University Schools Trust
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Cyril Jackson School
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Separated Parents Policy

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0. Document Control

The table below contains the changes made between the different final editions of this document set for approval. This is to help provide information to those reviewing and approving the document of the changes being made.

Document Edition	Section	Details of change
September 2024	All	Reformatting
	All	Updated full policy to reflect updated guidance and procedures
September 2025	Legislation and Guidance	Updates to legislation and guidance
	Roles and Responsibilities	Updates to roles and responsibilities
	Progress Reports and Pupil Records	Updates to progress reports and pupil records
	Parent Disputes	Updates to parent disputes
	Information Sharing	Updates to information sharing
	Pupils Moving School	Addition of pupils moving school
September 2026	All	Updates to date.
	Legislation and Guidance	Updates to internal and external legislation and guidance.
	Roles and Responsibilities	Updates to roles and responsibilities.
	All	Spelling.
	Collecting a Child	Updates to collecting a child section.
	Parental Disputes	Updates to parental disputes.
	School Trips	Updates to school trips.
	Governance	Update to governance.
	Safeguarding	Updates to safeguarding.

Contents

0. Document Control 3
1. Definitions 5
2. Scope of the Policy 6
3. Links to Legislation and Guidance Documents 6
4. Roles and Responsibilities 7
5. Progress Reports and Pupil Records 9
6. Parent Disputes 9
7. Collecting a Child From School 10
8. Obtaining Consent 11
9. Name Changes 11
10. Changes to Records 12
11. Safeguarding 12
12. Information Sharing 13
13. Pupils Moving School 13
14. Governance and Administration 14

1. Definitions

The "Trust" refers to the company known as the University Schools Trust, East London and all Trustees, Governors and Staff who work within it.

The "school" refers to an individual academy within the Trust, as denoted by their Unique Reference Number. As such a 'school' may span one or several phases of education to the individual academies within the Trust. Depending on the context the term "School" may refer to a singular academy or to all of the academies within the Trust but as separate entities.

"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.

2. Scope of the Policy

Cyril Jackson recognises that pupils from families whose parents are separated, or are undergoing separation, may experience unique challenges during their time at school that can affect their welfare and attainment. With this in mind, we make every effort to work with separated parents to promote the welfare of their child.

This policy has been created to help minimise the educational impact on an affected pupil due to a family separation. We also aim to clarify to all involved parties what is expected from them and what can be expected from the school and its staff.

3. Links to Legislation and Guidance Documents

3.1. Relevant Internal Documents

This policy should be read in conjunction with the following policies and documents.

- Safeguarding and Child Protection Policy
- Data Protection Policy
- Departures and Arrivals Policy
- Safeguarding Pupils Travelling to and From School
- Home School Agreement
- SEND Policy

- Complaints Policy
- Attendance Policy
- Behaviour Policy
- Online Safety Policy

3.2. Relevant External Documents

Relevant external documents to refer to are the:

- Children Act 1989
- Education Act 1996
- Family Law Act 1996
- Human Rights 1998
- Freedom of Information Act 2010
- Special Educational Needs and Disability Regulations 2014
- The Education (Independent School Standards) Regulations 2014
- Data Protection Act 2018
- UK General Data Protection Regulation
- DfE (2023) 'Understanding and dealing with issues relating to parental responsibility'
- DfE (2026) 'Keeping children safe in education'
- DfE (2026) 'Working together to safeguard children'

4. Roles and Responsibilities

4.1. Headteacher

The headteacher is responsible for:

- Ensuring the policy is implemented consistently across the school.
- Ensuring the admissions officer carries out their responsibilities as stated in this policy.
- Ensuring staff receive appropriate training to respond to parental disputes.
- Making decisions where complex parental responsibility or court order issues require escalation.

4.2. Admissions Officer

The admissions officer is responsible for:

- Ensuring parents complete the admissions pack fully including the names and addresses of all parents, where known.
- Obtaining the information required to enable eligibility checks for Free School Meals, where applicable.
- Ensuring that parental details are accurately recorded on Arbor and are available to the pupil's teachers.
- Ensuring contact information is updated promptly when notified of changes.
- 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 requesting that information is passed on to them.

