



## **Bonneville Primary School**

# **Supporting Parental Responsibility Guidelines**

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### Who is this guidance for?

The terms '**resident**' and '**non-resident**' parent are used to distinguish between parents with legal responsibility who do not live with their child.

It is important that schools and local authorities are aware that parents may be recognised differently under education law than under Family law.

For the purposes of education law, section 576 of the Education Act 1996 defines a 'parent' as:

1. All natural parents, whether they are married or not;
2. Any person who, although not a natural parent, has parental responsibility for a child or young person (this could be a step-parent, guardian or other relative);
3. Any person who, although not a natural parent, has care of a child or young person (legal guardian).

***A person has care of a child or young person if they are the person with whom the child lives and who looks after the child, irrespective of what their relationship is with the child.***

### What is Parental Responsibility?

In family law<sup>1</sup>, parental responsibility means all the rights, duties, powers, responsibilities and authority that the parent has in relation to the child. People other than a child's biological parents can acquire parental responsibility through:

- Being granted a child arrangements order determining that the child should live with him or her, or if the court determines that a parent should only spend time with the child, the court may also decide to grant parental responsibility;
- Being appointed a 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);
- Adopting a child;
- (in the case of step-parents) in agreement with the child's mother (and other parent if that person also has parental responsibility for that child) or as the result of a court order.

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<sup>1</sup> Section 3(1) of the Children Act 1989

Where a child's father and mother were married to each other at the time of the child's birth they each have parental responsibility for the child. Where the parents are not married to each other, 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; or
- ❖ Through a 'parental responsibility agreement' between him and the child's mother which is registered with the court; or
- ❖ By obtaining a court order for parental responsibility.

### **Civil partners**

Same-sex partners will both have parental responsibility if they were civil partners at the time of the treatment, e.g. donor insemination or fertility treatment.

### **Non-civil partners**

For same-sex partners who aren't civil partners, the 2nd parent can get parental responsibility by either:

- applying for parental responsibility if a parental agreement was made
- becoming a civil partner of the other parent and making a parental responsibility agreement or jointly registering the birth

### **Apply for parental responsibility**

If you're not the mother, you can apply to court to get [parental responsibility](#).

You need to be connected to the child, eg as their father, step-parent or 2nd female parent."

In addition, a local authority can acquire parental responsibility if it is named in the care order for a child.

More than one person can hold and exercise parental responsibility for a child. The parental responsibility of one party does not stop simply because another person is also given it. So, in some cases several people may be regarded as being the 'parent' of a child.

### **Our Principles for supporting positive parental responsibility**

Individuals who have parental responsibility for, or care of, a child have the same rights as natural biological parents; for example:

- ✓ To receive information, e.g. pupil reports;
- ✓ To participate in statutory activities; e.g. vote in elections for parent governors;
- ✓ To be asked to give consent; e.g. to the child taking part in school trips;
- ✓ To be informed about meetings involving the child; e.g. a governors' meeting on the child's exclusion.

All parents also have legal obligations; for example: to ensure that a child of compulsory school age receives a suitable full-time education<sup>2</sup>.

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

In cases where Bonneville Primary School cannot easily resolve the conflict between separated parents, we can advise the aggrieved parent to pursue the matter through the Family Court.

### **Obtaining consent for school trips and medical treatment**

Bonneville Primary School will seek consent from the resident parent or main guardian as stipulated on the school's enrolment form. In the absence of the resident parent, the school can seek permission from the non-resident parent.

### **Safeguarding**

If a child is in immediate danger or is at risk of harm a referral would be made immediately to children's social care and or the police as appropriate. The designated safeguarding lead is; **Andrea Parker** (Headteacher).

It will be for the school, on a case by case basis, to consider the level of information (if any) that is provided to parents where referrals have been made to the children's social care. The designated safeguarding lead working with children's social care will lead on any decisions with regards to information sharing safeguarding concerns with parents. Information sharing will always be in the best interests of the child.

### **Court orders**

Parents should ensure that Bonneville Primary School has witness of the most recent Court order in place, so that our duties in respect child safeguarding are supported.

### **Information Sharing**

At Bonneville primary school we will do our best to keep all parents with parental responsibility as informed as possible.

Please refer to the table below which outlines Bonneville Primary School's key areas of Information Sharing:

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<sup>2</sup> S.7 of the Education Act 1996

Key areas of Information Sharing:	The school will;	Parents should;
1. Website	Keep the school website updated with information on school trips and future events. Trip letters will be uploaded on to the school's website. Bonneville Buzz is uploaded on to the school's website every 2 weeks. The school calendar on the school's website will have information on all upcoming school trips and events.	Provide the school with your email address so we can add you to our mailing list.  Please check the school's website on a weekly basis.
2. Letters	Letters go home to resident parents on Tuesday's and Friday's <b><i>(Unless in unforeseen circumstances)</i></b> .  Letters will be sent digitally by email to non-resident parents.	Please provide the school with your email address, making clear you are a non-resident parent who would like to be kept informed.  Please monitor your emails to keep abreast of school activities.
3. Trips	Bonneville works on providing a 2 week minimum notice of school trips. <b><i>(Unless in unforeseen circumstances)</i></b> .	Check our digital communications to keep updated.
4. Teaching and Learning	Reports are handed out once a year in the summer term.  Digital versions of school reports can be made available on request.  Where joint parent consultation appointments are not possible, non-residing parents can contact the school to make an appointment with their child's class teacher. Or a telephone update can be facilitated.	Please provide the school with your email address, making clear you are a non-resident parent who would like to be kept informed.  Make appointment with class teacher as appropriate.

***Bonneville primary school will avoid becoming involved in any disagreement between parents, but might suggest that where parents cannot agree they seek independent legal advice about obtaining a Court order setting out exactly what decisions each parent can make in respect of the child (a Specific-issue or Prohibited Steps Order as appropriate).***