

- to do all they can to communicate with each other and share information from the School and information for the School;
- to share with each other as and when appropriate, items given by the School to a pupil, such as revision lists for examinations, textbooks, iPads and other educational resources; and



- to liaise and communicate directly with each other in matters such as the ordering of school photographs and tickets for performances.

However, if doing the above causes difficulty and has a negative impact on the pupil and their learning, once parents and the School agree, direct letters and emails can be sent to both parents (where that is not already the case).

7. Specific consent issues

Under the School's Terms and Conditions, the School may treat any instruction, authority, request or prohibition received from one parent as having been given on behalf of both parents. However, there are certain situations where the School will apply different rules. Those situations are set out below.

7.1 Educational Visits

If the School asks parents to consent to an educational visit, it will treat the consent given by one parent as authorisation for the child to attend the educational visit. However, if the other parent subsequently specifically refuses permission, the child will not be allowed to attend without the issue being resolved between the parents or a court order.

If the parents are in disagreement about an educational visit, the School may agree to meet with both parents (either together or separately) in an attempt to resolve the situation. However, if a parent still refuses to give consent, the child will not be allowed to attend without the issue being resolved between the parents or a court order.

7.2 Withdrawal from parts of the curriculum

If a parent notifies the School that they wish to withdraw their child from all or parts of sex education taught as part of Relationships and Sex Education, or from all or parts of Religious Education, the child will be withdrawn from those parts of the curriculum.

If the parents are in disagreement about withdrawal from the curriculum, the School may agree to meet with both parents (either together or separately) in an attempt to resolve the situation. However if parents are still not able to reach an agreement, it may be necessary for an application to be made to the Court for a Specific Issue or Prohibited Steps Order.

8. Meetings with staff

8.1 Meetings

During the academic year, it may be necessary to hold meetings with parents relating to their child/children. Both parents will always be invited to attend such meetings unless a court order limits a parent's right to receive information about their child. The School will only consider



separate appointments to discuss the same information if there is a court order in place restricting parents attending the same appointment.

8.2 Parents' evenings

Clifton High School will send details of parents' evening appointments to both parents but will only allocate one meeting/set of meetings per pupil, and will expect parents to communicate with each other regarding these arrangements and appointment times and attend the meeting(s) together.

For Nursery to Year 6 parents, the School will only arrange separate appointments if there is a court order in place restricting parents attending together or where the School has agreed to hold separate appointments due to known special circumstances. For Year 7 to 11 parents, the School will only arrange separate appointments if there is a court order in place restricting parents attending together.

9. Progress reports

Parents will have individual access to school reports in Insight through the Parent Portal on the School website. The exception to this will be if a court order limit's a parent's right to receive information about their child.

10. Pupil records

Both parents have the right to access the records of their child, unless a court order limit's a parent's right to receive information about their child.

11. Absences from school

The parent with whom the child is residing should notify the School, by 8.40 am that day, of the pupils' absence. The School will not notify the other parent of the absence as it expects the parent who has contacted the School to do so as necessary.

If a parent seeks to remove a pupil from the School, and the other parent (who also has parental responsibility for the pupil) has not consented to the pupil being removed, the Head of School will meet with the parent seeking to remove the pupil, and if appropriate will also meet with the other parent. In extreme circumstances if the School believes that a possible abduction of the child may occur or if the parent seeking to remove the pupil is disruptive, the police will be notified immediately.

12. Collecting children from school

The School will assume that any parent picking up their child from the School has authority to do so under the parents' Parenting Plan, Consent Order or court order. If parents have specific



issues with regards to which parent is authorised to pick their child up from school, this should be discussed with the School.

13. Useful websites

<https://www.cafcass.gov.uk/>

https://www.cafcass.gov.uk/media/2843/separated_parents_information_programme.pdf

<http://www.separatedfamilies.info/>

<http://www.helpguide.org/articles/family-divorce/co-parenting-tips-for-divorced-parents.htm>

School Office 0117 973 0201
schooloffice@cliftonhigh.co.uk

College Road, Bristol, BS8 3JD
cliftonhigh.co.uk

Admissions 0117 933 9087
admissions@cliftonhigh.co.uk

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Appendix A

Pupil Information to include Family Circumstances

This information must be as accurate as possible at the time of completion to ensure the School when operating in *loco parentis* can provide the best possible care for your child/children and for clarity of communication channels between all with parental responsibility.

Name of Pupil:		Year and Registration:	
Parental Responsibility: Please provide full details of those with parental responsibility	Parent A:		
	Parent B:		
Primary Residence of Pupil: Full Address			
Parent Residing at this Primary Residence:	Full Name:		
	Contact Telephone Number:		
	Email Address:		
Other(s) residing at this Primary Residence without parental responsibility:	Full Name:		
	Contact Telephone Number:		
	Email Address:		
Secondary Residence of Pupil: Full Address			

Parent Residing at Secondary Residence without parental responsibility:	Full Name:	
	Contact Telephone Number:	
	Email Address:	
Other(s) residing at this Primary Residence without parental responsibility:	Full Name:	
	Contact Telephone Number:	
	Email Address:	

Residency Arrangements:		Please provide for each day of the week and weekend full details. Also in the week name of parent responsible for drop off and collection from School.					
Parent A/Parent B	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Dropping off							
Collecting							
Is there a Court Order in place?	Yes		If yes, please provide details and a copy of the Court Order arrangements to the School.				
	No						
Correspondence from School: All with parental responsibility will receive the same communications from the School unless indicated otherwise.	Please tick if you want to receive any of the following.		Parent A		Parent B		
			Yes	No	Yes	No	
	Email						
	School Comms						
Letters							



Parents Evening:	The expectation is that all those with parental responsibility attend Parents' Evening together with one set of appointments unless Clifton High School holds a copy of a Court order that states otherwise. By signing this form, you are agreeing that you have read and understood the details set out in the Divorced and Separated Parents Policy regarding attendance at your child's Parents' Evening.
Additional information that would be helpful to the School:	

Signature of those with parental responsibility:

Signature of Parent A _____

Name of Parent A (please print) _____

Date: _____

Signature of Parent B _____

Name Parent B (please print) _____

Date: _____