



NEWMAN CATHOLIC TRUST



HEART SPEAKS TO HEART

SEPARATED PARENTS POLICY - TEMPLATE 2026/27

Review Cycle	Date of Policy	Reviewed by	Review Date
Annual	June 26	Board	June 27

Amendments highlighted in **GREEN**

Ratification

Role	Name	Signature	Date
Chair of Board	Chris Izuka		07/05/26
CEO	Dr Daniel Doyle		07/05/26

Commitment to Equality:

We are committed to providing a positive working environment which is free from prejudice and unlawful discrimination and any form of harassment, bullying or victimisation. We have developed a number of key policies to ensure that the principles of Catholic Social Teaching in relation to human dignity and dignity in work become embedded into every aspect of school life, and these policies are reviewed regularly in this regard.

"Rooted in faith, we ignite a love of learning, foster inclusive education and empower every individual to achieve their utmost potential."

At the Newman Catholic Trust, we stand united in our unwavering mission to nurture a transformative educational experience, where every child is seen, valued, and cherished as a unique gift from God. Rooted in faith, we ignite a love for learning that awakens curiosity, sparks imagination, and fuels a lifelong journey of discovery.

Guided by the teachings of Christ and inspired by the profound wisdom of our namesake, Saint John Henry Newman, we strive to foster a community where inclusion is lived, diversity is embraced, and every individual is empowered to fulfil their highest potential. As Newman said, *"To live is to change, and to be perfect is to have changed often."* We believe that education is a sacred journey of continual transformation—intellectually, spiritually, and personally. We believe that true education is not just about knowledge, but about shaping hearts and minds, cultivating resilience, and nurturing the whole person.

Our vision is simple yet profound: To be a beacon of **Hope** and **Excellence**, where pupils are not only academically accomplished but spiritually enriched and personally inspired to make a difference in the world.

In all that we do, we seek to embody our Trust's **HEART Values**, which define who we are and guide how we serve:

- **Hope** – Believing in the boundless potential of every child, and striving to build a future filled with possibility, courage and faith.
- **Excellence** – Pursuing the highest standards in learning, leadership and love, so that every action reflects our calling to greatness.
- **Authenticity** – Living truthfully and faithfully, ensuring our words, actions and decisions are grounded in integrity and the Gospel.
- **Responsibility** – Caring for one another and for creation with compassion, stewardship and a deep sense of duty to the common good.
- **Truth** – Seeking wisdom and understanding through Christ, who is the Way, the Truth and the Life.

Together, **Heart to Heart and Hand in Hand**, we build communities of faith and learning where every child flourishes — intellectually, spiritually and morally — for the greater glory of God.

Trust Policy Template Disclaimer

This document is a standard policy template produced by the Cardinal Newman Catholic Educational Trust. All schools must personalise the sections highlighted for local context, including roles, responsibilities, procedures and operational details specific to their site. The Local Governing Committee is responsible for reviewing, adapting and formally adopting the final school version to ensure it reflects local practice while remaining aligned with Trust requirements and statutory guidance.

Introduction

This policy is designed to support the best interests of children with separated parents attending schools within our multi-academy trust (MAT). It outlines clear expectations for communication and collaboration between the school, parents, and guardians.

1. Legal framework

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

- Education Act 1996
- Data Protection Act 2018
- UK General Data Protection Regulation
- DfE 'Keeping Children Safe in Education'
- DfE (2023) 'Understanding and dealing with issues relating to parental responsibility'
- Children Act 1989
- The Education (Independent School Standards) Regulations 2014
- Freedom of Information Act 2000
- Children and Families Act 2014
- DfE (2023) 'Understanding and dealing with issues relating to parental responsibility: Practical guidance for schools and local authorities'
- Working Together to Safeguard Children
- Working Together to Improve School Attendance
- Children's Wellbeing and Schools' Act

This policy operates in conjunction with the following school policies:

- Child Protection and Safeguarding Policy
- Data Protection Policy
- Collecting Children from School Policy
- Parent Code of Conduct
- Special Educational Needs and Disabilities (SEND) Policy

2. 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.

Parents may be recognised differently under education law and family law. Section 576 of the Education Act 1996 defines a "parent" as:

- All birth parents, whether they are married or not.
- Any person who, although not a birth parent, has parental responsibility for a child or young person.
- Any person who, although not a biological parent and has no parental responsibility, 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 will 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.

Family law defines "parental responsibility" as the rights, duties, powers, responsibilities and authority that a parent has in relation to a child.

Individuals who have parental responsibility, or care for a child, have the same rights as birth parents.

