

Policy Title: Separated Parent Policy

Mortimer



Leader: Mr S.Liddle
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Separated Parent Policy

This policy takes into account the government's explanation of [Parental rights and responsibilities](#) and the Department for Education's (DfE) guidance [Understanding and dealing with issues relating to parental responsibility](#).

Government guidance outlines [what parental responsibility](#) is and who can obtain it.

1. Introduction

At Mortimer Community College, we aim to maintain contact with both parents in the best interests of their child(ren). This policy seeks to minimise any negative impact and to clarify to all parties what is expected of separated parents and what can be expected from the School.

The advice within this policy applies to children who have already been admitted to the School.

The person(s) with parental responsibility who applied for a child's admission should have involved all others with parental responsibility to apply. They should also have provided the School with details of all those with parental responsibility for the child.

Where this has not happened, the School welcomes direct contact from those with parental responsibility who provide their own details. However, the School cannot be held responsible for excluding a parent or person with parental responsibility if the information has not been provided. If parents separate whilst their child already attends the School, the parents must notify the School immediately so that the School can ensure continuing contact with both parents and, in the event that the parents have separated on an acrimonious basis, the School will endeavor to accommodate each parent separately in terms of communications and any attendances at the School.

2. Definition of "parent"

The definition of a "parent" for School purposes is **broader than in most other legal contexts. Under Section 576 of the Education Act 1996, a "parent" includes, but is not limited to, the following:**

- a) all biological parents, whether they are married or not;
- b) any person who, although not a biological parent, has parental responsibility (PR) for a child or young person - this could include an adoptive parent, a guardian, or a step-parent who has acquired PR; and
- c) any person who, although not a biological parent and without parental responsibility, has care of a child or young person.

A person is considered to have care of a child if the child or young person lives with them full or part time and they are responsible for the child's day-to-day care and wellbeing, irrespective of their legal or biological relationship with the child. For example, this may be a foster carer, a family-or-friends carer, or a grandparent who the child lives with, and who have been delegated the responsibility for taking day-to-day decisions about the child. Even though these individuals may not have parental responsibility, they are recognised as parents for school purposes.

Parents, as defined above, are entitled to share in decisions regarding their child's education and to be treated equally by the School. In particular, these entitlements include, but are not limited to, the following:

- a) receiving copies of School reports
- b) having access to School records
- c) attending parent meetings
- d) receiving newsletters
- e) invitations to School events
- f) information about School trips
- g) School photographs relating to their child
- h) participation in any exclusion procedure, and
- i) dealing with any medical issues that arise and/or vaccinations that may be offered.

The School recognises that, whilst the parents of some pupils may be separated, divorced, or estranged, they are still entitled to the above. This entitlement cannot be restricted, except by a Court Order.

If the parents are involved in proceedings before the Court directly relating to the child(ren), they should seek the Court's permission before disclosing any Court Order(s) to the School. Where required by the Court, the School will be willing to provide a letter setting out any information specified in a Court Order.

3. Parental Responsibility

Parental responsibility (PR) 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 through:

- a Court Order,
- being appointed a guardian,
- adopting a child, or
- a formal Parental Responsibility Agreement.

The information provided to the School at the time of the child's enrolment, detailing who has parental responsibility, will be presumed correct, unless the School is provided with a Court Order or an original birth certificate proving otherwise. The School is reliant on such information being accurate and truthful.

Information regarding the address(es) where the child lives will also be presumed correct unless the School is provided with 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 a Court Order limits an individual's exercise of parental responsibility, the School must treat all parents equally and provide them with the same

information.

Where contact has been limited by a Court Order, a parent with PR still has the right to receive information about the child and to be involved in decisions regarding their education and welfare, unless the Court Order specifically restricts what information they can receive or removes their parental responsibility. The School will not remove a parent's contact details from its records unless such a Court Order is in place, or the parent themselves requests that their contact details be removed.

4. Court orders

At Mortimer Community College, our primary aim is to promote the best interests of the child, working in partnership with all parents and/or those with parental responsibility. Where a Court Order is in place, the School will take all reasonable steps to ensure that the order is not breached.

The School can only be expected to comply with a Court Order if it has been properly notified and has received a sealed digital or paper copy for its files, and only to the extent that it is relevant to the School's operations and activities.

The School has no responsibility for enforcing any Court Order, but will endeavour to ensure that any restrictions relating to the collection of a child or other school-based matters are followed.

If the School is not informed of the existence of a Court Order, parents and/or those with parental responsibility will be treated equally. Where a Court Order exists, but the School has not been provided with a copy or notification, it cannot be held responsible or liable for any breach of the order.

5. Disputes and disagreements

Mortimer Community College hopes that parents, and all those with parental responsibility, will work in partnership with the School for the benefit of their children.

It is important to note that any dispute between parents or others sharing these rights must be resolved between them. In cases where parents and/or those with parental responsibility cannot agree on issues relating to the child, they should seek independent legal advice regarding the options available to resolve the matter, either by agreement or by obtaining a Court Order.

Parents should seek to resolve contact or communication issues without involving the School. The School will not mediate, "take sides," or act as an intermediary between parents or those with parental responsibility who do not communicate with each other.

6. Changes in family circumstances

We ask parents to inform the School of any significant changes outside the School – such as changes in family circumstances – so that we can sensitively support the child while at School.

Parents are expected to update the School whenever emergency contact details change for one or both parents and/or when there are new arrangements for collecting children at the end of the School day, in particular where a Court Order has been issued.

We recognise the sensitivity of some situations, and all staff are aware of the need for discretion and confidentiality. School staff will be informed strictly on a need-to-know basis so that appropriate support can be offered.

