



## Policy on Access Rights to Children

### Introductory Statement

The Staff and Board of Management of **St. John the Apostle, Knocknacarra NS** have developed and agreed this policy.

Parents experiencing separation are encouraged to come and speak confidentially to the teachers and/or Principal. It is our aim to handle such matters with sensitivity and compassion, and ultimately, our primary concern is for the well-being and overall development of each child.

### Rationale

This policy was drawn up to ensure that staff and parents are clear on the school's policy, with regard to access rights to children, where parents have separated.

There is no basis for the class teacher or Principal to deny either parent or guardian the right to collect his/her child from school, unless there is a court order which requires the school to do so. A solicitor's letter is not a court order, it has no legal standing.

### Aims

This policy aims to ensure that there are clear guidelines in place for all members of the school community in relation to separation, child custody and access rights to children.

### Guidelines

The school will

- Ensure that all staff members are aware of procedures and practices in relation to issues around access rights to children
- Inform a parent/guardian that requests for denial of access to the other partner are outside the jurisdiction of the school and in the absence of a relevant court order requiring the school to do otherwise the school is unable to pass judgement on rights of access/collection
- Suggest that if there is a serious concern about abduction or leaving the country with the child(ren), then the concerned parent/guardian should seek their own independent legal advice as a matter of urgency.

**The following are the key procedures in place with separated parents of pupils in the school:**

- When a child spends time in two homes, it is requested that the school be provided with both sets of emergency/contact numbers
- Regarding the collection of children from school - it is requested that the school be informed of any changes in collection arrangements in writing
- Each parent has a right to attend Parent- Teacher meetings and receive school reports unless there is a court order to the contrary. Staff will only facilitate separate meetings, if for good reason, both parents cannot attend together

- It is assumed that when the school communicates with parents regarding their child, the parent who is contacted (i.e. the parent with whom the child principally resides) will inform the other parent of meetings, arrangements etc. Special requests for separate communication can be accommodated.
- With regard to communication of any form from the school e.g. school reports, email, school notes via schoolbags, etc. it is assumed that the parent with whom the child principally resides will keep the other parent informed. Special requests for separate communication can be accommodated.
- In the absence of a custody arrangement, both parents will be treated as equal partners in terms of parenting rights and responsibilities
- The school cannot be asked to withhold a child from either parent in the absence of a court order
- In the case where a court order is in place and where one parent/guardian is not known to the class teacher, then the parent/guardian who is known to the class teacher should provide a family photograph enabling the class teacher to identify the person in question
- In the case where a relevant court order is in place affecting the custody and collection arrangements for a child, a copy of this order must be furnished to the school
- Teachers are not obliged to attend court unless under subpoena or summons
- The parent/guardian of each child has full responsibility for informing the school in writing of any change in circumstances at home e.g. separation, divorce, custody arrangements which might impact on their child's development
- Staff may pass relevant information in relation to the care of a child in the school from one teacher to another within the school as needed. If in any doubt, a staff member should seek advice from the principal who acts for and on behalf of the Board of Management.
- In order to support children of families where separation has occurred, staff may recommend books, publications or support programmes dealing with the issue of separation, if requested to do so

### **Review and Monitoring**

This policy will be monitored and reviewed by the Board of Management every 3 years or as the need arises.

### **Ratification & Communication**

*This policy was reviewed and ratified by the Board of Management of St. John the Apostle, Knocknacarra NS, on December 13<sup>th</sup> 2016 and subsequently communicated to the school community via the school's website.*

**Signed:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Mr. Frank Laffey, Chairperson, Board of Management**