4.3. Parents

Parents are responsible for:

- Providing their child's birth certificate or other accepted proof of identity during the admissions process.
- Informing the school promptly of any changes to family circumstances, parental responsibility or contact details.
- Providing the school with copies of any court orders, child arrangements orders, prohibited steps orders, restraining orders or other legal documentation that may affect the school's responsibilities.
- Informing the school, in writing, of any arrangements regarding the collection of their child where shared care arrangements are in place.
- Communicating with one another regarding attendance at parents' evenings and other school events.
- Liaising directly with one another regarding matters such as school photographs, performance tickets and similar arrangements. The school will not normally manage these requests separately due to the significant additional administrative burden they create.
- Ensuring leave of absence requests are completed in accordance with the school's Attendance Policy and providing any additional consent or documentation requested where parental responsibility is shared.
- Informing the school immediately if any issues arise that may affect arrangements for collecting or communicating about their child.

The school recognises that family circumstances can be sensitive and will treat all information confidentially, in accordance with its safeguarding and data protection responsibilities. The school will not make judgements about family circumstances and will treat all individuals with parental responsibility fairly, impartially and consistently.

4.4. Safeguarding Team

The safeguarding team are responsible for:

- Ensuring safeguarding considerations take precedence where parental disputes may impact a pupil's welfare.
- Assessing and managing any safeguarding risks arising from parental disputes.
- Making decisions regarding the sharing of information with parents where safeguarding concerns exist.
- Ensuring relevant court orders, safeguarding plans and legal restrictions are communicated to appropriate staff on a need-to-know basis.
- Referring pupils and families to appropriate support services where required.

4.5. All Staff

All staff are responsible for:

- Treating all individuals with parental responsibility fairly, respectfully and impartially.
- Reporting any parental disputes, concerns or incidents that may impact a pupil's welfare to the Headteacher or Safeguarding Team and recording relevant information on CPOMS, where appropriate.
- Not becoming involved in parental disputes or taking sides in disagreements.
- Following any court orders, safeguarding plans or legal restrictions communicated by senior leaders.
- Maintaining confidentiality and handling personal information in accordance with the school's Data Protection Policy.

5. Progress Reports and Pupil Records

Parents do not have an automatic right to receive duplicate copies of progress reports or access all pupil records. Requests will be considered in accordance with education legislation, the Data Protection Act 2018 and UK GDPR.

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.

6. Parent Disputes

The school expects all parents to adhere to the Home School Agreement.

Disagreements between parents will be resolved between the parents and will not be resolved by the school. The school will ensure that it focuses 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 Trust / LA 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.

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.

7. 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 there is uncertainty regarding collection arrangements, the school will act in accordance with any court orders, safeguarding considerations and the child's best interests before releasing the child.

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 headteacher 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 Arrivals and Departures Policy.

8. Obtaining Consent

8.1. School Trips and Activities

If parental consent is required for outings or activities, the school will seek consent from the parent with whom the children normally resides, 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.

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.

8.2. 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

9. 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 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.

9.1. 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.

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.

10. 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

11. 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.

Staff must record any parental dispute or incident that may have an impact on a pupil's welfare on CPOMS in accordance with the school's Safeguarding and Child Protection Policy.

12. 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.

Under the principles of the UK GDPR and the Data Protection Act 2018, children and young adults can assume control over their personal information and restrict access to it from the age of 13.

Parents are, however, permitted to request access to, or a copy of their child's educational record, even if the child does not wish them to access it – this applies up until the age of 18.

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.

13. Pupils Moving School

In the case of separated parents, the school will ensure that those with parental responsibility are consulted before the decisions are made in respect of:

- Removing a pupil from the school.
- When a pupil should leave the school.
- Which new school a pupil should attend.

The school will comply with the Education (Pupil Registration) (England) Regulations 2006 when it receives a request to remove a pupil from the school register; however, the responsibility to notify one parent if the other decides to remove their child rests solely with the separated parents. Staff may, however, ask the parent making the decision to remove their child if the other has been informed and has agreed to this.

The school will not become involved in conflicts relating to pupils being removed from the school, and parents will be advised to seek independent legal advice or other options such as referring the matter to non-court dispute resolution, e.g. mediation, or to the family court for adjudication

14. 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 personal data of each parent from inappropriate disclosure to another parent and will process all personal information in accordance with the Data Protection Act 2018, UK GDPR and the school's Data Protection Policy.