

CUSTODY/SEPARATION POLICY

Gorey Central School encourages parents experiencing separation 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 wellbeing and overall development of the child.

1. When a child spends time in two homes, it is requested that the school be provided with both sets of emergency/contact numbers where possible.
2. Regarding the collection of children from school, it is requested that the school be informed in writing of collection arrangements.
3. It is assumed that when we wish to communicate 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.
4. Regarding notes, school communication via schoolbags, school reports etc, it is assumed that the parent with whom the child principally resides will keep the other parent informed.
5. In the absence of a custody arrangement, both parents will be treated as equal partners in terms of parenting rights and responsibilities.
6. The staff will endeavour at all times to deal sensitively and caringly with children experiencing separation.
7. If there is a legal custody agreement between parents, an up to date copy of any court orders or other such matters must be provided to the school.
8. Individual Parent/Teacher meetings are only offered to separated parents upon request by either parent. Structures are in place to ensure that the issues discussed will be the same for both parents.
9. The school cannot be asked to withhold a child from either parent in the absence of a custody arrangement :-(**Note:** A solicitor's letter is **not** a court order.) However, Gorey Central School cannot prevent Parent B (parent with whom the child is not residing) from seeing, meeting or collecting their child unless there is a court order stating this. Should this happen and there is a **current** court order in place, the child will remain in their classroom or Principal's office and a phone call will be made immediately to the local Garda Station and to Parent A (i.e. primary care giving parent).

Where no court/barring order is present and the parent with whom the child principally resides has a concern for the welfare/safety of their child they should tell the class teacher/principal. In this instance,

should Parent B seek to collect the child(ren), the Principal (or Deputy Principal if Principal not available) will collect the child from the classroom while the Secretary makes a courtesy call home updating the other parent on the situation.

Should parent A state that he/she does not want the child to leave, this will be explained to parent B. **If Parent B insists on taking the child, Gorey Central School cannot prevent this.**

10. If there is a serious concern about a parent abducting or leaving the country with the child, the parents/guardian should request their solicitor to seek a court order instructing the school and any other carers regarding rights of access

11. In the case where the estranged parent/guardian is not known to the class teacher, the concerned parent/guardian should provide a family photograph enabling the class teacher to identify the person in question

12. In the case of unmarried parents, the natural father has no custody or guardianship rights unless a court or the natural mother grants those rights to him. The onus is on the father to produce evidence of a court order in the case of a dispute regarding the collection of a child during or after school.

13. Teachers are under no legal obligation to provide any reports about a child if requested to do so by any third party (e.g. Solicitor/psychologist)

14. Teachers are not obliged to attend court unless under subpoena or summons

15. NB: The parent/guardian of each child has full responsibility for informing the school in writing of any change in circumstances e.g. separation, divorce, collection arrangements, custody arrangements.

Teacher's Responsibilities:

1. Act in a fair and open manner in respect of both parents
2. Advise both parents of meetings if such a request has been received in writing.
3. Facilitate separate meetings, if for good reason, both parents cannot attend together. This request must be made in writing outlining the reason for separate meetings. Issues discussed will be the same for both meetings.
4. Pass relevant information from one teacher to another within the school as needed
5. Advise the Principal of any new family separation of a child in their class that he/she has been made aware of.
6. Advise the Principal of any concerns he/she might have with regard to the separation details, information or possible effect on the child or the school population.
7. Where possible give **both** parents a copy of the Custody/Separation Policy of the school ensuring that points 2,3,4,5,8 and 15 are especially highlighted.
8. Request **written** confirmation of daily drop off and collection arrangements using the attached form. This **must** be signed by both parents where possible.
9. If in any doubt, a teacher should seek advice from the Board of Management/ School Solicitor.

Notes re: Guardianship/Custody:

1. Married parents are 'Joint Guardians'. The mother of a non-marital child is the sole guardian. A Guardian is a person legally entitled to parental rights and duties in relation to a child.
2. One of these rights is custody. Custody is the right to physical care and control of the child.
3. If a guardian is deprived of custody rights by a Court they still retain a say in relation to matters regarding a child's welfare ie the religious, moral, intellectual, physical and social welfare of the child. They can also be awarded access.

(Principal's Responsibilities:)

When First Enrolling a Child:

1. Where possible give **both** parents a copy of the Custody/Separation Policy of the school ensuring that points 2,3,4,5,8 and 15 are highlighted.
2. Request **written** confirmation of daily drop off and collection arrangements using the attached form. This **must** be signed by both parents where possible.
3. Elicit all relevant information re separation details including up to date copies of court orders etc.
4. Inform the class teacher of all relevant details.
5. Give the class teacher a copy of this policy and highlight Teacher's Responsibilities.

Drop off/Collection Arrangements

1. Child's Name: _____
2. Child's Address: _____
3. Mother's Name & Address: _____
4. Mother's phone number: _____
5. Father's Name & Address: _____
6. Father's phone number: _____

Please state who will be bringing your child to school each day (if necessary specify days):

Name: _____ Contact Number: _____

Name: _____ Contact Number: _____

Name: _____ Contact Number: _____

Signed: Mother: _____ Date: _____

Father: _____ Date: _____

NB: It is Parent's responsibility to inform the school of any changes to the above.