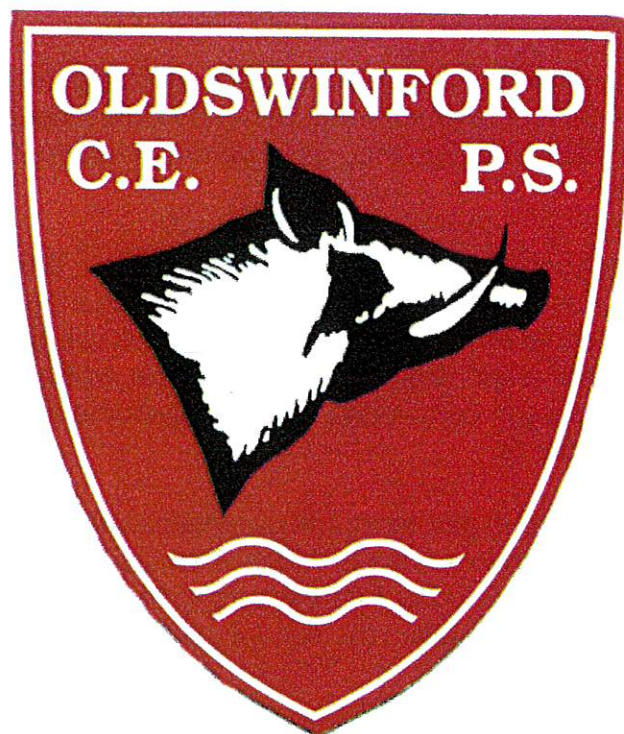




## **Split Families / Second Addresses Policy**

**Date ratified by Governing Body: 9<sup>th</sup> May 2018**

**Chair of Governors Signature:**

A handwritten signature in black ink, appearing to read 'A. Brooks', written over a horizontal line.

**Date signed: 9<sup>th</sup> May 2018**

**Review date: May 2021**

# **Oldswinford Church of England Primary School**

## **Second Addressee / Split Families Policy**

### **Introduction**

This procedure gives guidance to parents and carers regarding the procedures adopted by Oldswinford CE Primary School to ensure that Second Addressee/split families receive information regarding a pupil for whom they have parental responsibility but are not at the main student residence.

1. Before entering the school into the reception class at age 4, the parents/carers listed on the admissions document will be invited to attend a meeting with the Foundation Stage team. A new student form will be completed which will include the name/s of adults with legal parental responsibility/contact. Second Addressee/split families may only be included if the person completing the form gives the school the necessary information (see appendix 1).
2. On entering the school during mid-term, the parents/carers requesting the transfer will be given a new student form to complete which will include the name/s of adults with legal parental responsibility. Second Addressee/split families may only be included if the person completing the form gives the school the necessary information (see appendix 1).
3. If a split in the family occurs after the child has been admitted to Oldswinford CE Primary School, the parents / carers should request a 'Pupil Update Form' from the school office to update which will include the name/s of adults with legal parental responsibility. Second Addressee/split families may only be included if the person completing the form gives the school the necessary information (see appendix 1).
4. If a family is split, it is assumed by the school that all necessary documents are shared with the second addressee.
5. If second addressee/split families require information to be sent in the post, a letter should be sent to the School Business and Resources Manager, providing evidence of having legal parental responsibility/contact (see appendix 1) requesting the information, for example: end of year school reports, attainment targets and progress. This evidence only needs to be provided once during the time a child is enrolled at Oldswinford CE Primary School. Once this evidence is received any requested information will be forwarded to the second address automatically.
6. Due to the number of split families in school, unfortunately, we are unable to offer additional appointments during parent's evenings so that separated parents can attend separately to discuss their child/ren. In the first instance, we would appreciate it if the parents were able to attend parents evening together. If this is not possible, then a telephone call will be made to the parent who was unable to attend to discuss their child/ren within 1 week of the parents evening taking place. Any information handed out during the parents evening will be posted to the second address within the same timescale.

7. If a parent/carer of a student with a main residency order has a 'no contact order' against the pupil's Father/Mother, then it is the responsibility of the main residency parent to provide the school with a copy of the order.

8. All other pupils who are listed in the appendix as:

Being in the care of The Local Authority  
Residence Order  
Adoptive Parents  
Foster Carers

will be dealt with in accordance to Dudley MBC policy/LAC as appropriate.

