

WHOLE SCHOOL CHANGE IN FAMILY CIRCUMSTANCES PROCEDURE

1 Background

This procedure seeks to clarify the School's position where there is a change in a student's family circumstances. It also seeks to set out the obligations parents have in respect of keeping the School fully informed as to the family circumstances in which a student lives. It is devised to minimise the time spent by staff in dealing with disputes between parents and to avoid the School becoming embroiled in family conflict. It is designed to encourage parents to cooperate with each other and focus on the best interests of students, and it places the onus on parents (and not students) to tell the School about any changes in a student's home life which could materially affect the student. It reflects the emphasis the School places on the importance of clear channels of communication between it and parents. However, the procedure also recognises the contractual and statutory restraints that are placed on the School and that circumstances will arise where the School's duties to parents will vary according to the status of a particular parent.

This procedure is in keeping with the *Mission & Ethos Statement* of the School, which strives to respect all members of the School community, and it has been written with the best interests of students in mind.

2 Definitions

The definitions as set out below will apply in this procedure.

Acceptance Form	the form, signed by parents, accepting a student's place at the School
Contracting Parent	a parent who signed the Acceptance Form
Parent	for the purpose of this procedure, parent means any person who has, or had, whether legally or otherwise, responsibility for elements of a student's life. This can include (although this is not an exhaustive list): • a person with Parental Responsibility (this term is defined in section 4 of this document) for a student • a person who had Parental Responsibility for a student • the spouse or civil partner of a person with Parental Responsibility for a student • the co-habitee of a person with Parental Responsibility for a student • a family member of a student who has day to day care of them (for example, sibling or grandparent) • a court appointed guardian • a foster carer (note that, for the purposes of this procedure, parent refers to both those with Parental Responsibility and those without)
Parental Responsibility or PR	has the meaning given to it in section 4

Principal parent contact	a parent with Parental Responsibility who is the School's primary point of contact appointed in accordance with section Error! Reference source not found.
Resident Parent	a resident parent who shares the same home with a student, whether the student spends every night at that home, or only some
School	New Hall School
Staff	any member of the teaching and support staff employed by New Hall School
Student	a person enrolled to attend the School

3 Policy aims and objectives

This procedure aims to:

- encourage parents experiencing family difficulties which could impact the wellbeing of a student to speak confidentially to staff to ensure that the School is aware of issues which may affect the student's attitude, behaviour and/or work.
- handle personal situations with sensitivity, compassion and impartiality.
- ensure the wellbeing and overall development of a student is at the heart of any decision affecting that student.
- preserve the School as a safe place for a student, both physically and mentally.
- provide a student with the support they may need in such circumstances.

4 Parental Responsibility (PR)

PR refers to the bundle of rights, duties, powers and obligations that an adult may have in respect of a child. More than one person may have PR for a child at the same time, and those who do have PR are responsible for the care of that child and for making decisions about their life, such as decisions about their accommodation, medical treatment or education.

It is important to note that a child's biological parents may not have PR for that child. For example, PR can be granted, or removed, by courts as well as vary according to the nature of the child's conception.

In general, the following applies:

- Where the child has a mother and father who are married to each other at the time of birth, both have PR.
- Where the child has a mother and father who are unmarried at the time of birth, only the mother automatically has PR and the father can acquire it through: subsequently marrying the mother; being registered as the child's father on the child's birth certificate (provided the child was born after 01 December 2003); entering into a PR agreement; or a court order.
- Where the child has two mothers, only the birth mother will automatically acquire PR, the other mother will have PR if she was the birth mother's spouse or civil partner at the time of the fertility treatment and gave consent to that treatment (otherwise, PR can be acquired in the same way an unmarried father would acquire it).

- d) A person can acquire PR for a child if they marry, or enter into a civil partnership with, that child's mother or father and either enters into a PR agreement with their spouse or civil partner, or obtains a court order.
- e) Persons who adopt a child, become a child's guardian or obtain an appropriate court order can also acquire PR.

If a parent has any doubts over whether they do, or do not, have PR in respect of a student, they should seek legal advice at the earliest opportunity.

5 Parents' duty to inform

To enable the School to fulfil its duty of care to students, it is important that the School is kept fully up to date as to the student's family and home life circumstances.

It is the duty of all parents to keep the School up to date in respect of:

- a) the names, addresses and contact details of those with PR
- b) the address of the student's home, or, if the student shares their residence across two or more homes, the address of each and the student's regular pattern of residence
- c) the names and contact details of all resident parents
- d) any changes in the family circumstances affecting the student, including where parents divorce or separate and any court-imposed arrangements
- e) any new or updated court orders to the extent that such court orders affect the life of a student

The School has the right to ask for any evidence and undertake all such actions, as it sees fit, to verify that the information provided by parents is correct (including requesting copies of ID or other photographic evidence).

Specifically, if arrangements in respect of a student are set out in a court order (including how the School is to interact with parents), the School must receive a copy of the order as soon as possible.

Note that the School shall not be obliged to comply with any instructions in respect of how it is to interact with parents or a student which are contained in a letter from a solicitor or other legal advisor, unless the School receives the express written consent of all parties involved that they consent to the School adhering to such instructions.

