

Flemington Primary School

POLICY FOLDER



Student Wellbeing

Policy for Managing Student Custody Issues

Rationale:

Schools are often confronted with issues relating to custody of students. While such issues are often emotionally charged, the school will manage custody related issues in accordance with the law.

Aims:

- To develop and implement clear and responsible processes for managing custody related issues at a school level.
- To have clearly articulated the school's processes relating to the management of custody issues to parents.
- To manage custodial issues with confidentiality.

Implementation:

- Parents or guardians are required to complete and sign accurate enrolment forms for children for whom they have custody.
- Enrolments must be accompanied by Birth Certificates or similar that proves a student's name and birth date.
- The school will only enrol a child under the name provided on a Birth Certificate or more recent legally recognised document that details a name change, or by written consent of both parents/guardians.
- Any custody issues are to be declared, and supported by legal documentation – which will be photocopied and retained on the student's individual file.
- The principal will be responsible for ensuring that the school complies with all Family Court Orders or similar legal documents relating to custody.
- The school will assume a default position that both birth parents have equal access to enrolled students unless current court orders or legal documents dictate otherwise.
- Both birth parents will have access to school reports, newsletters, parent interviews, and their children at school unless court orders or similar legal documents dictate otherwise.
- Parents or guardians who claim custody restrictions but fail to provide documentation will not have their requests met until such time as supporting documentation is provided.
- People who have restricted access to students, and whose presence at school or requests for information etc are in breach of court orders or similar legal documents will be directed immediately to the principal.

- The police will be contacted immediately if people refuse to comply with the principal's lawful instructions or to obey court orders or similar.
- Any breeches of custody restrictions will be reported by the principal to the parent who legally looks after the child.
- Individual classroom teachers, senior leadership staff and the school Operations Manager will be aware of students with custody or access orders.

References

Schools of the Future Reference Guide¹

Evaluation:

This policy will be reviewed as part of the school's regular three yearly review cycle.

<http://www.education.vic.gov.au/management/governance/referenceguide/default.htm>
<http://www.education.vic.gov.au/oecd/statewide-outcomes/library/legislation.html>