## **Appendix 1:**

### **GUIDANCE ON ESTABLISHING PROOF OF PARENTAL RESPONSIBILITY FOR ACCESSING A CHILD'S FILE.**

#### **Introduction**

In law having "Parental Responsibility" (PR) means all the rights, duties, powers, responsibility and authority that a parent of a child has in relation to the child and his property. For example, having the right to make important decisions about your child's life in areas like medical treatment and education. According to current law, a natural mother always has parental responsibility for her child. A father however, has this responsibility only if he is married to the child's mother or has acquired legal responsibility for this child in a manner detailed below.

Changes in the Adoption and Children Act 2002 mean that from 30 December 2005 unmarried and same-sex couples that have jointly adopted a child will also have equal rights with regard to parental responsibility.

Others can also acquire parental responsibility by holding a Residence Order, Emergency Protection Order, or the Local Authority via a Care Order.

It should be noted that the absence of responsibility does not necessarily mean that a person has no obligation towards the child. Unmarried fathers, for example, have a statutory duty to maintain their child/ren regardless of whether they also have parental responsibility. Furthermore, those looking after a child may do what is reasonable in all the circumstances to safeguard or promote the child's welfare.

#### **Proof of Parenthood (Fathers)**

To enable fathers to prove that they have parental responsibility they need to provide proof of their identity (e.g. passport, their birth certificate and photo id) together with a copy of one of the following documents:

- The child's Birth Certificate – To acquire parental responsibility the father and mother must have registered the child's birth together on after 1<sup>st</sup> December 2003;  
OR
- Marriage Certificate; OR
- Parental Responsibility Agreement entered into by birth parents; OR
- Copy of a Court Order giving father parental responsibility.

A father who marries the mother of their child already has parental responsibility.

Unmarried fathers do not automatically have parental responsibility.

#### **How unmarried Fathers can acquire legal responsibility**

Unmarried fathers can acquire parental responsibility for their children in different ways, depending on when their child was born.

For children born on or **before 1<sup>st</sup> December 2003**, unmarried fathers can get parental responsibility by:

- Marrying the mother of their child
- By obtaining a Parental Responsibility Order from the court.
- Registering a Parental Responsibility Agreement with the Court or by an application to the court.

For children born **after 1<sup>st</sup> December 2003**, unmarried fathers can get parental responsibility by:

- Registering the child's birth jointly with the mother at the time of birth (**NB that registrations in the Isle of Man or Channel Islands or foreign registrations will not confer parental responsibility**)
- Becoming registered as the child's father provided no father has previously been named and mother consents
- Marrying the mother of their child
- Entering into a parental responsibility agreement with the mother which is in a prescribed form and is recorded appropriately
- By obtaining a Residence Order, in which case a separate parental responsibility order must be made
- Upon taking office as a formally appointed guardian of the child.

### **Re- Registering the birth of a Child**

If a father wishes to re-register the birth of the child he would have to contact the Birth, Marriages and Deaths.

### **Applying to the Courts for Parental Responsibility**

A father can apply to the court to gain parental responsibility. In considering an application from a father, the court will take the following into account:

- The welfare of the child as its paramount consideration, and
- Whether making an order for the child is better than making no order at all
- The degree of commitment shown towards the child
- The degree of attachment which exists between the father and the child
- The reasons of the father applying for the order
- Any factors that it considers to be appropriate including the wishes and the feelings of the child.

The court will then decide to accept or reject the application based on what it believes is in the child's best interest. It is only in exceptional circumstances that the court is likely to refuse to grant parental responsibility to a birth father.

### **Parental Responsibility of Local Authorities in Respect of a Child**

- If they have an interim care order or care order in respect of a child
- If they have an emergency protection order in respect of a child.
- If they have an order freeing the child for adoption under the Adoption Act 1976 (in this role the authority is the "adoption agency")

### **Anybody who has a Residence Order**

A person with a residence order made in their favour in respect of a child will acquire parental responsibility for the duration of the order, e.g. aunts, uncle, family friends, etc. In the case of unmarried fathers, it is usual for the Court to make a separate parental responsibility order to avoid PR ending if the residence order is discharged.

### **Adoptive Parents**

Adoptive parents (including unmarried and same sex couples – effective 30 December 2005 Adoption & Children's Act 2002) acquire Parental Responsibility when the adoption order is made.

Appendix origin – West Midlands Information Governance Forum (provide by Coventry City Council)  
c/o: L Bourne Dudley MBC

### **Losing Parental Responsibility**

Those with parental responsibility lose it upon making a freeing order or adoption order. (Adoption Act 1976) or on the discharge of a Residence Order.

### **Foster Carers**

Foster carers do not have parental responsibility but may do what is reasonable in all the circumstances to safeguard or promote the welfare of a child who is placed with them.