Co-Parent Disputes Policy

Help for non-English speakers

If you need help to understand the information in this policy please contact the school office.

PURPOSE

The purpose of this policy is to explain to the Auburn South Primary School community how our school will approach disputes that may arise between parents, who have a court order in place, and in relation to decisions about a student's education.

SCOPE

Auburn South Primary School acknowledges and welcomes all family structures and parenting arrangements, including single parents, step-parents, same-sex parents, co-parents and informal carers. We also recognise that parents and carers play an invaluable role in a child's learning and wellbeing by being actively involved in school life.

While acknowledging that a range of people may be involved in providing care for students at our school, this policy only relates to disputes between a student's parents or persons with parental responsibility under a court order.

Informal Carers

Auburn South Primary School understands that there may be families in our school community where students are being cared for by a relative or other adult, rather than their parents.

In these circumstances, in order to allow these carers to work with Auburn South Primary School and make decisions about the student's education, we may ask carers to complete an Informal Carer Statutory Declaration Form. This is a written statement that sets out the care arrangements for the child.

Generally, an informal carer who has provided the school with a completed Informal Carer Statutory Declaration may make school-based decisions for the student and may access school information ordinarily provided to a parent.

POLICY

Decision-making and parental responsibility

Parental responsibility is defined as all of the duties, powers, responsibilities and authority, which, by law, parents have in relation to their children. Each parent of a child under 18

years of age has parental responsibility for his or her child unless this responsibility is varied by a court order or parenting plan.

When a decision relates to a major long-term issue for a student, Auburn South Primary School will generally seek to approach both parents, or those who have parental responsibility, in relation to that decision (where those parents are known to and are in contact with the school).

For day-to-day decisions, Auburn South Primary School will generally approach the person with whom the student is living with or residing with on that day.

Parents can find more guidance on how the school will manage decision making for students in the Department's policy on 'Decision Making Responsibilities for Students'.

Family Law Act Orders and Care Arrangements

Parents are responsible for providing Auburn South Primary School with up-to-date information and documentation relating to:

- Family Law Act Orders
- parenting plans
- informal arrangements that are in place in respect of students at our school

It is not the responsibility of school staff to monitor or to enforce Family Law Act Orders (or other parenting or care arrangements) for students.

Intervention Orders

Auburn South Primary School understands that some families may have Family Violence Intervention Orders in place.

Parents are responsible for providing Auburn South Primary School with up to date information and documentation relating to Intervention Orders and should contact the Principal to discuss how staff can best support students in these circumstances. Should your Intervention Order be changed or varied, it is important that you inform the Principal and provide any updated documentation.

Department policy states that breaches of Intervention Orders should be reported to Victoria Police.

Enrolment and transfer

If parents who have equal shared parental responsibility disagree on the decision to enrol a student, Auburn South Primary School may:

- defer admission and request that parents resolve their dispute and reach an agreement, or
- if failure to enrol the child or young person is likely to have an adverse effect on their education and wellbeing, Auburn South Primary School may conditionally enrol the student and encourage the parents to resolve their dispute and reach agreement.

Collection

Auburn South Primary School understands that Family Law Act Orders or parenting plans will often include arrangements about which parent is to spend time with the children, and when.

Generally, providing that both parents have shared parental responsibility, parents can collect their children from school. Whilst Auburn South Primary School encourages parents to abide by Family Law Act Orders, school staff are not responsible for enforcing them.

If a dispute between parents over the collection of a student happens at Auburn South Primary School, generally, we will:

- encourage the parents to resolve their dispute away from school
- encourage the parents to ensure the child's attendance at school is not compromised as a result of the dispute over collection
- where appropriate, move the student to a safe place away from the dispute
- ask the disputing parties to leave the school grounds if the dispute is causing disruption or concern to the child or any other members of the school community
- if the dispute cannot be resolved, Auburn South Primary School may contact Victoria Police and/or Child Protection.

Visits during school hours

We understand that there may occasionally be a reason why a parent or carer may want to speak to or see their child at school, during school hours.

If there is a particular pressing or unavoidable issue that cannot wait until the end of the school day, we ask that parents or carers call the school office to make the request to speak to or see their child during school hours.

We also ask that parents avoid arranging to visit their children at school wherever possible, as this can cause inappropriate disruptions to the school day.

All parents or carers who visit our school during school hours, other than during usual school pick up and drop off times, are required to sign in as a visitor at the school office.

Requests for information

Parents are generally entitled to information ordinarily provided to parents, including school reports and newsletters.

Parents seeking information that is not ordinarily provided to parents are encouraged to apply for access through the Freedom of Information process, or, if the information is sought for use in court proceedings, by issuing a subpoena.

Freedom of Information requests should be directed to:

Manager – Freedom of Information Unit
Department of Education and Training
2 Treasury Place
EAST MELBOURNE VIC 3002
03 9637 3134

foi@edumail.vic.gov.au

Managing Disputes

Whenever faced with a dispute between persons who are responsible for decision-making in relation to a child, staff at Auburn South Primary School will seek to:

- avoid becoming involved
- avoid attempting to determine the dispute
- act neutrally and not adopt sides
- act in the best interests of the student involved
- act in the best interests of the school community.

Auburn South Primary School encourages parents and carers to seek the assistance of the Family Relationship Centre or obtain independent legal advice if they are unable to reach an agreement about important decisions.

FURTHER INFORMATION AND RESOURCES

- School Policy Advisory Guide:
  - Decision Making Responsibilities for Students
  - Requests for Information About Students
  - Intervention Orders

PROCEDURE REVIEW AND APPROVAL

Procedures last reviewed	August 2024
Approved by	Principal
Next scheduled review date	August 2028