



# PATRICIAN PRIMARY SCHOOL

## Pupil Collection Policy

### and

## Custody and Separation Statement

### Introduction

This policy outlines current practice in dealing with custody arrangements and separated parents. The policy was developed by the staff of Patrician Primary School, Newbridge, in consultation with the Board of Management and Parent Association.

### Purpose

Its purpose is to provide information and guidelines to all staff members, Board of Management members, parents and guardians. It aims to ensure that all parents are dealt with fairly and procedures are in place to outline school policy. The Staff of Patrician School encourage parents/guardians 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 well-being and overall development of the child.

### Procedures

The following are the key procedures in place for pupils of separated parents/guardians in the school:

#### Changes to home and family circumstances:

- The parent/guardian of each child has full responsibility for informing the school of any change in circumstances at home e.g. separation, divorce, custody arrangements etc.

#### Contact Details:

- When a child alternates living in two different homes, it is requested that the school be provided with both sets of relevant emergency/contact numbers

## Collection from School:

- Some children walk or cycle home from school. This journey is the responsibility of parents/guardians once the children leave the school premises.
- Where children are collected from school – the school may prevent the child from being collected in any of the following circumstances:
  - the child does not recognise the collector
  - the child or school was not aware of the collection arrangements
  - the collector's contact details are not on the school database or given by a parent/guardian in advance
  - the person picking up a child is, in the judgment of staff, impaired (e.g. under the influence of drugs or alcohol) and unable to adequately care for the child
    - note: in this situation, the Gardaí may have to be called by the school for advice
  - A legal order is in place prohibiting the collecting adult from picking up the child (see below for more guidance on this)
    - Note: parents/guardians may have to be contacted by the school in the above situations before releasing the child
- If a parent/legal guardian is frequently more than 10 minutes late for collecting their child/children:
  - Step 1) The school will initially and informally draw this fact to their attention with a phonecall.
  - Step 2) If the late collections happen on more than one occasion after step 1, the school will write to the parent/guardian, requesting that alternative arrangements be made for collection of their child/children at the end of the school day, as the school cannot continue to supervise the child/children on the school premises after hours.
  - Step 3) If the late collections happen on more than one occasion after step 2, the school may contact Tusla for advice on the grounds of child welfare
- If a child is not collected after school within 30 minutes of hometime and parents/guardians/emergency contacts cannot be reached by telephone, the school may contact An Garda Síochána for advice on where to bring the child.
- In the case of early collections:
  - The collector must report to the school office first and make the school secretary aware that the child is now leaving the premises
  - The child will then be brought, by school staff, to the reception area to be collected by the collector
  - The collector must sign the child out on the collection register
  - Children should only be collected before the end of the school day in exceptional circumstances (for example an urgent medical or dental appointment). All routine medical and dental appointments should be made outside school time if possible.
- In the event of a planned early collection, late arrival, late pick up or any other irregular school attendance, the school office should be informed on the previous day, or that morning at the latest via phonecall, email or note.
- All persons authorised by parents/legal guardians to collect a child from the school's care must be over the age of 16 years, be fit to care for the child and be authorised as a collector in writing by the child's parent/legal guardian.

### **Custody/Guardianship:**

- In the absence of a custody arrangement, both parents/guardians 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/guardian in the absence of a court order
    - Note: a solicitor's letter is not a court order
  - In some cases an estranged parent/guardian may not be known to the school. The school must be notified beforehand by a parent/guardian on our contact list that it is okay to release the child to the estranged parent if requested. Gardaí may be contacted if this becomes a problematic issue for the school.
  - 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.
  - Teachers or other school staff 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 etc.) An Garda Síochána and Tusla are exceptions to this.
  - Teachers or other school staff are not obliged to attend court unless under subpoena or summons.
  - If the school witnesses a dispute/argument arising at or near the school premises in relation to the collection of a child/children, the Gardaí will be notified immediately and requested to attend.
  - The school will not tolerate any staff member being harassed and/or threatened and/or subjected to abuse by any parent(s)/legal guardian(s) in relation to the collection arrangements for a child/children. If any such harassment/threats/abuse does occur, the Gardaí will be notified immediately.

### **Parent/Teacher meetings:**

- It is the school policy to facilitate the option of separate parent/teacher meetings, if parents/guardians request it. However, for the child's sake we recommend that both parents/guardians attend together. Each parent/guardian has a right to attend such meetings and receive school reports unless there is a court order to the contrary. Parents/guardians cannot assume that the school is aware of the need for separate meetings/report cards and must keep the school updated on any changes in family circumstances.

## Home School Communication:

- It is assumed that when the school wishes to communicate with parents/guardians regarding their child, the parent/guardian who is contacted (i.e. the parent/guardian with whom the child principally resides) will inform the other parent/guardian of meetings, arrangements etc. Special requests for separate communication can be accommodated, but the school must be made aware beforehand of such requests
- Patrician Primary uses the Aladdin school communication system to communicate with all parents/guardians who have given their contact details.
- See PPS Parental Communication Policy for full details on this topic
- Teachers are expected to:
  1. act in a fair, open and even-headed manner in respect of both parents/guardians at all times
  2. deal sensitively and caringly with children experiencing separation
  3. facilitate separate meetings, if for good reason, both parents/guardians cannot attend together. It is up to the parents/guardians to request this
  4. comply with the parent/guardian who has de facto day-to-day custody or guardianship of the child in the event of a dispute
  5. pass relevant information from one teacher to another within the school as needed
  6. direct the parent/guardian to submit any formal documents such as court orders to the principal rather than accept them personally
  7. If in any doubt, a teacher should seek advice from the principal.

## Important Points to Note:

### Court Orders

- Parents/guardians should inform the principal directly of any court order which is relevant to the school. E.g. safety order or restraining order
- Such documents should never be handed to class teachers, the school secretary or given in school bags. The principal is the only staff member who deals with such matters
- The school does not have the right to refuse a parent who is a legal guardian, or any other person who is a legal guardian, access to a child without evidence of such an order.
- If a court order does not mention school arrangements specifically or does not make decisions that pertain to the school day, then the school cannot accept such a document. This includes general family law Court Orders and/or Safety Order(s) without reference to school. A solicitor's letter or a letter from An Garda Síochána cannot be furnished to the school in place of a court order.

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## Legal Guardian

The term “legal guardian” is defined as a person who has a duty to maintain and properly care for a child and has a right to make decisions about the child's religious and secular education, health requirements and general welfare. Legal guardianship and custody can be held jointly between parents or solely by one. Legal guardianship can also be held by persons other than parents in certain circumstances. In addition, all rights to custody of a child can be changed by a Court Order.

### **Ratification, Communication & Review:**

- This policy was developed with the staff and shared with representatives of the Parent Association before being ratified.
- This policy was ratified at the meeting of the Board of Management in **October 2024**
- This policy will be reviewed as part of the school policy five-year review plan or before if necessary

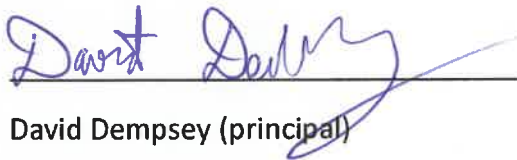
### **Signed:**



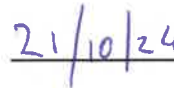
Brian Mulvey (chairperson of BoM)



Date




David Dempsey (principal)



Date

### Version Control

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