6 School procedures

When the School is notified of a change in a student's family circumstances, the School (unless there is a good reason not to do so) will request an email address from each parent. The School will then seek confirmation from each parent as to how they wish to receive communications which they have a right to receive.

If there is a change in a student's family and home life, the resident parent with PR shall be appointed the principal parent contact. Where a student regularly stays at two or more homes, the principal parent contact shall be the resident parent with PR with whom the student stays for the majority of weekdays.

By written agreement of all parents with PR, the principal parent contact can be changed.
When the School needs to communicate with parents about a student it will, in the first instance, contact the principal parent contact.

If the School is unable to contact the principal parent contact, it shall contact parents in the following order:

- a) Those with PR
- b) Resident parents
- c) Contracting parents

If there is a serious concern about a parent abducting a student and/or leaving the country with a student, those parents with the power to do so should seek a court order to determine residence/contact issues and should provide the School with a copy of such order as soon as possible.

Note that, where the School is of the view that a student is of sufficient maturity and understanding, they may be consulted (if appropriate) in respect of any decision the School may make in respect of a sensitive familial matter.

7 Parental Rights

The following table sets out the rights of parents in connection with the decisions they can make in respect of students and their relationship with the School.

Note that these rights are subject to the terms of any court order, which shall take precedence in all circumstances.

Parental Right	Parents with PR (irrespective of whether Resident or Contracting)	Resident Parents without PR	Contracting Parents without PR
Attendance at parent/ teacher meetings	Yes	Yes	Yes
To receive regular progress reports	Yes	Yes	Yes
To make decisions about a student	Yes – but note that the principal parent contact shall be the first point of contact	No	No
Receive the benefit of rights contained in the Parent Contract	Yes	No	Yes
Appeal against admission decisions or any exclusion procedures	Yes	No	No
Access School records, copies of progress reports, newsletters, School issued invitations, School photographs (otherwise than is available through the School's website)	Yes	No	Yes, to the extent compatible with the terms of the Parent Contract

8 Requests for information and instructions to the School

The School will only be obliged to disclose information about a student to a third-party where it is obliged to do so by way of a properly served court order, and the School shall only do so to the extent that the order relates to the School.

The School will consider requests for information from third parties, other than by means of a court order, on a case-by-case basis; this includes requests from Social Services, solicitors and psychologists. In considering any such requests, the School shall have regard to all its other policies, to the extent to which they relate to the request.

Staff will not be obliged to attend any court proceedings unless compelled to do so by way of a validly served court order.

The School will not act on the instruction of one parent to restrict the rights of another, unless it receives the express written consent of all parents or a valid court order.

9 Responsibilities of the School and staff

Staff, on request, will provide advice and support to students to help them deal with changes in their home and family life

The School will maintain an 'open door' policy, and staff will be available by appointment to discuss any issues. The School is under no obligation to inform any parent that it is meeting with another parent, unless the School determines that such notification is in the student's best interests and any information in respect of the meeting given to another parent shall be given at the relevant member of staff's discretion (acting in accordance with this procedure)

When faced with issues of separation and family change, staff will:

- a) act in a fair, open, and impartial manner in respect of all parents involved.
- b) not make judgements about particular circumstances, nor pass judgement about a parent to a student.
- c) if requested by all parents involved, advise parents individually of any School meetings they are entitled to attend, in line with the terms of this procedure.
- d) if there is a good reason to do so, do everything they can to facilitate separate meetings.
- e) only provide information to other staff on a need-to-know basis and in compliance with any of the School's other policies, including the *Safeguarding and Child Protection Policy*.
- f) in respect of the day-to-day care of the student, comply with the wishes and instructions of the principal parent contact.

Where it becomes apparent to staff that the relationship between parents is adversely impacting on the health, wellbeing and/or safety of a student, the School will consider putting in place such support for the student as it considers necessary. The School's safeguarding procedures and policies will be invoked where the circumstances so warrant. Parents who have any concerns over the actions of staff should speak to the relevant Head of Division.

10 Collecting a student from School

The School will release students to parents, or others, in accordance with arrangements notified to it by the principal parent contact.

The School must be informed, in writing, of any changes to arrangements for the collecting of a student.

Where a parent wishes to remove a student from School contrary to the arrangements notified to the School by the principal parent contact, the principal parent contact will be contacted in order to ensure that they consent to the change in arrangements and:

- if the principal parent contact agrees to such a change, the School will record such consent and the student will be released.
- if the principal parent contact does not consent to such a change, in the absence of a valid court order, the School will not release the student.

If the principal parent contact cannot be reached, a senior member of staff will decide, taking in to account all relevant information available to them, whether the student should be released (note that in such circumstances the order of preference in section 6 shall not be followed).

An appropriate member of staff will supervise any conversation between a student and a parent who is not the principal parent contact, or whom the principal parent contact has consented to seeing the student.

In extreme circumstances, the School will contact the Police if staff reasonably believe that a student has been abducted by a parent, or that abduction is likely to occur.

Similarly, the School will contact the Police when any parent on School property acts in a threatening or violent manner in respect of any staff or student.