This includes the right to:

- Receive information relating to their child's education, e.g. pupil reports.
- Participate in activities, e.g. elections for parent governors.
- Give consent, e.g. for school trips.
- Be involved in meetings concerning the child, e.g. participate in an exclusion procedure.

Any disputes regarding whether a person is a pupil's parent, within the meaning of section 576 of the Education Act 1996, will be decided by the courts.

Non-biological parents can acquire parental responsibility through:

- Adopting a child.
- Being appointed a guardian.
- Being named in an emergency protection order.
- Being granted a child arrangements order stating the child should live with them.
- The agreement of a child's mother (and other parent if that person also has parental responsibility).
- A court order.

An LA has parental responsibility if it is named in a child's care order. Civil partners have parallel rights to married couples.

Under section 8 of the Children Act 1989:

- A prohibited steps order imposes a restriction whereby no steps which a parent could take within their parental responsibility may be taken without the court's consent.
- A specific issue order gives directions for determining a specific question in connection with an aspect of parental responsibility.
- A child arrangements order sets out living arrangements and arrangements for whom a child is to spend time or have contact with.
- A care order is where the LA limits the role that parents can play in their child's life and schooling.
- Terminating parental responsibility means the court can make an order under section 4(3) of the Children Act 1989 to terminate parental responsibility.

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.

3. Roles and responsibilities

The Principal (or senior school leader) is responsible for:

- Asking for the names and addresses of all parents when they register a pupil.
- 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.
- Ensuring staff are appropriately trained to respond to parental disputes.

Parents are responsible for:

- Providing their child's birth certificate upon admitting their child to the school.
- 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.
- Where parents have shared care of their child (also known as joint custody), informing the school of the details of any disputes they have regarding the collecting of their child from school, in writing.
- 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 in view of the significantly increased workload that they represent.
- Signing leave of absence request forms and, where only one parent has signed, supplying a letter of written consent from the other parent.
- Contacting the school immediately where issues to the access of their child arise.

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.

4. Progress reports and pupil records

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; however, the school will uphold its duty to provide a parent with an annual written report of a pupil's progress and attainment in the main subject areas unless the parent has agreed otherwise. 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. 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.

If the pupil's parents are separated or divorced, progress reports will be sent to the parent and address noted in the school's records specifying where the child resides, with the expectation that the parent will share the report with the other parent.

If the child is subject to a joint residence order and the school's records formally capture that the child resides at two addresses, then progress reports will be sent to both addresses.

The school will send copies of the progress reports to a parent with whom the child does not reside only if that parent submits a written request and their identity has been verified.

5. Parent disputes

The school will expect all parents to understand and adhere to the Parent Code of Conduct. Disagreements between parents will be resolved between the parents and will not be resolved by the school. The school will ensure that it focusses on the welfare and education of the pupil at all times. The school will ensure all parents are treated equally unless there is a court order in place limiting a parent's ability to make educational decisions, participate in school life or receive information about

their child. 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 to assist them in resolving the situation.

The school will maintain an open-door policy with parents, and the class teacher will be available to discuss any issues that are relevant to the school and/or their child's education and welfare.

The school will seek advice from the LA and/or governing board 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.

In the event that a parent's action or proposed action contravenes the school's ability to act in their child's best interests, the school will make efforts to resolve the problem with the parent but will avoid becoming involved in any conflict. The school will decide whether it is appropriate to accept or decline requests for action from one or more parents.

In cases where the school is unable to resolve the conflict between separated parents, the aggrieved parent will be advised to pursue the matter through the family court. The school may also suggest that they seek independent legal advice about obtaining a prohibited steps order or specific issue order which sets out exactly what decisions each parent can make in respect of their child.

In situations where one parent's actions or objections appear to form part of a pattern of control, obstruction, or emotional harm, the school may consult with the DSL and/or children's social care to determine whether the threshold for safeguarding concerns is met.

Where parental disagreement includes allegations or indicators of domestic abuse, coercive control, harassment, stalking, intimidation, child abduction risk or emotional harm to the child, the matter will be treated as a potential safeguarding concern rather than a routine parental dispute. The school will not assume neutrality where doing so may increase risk to the child or to a parent. The DSL will consider whether advice or referral is required from children's social care, the police, the local authority safeguarding partnership or other relevant agencies.

The school will be mindful that making child arrangements via the family courts following a separation can be stressful, and entrench conflict in families which can have a negative impact on a pupil. The school will not become directly involved in such issues; however, it will approach the situation sensitively and point parents towards the government's '[Get help with child arrangements](#)' guide.

6. Collecting a child from school

At the beginning of the academic year, the school will ask separated parents to complete a form listing the names of those who may collect their child.