7. The release of child(ren)

On admission to the School, and unless the School has been notified otherwise by a Court Order or Child Arrangements Order (CAO), the School will release children to either or both parents, and/or those with parental responsibility, and/or those with care of the child.

Where a parent seeks to remove a child from the 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:

- a) The Head Teacher 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 to explain the request.
- b) If the parent to whom the child would normally be released agrees (confirmation must be sent immediately by email to ensure a record is held on the School's files), the child may be released, and the records will reflect that permission was granted.
- c) If the parent to whom the child would normally be released cannot be reached, the Head Teacher or designated deputy may make a decision based on all relevant information available, including any Court Order or Child Arrangements Order in place.
- d) The Head Teacher or designated deputy may refuse permission if consent cannot be obtained, or if releasing the child would conflict with a Court Order or CAO.
- e) During any discussion or communication with parents and/or those with parental responsibility, the child may be supervised by an appropriate member of School staff in a separate room.
- f) In extreme circumstances, such as a belief that a possible abduction may occur, or if a parent becomes disruptive, the Police will be notified immediately.

8. Communication between School and separated parents

The School's primary method of communication with parents and/or those with parental responsibility is ClassCharts. Parents with parental responsibility are entitled to their own individual ClassCharts login, enabling them to access messages, letters, and information about routine class and School events, including parents' evenings, trips and other activities.

ClassCharts is also used to share information relating to a pupil's attendance and behaviour, including both positive and negative behaviour records, rewards, and sanctions. The platform also enables parents to report student absences and view homework that has been set. This ensures

that parents with parental responsibility have equal access to key information relating to their child's education and wellbeing. Parents are responsible for ensuring that their contact details remain up to date and that they regularly access ClassCharts.

On rare occasions, information may be sent home with the child. Where this occurs, duplicate copies will be made available upon request.

The School will endeavour to work with parents to accommodate separate requests for invitations to School events made by separated, divorced or estranged parents who have parental responsibility. Wherever possible, parents are encouraged to communicate directly with one another regarding attendance arrangements. However, the School recognises that this may not always be possible, particularly where a Court Order or Child Arrangements Order restricts contact between parents, or where practical limitations prevent separate arrangements.

The child's Head of Year should be the first point of contact for parents regarding any concerns or issues. If further support or escalation is required, the matter may be referred to the Key Stage Co-Ordinator (for Key Stage 3 or 4), followed by the Deputy Head of Pastoral, and ultimately to the Head Teacher, by appointment. The School aims to maintain our open-door policy with all parents.

Where one parent makes a request for a referral to an external agency (for example Early Help, mental health support team, Children and Young Peoples Service (CYPS) or other appropriate support) in relation to their child, the School will normally inform the other parent with parental responsibility and, where appropriate, ask whether they wish their personal details to be included.

Each parent can request that any personal details and information related specifically to them be redacted before a copy is shared with the other parent.

Information relating to the child cannot be redacted, as it forms part of the child's educational record, which parents with parental responsibility are entitled to access under the Education (Pupil Information) (England) Regulations 2005. Disclosure will only be withheld if sharing the information is likely to cause serious harm to the physical or mental health of any individual. In such cases, the Designated Safeguarding Lead (DSL) will be consulted, who may liaise with the School's Data Protection Officer (DPO) adviser to ensure compliance with data protection law.

9. Parents' evening appointments

When requested, the School will offer separate parents' evening appointments for separated, divorced, or estranged parents who have parental responsibility. Parents' evenings are hosted using the online system School Cloud, which allows both parents to receive the link and attend simultaneously from separate locations.

Parents and/or those with parental responsibility are responsible for ensuring that the School holds up-to-date contact details so that they can receive appointment invitations and access information in a timely manner.

10. Written pupil reports

Any parent and/or person with parental responsibility for a child is entitled to receive written progress reports for their child. Reports will be provided to separated, divorced, or estranged parents who have parental responsibility and for whom the School holds up-to-date contact details.

Reports are shared via email to the contact details held on the School's system. Parents and/or those with parental responsibility are responsible for ensuring that the School has their current email addresses and contact details. Alternative formats can be provided on request, including access via ClassCharts or a paper copy, to ensure parents and/or those with parental responsibility can access the information in a secure and timely manner.

11. Change of name

A child's legal name (forename and/or surname) may only be changed where the School is provided with appropriate legal documentation, such as a Deed Poll completed in accordance with legal requirements, or a Court Order authorising the change. Where more than one person holds parental responsibility, such documentation will reflect the necessary consent of all persons with parental responsibility. In the absence of this evidence, the child will continue to be known by the name recorded on their birth certificate.

The School may, at its discretion, use an informal or preferred name in day-to-day interactions (for example, when verbally addressing the child, or on exercise books). This does not constitute a legal change of name. The School's official records, including the management information system, statutory returns, and public examination entries, will continue to reflect the child's legal name unless and until appropriate legal documentation is provided.

For pupils entered for public examinations, including GCSEs and vocational qualifications, the name used for examination entries and certificates will be the pupil's legal name as held by the School at the time of entry. Examination certificates are issued by awarding bodies using this name and cannot be amended to reflect informal or preferred names.

Any decision regarding the use of an informal or preferred name will be considered on a case-by-case basis, taking into account the best interests of the child and all relevant circumstances.

12. Access to School information

Key information about Mortimer Community College, including policies and statutory information, is available on the School's website. In addition, parents and/or those with parental responsibility will normally receive routine communications through the School's established communication systems, including email and ClassCharts, which are used to support consistent and timely information sharing.

The School recognises that not all parents, or those with parental responsibility, may have reliable access to the internet or digital platforms. In such circumstances, paper copies of communications or information will be made available upon request, to ensure that all parents are able to access essential information relating to their child and the School.