Parents will contact the school where there are any changes to who may collect their child from school.

Where a separated parent with parental responsibility seeks to collect a child outside the usual agreed arrangements, the school will check the child's records, any court orders, collection permissions, safeguarding information and known care arrangements before releasing the child. Where there is uncertainty, disagreement or potential risk, the Principal or DSL will make a decision based on the child's welfare and safety. The school will not release a child to any person where doing so would breach a court order or where there is a reasonable safeguarding concern.

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.

The Principal will use their discretion on the decision to allow a child to leave the premises with a non-resident parent, in accordance with the school's Collecting Children from School Policy.

7. Obtaining consent

School trips and activities

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. The school will not act unless satisfied that consent has been properly given by all parties entitled to do so, or unless the best interests of the child require urgent action under the school's duty of care.

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 school will ensure it focusses 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 primary caregiver 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.

8. Name changes

The school will act in the best interests of the child first and foremost.

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

The school will only act to change a pupil's name on its records once consent from both parents has been received and 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 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 will assert that it 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.

Therefore, the school reserves the right to decline the use of a 'known as' name where it believes doing so may place the child or staff at risk, or where it would contravene the integrity of legal or safeguarding processes.

Where the school accepts an informal name change without the order of a court, it will ensure it the name is only used informally, e.g. by teachers, and is not amended on any school systems, official documentation or databases.

9. 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.

The school will maintain copies of all relevant court orders securely, ensuring they are only accessed by staff who need to know in order to fulfil their professional duties.

10. 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.

11. Information sharing

Information sharing will always be in the best interests of a pupil. The school will work closely with children's social care to consider next steps if it has reason to believe sharing information with a parent will potentially put a child at greater risk of harm.

The school will balance the requests of parents with their statutory duties – having parental responsibility does not allow a parent to obstruct the school from carrying out its duties under legislation.

In line with UK GDPR and DfE guidance, children from age 13 may be considered competent to exercise data rights, subject to the school's judgement on their capacity. However, access to educational records

is governed separately under the Education (Pupil Information) (England) Regulations 2005 and parental access remains until the pupil turns 18.

Parents with parental responsibility are entitled to receive statutory information about their child's education, including the annual written report, unless a court order or safeguarding concern requires otherwise. Requests for wider pupil information will be considered in line with UK GDPR, the Data Protection Act 2018, safeguarding duties and the Trust's Data Protection Policy.

The Trust recognises the distinction between a pupil's right of access to their own personal data under UK GDPR and parental requests for information about a child. Where a request relates to personal data, the school will consider the child's age, competence, best interests, the requester's parental responsibility, any relevant court order, safeguarding risks and the rights of any third parties before disclosure.

Where disclosure may place a child or another person at risk of harm, or where information relates to safeguarding, child protection, court proceedings or third-party personal data, the school may withhold or redact information in accordance with the law and will seek advice from the Trust's Data Protection Officer and/or safeguarding partners where required.

A parent is **not** entitled to information that the school could not lawfully disclose to the child under the UK GDPR or in relation to which the child would have no right of access.

Under Part 6 of the Schedule to the Education (Independent School Standards) Regulations 2014, the school will provide parents with an annual written report of each registered pupil's progress and attainment in the main subject areas taught – no report need be provided where the parent has agreed otherwise.

If the school does not know the location of a non-resident parent, it will ensure the resident parent is aware that the other parent is entitled to be involved in their child's education. If a resident parent refuses to share information with the other parent, and also refuses to provide the non-resident parent's contact details to the school, the school can do no more.

If a non-resident parent contacts the school and requests access to information, the school will provide it to that parent directly, after taking reasonable steps to satisfy that the individual is, in fact, the child's parent.

The school will not seek the consent of the parent with whom the child resides before recording the contact details of the non-resident parent or sending them their child's prescribed statutory educational information.

12. Pupils moving school

The school will comply with the School Attendance (Pupil Registration) (England) Regulations 2024 and the current statutory guidance, Working together to improve school attendance, when considering any request to remove a pupil from the admission register. Where parents are separated, the school will take reasonable steps to satisfy itself that those with parental responsibility have been appropriately consulted before any significant decision is made about school transfer, elective home education or removal from roll.

Where a request to remove a child from roll raises safeguarding concerns, including concerns linked to domestic abuse, child criminal exploitation, child sexual exploitation, neglect, forced marriage, honour-based abuse, fabricated or induced illness, child abduction risk or children missing education, the school will consult the DSL and follow local safeguarding procedures before action is taken.

13. 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 and avoid inadvertent disclosure.