

PARENT DISPUTE POLICY

(BETWEEN PARENTS /CARERS OF SAME FAMILY)



PURPOSE

The purpose of this policy is to explain to the Diamond Creek Primary School community how our school will approach disputes that may arise between parents in relation to decisions about a student's education.

Diamond Creek Primary School acknowledges and welcomes all family structures and parenting arrangements, such as 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

Diamond Creek 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 Diamond Creek Primary School and make decisions about the student's education, the school 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, (or carers may provide other equivalent document from the relevant authorities). 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, Diamond Creek 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, Diamond Creek 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 of Education and Training's policy on '[Decision Making Responsibilities for Students](#)'.

Family Law Act Orders and Care Arrangements

Parents are responsible for providing Diamond Creek 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 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

Diamond Creek Primary understands that some families may have Family Violence Intervention Orders in place.

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

Department of Education and Training 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, Diamond Creek Primary 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, Diamond Creek Primary may conditionally enrol the student and encourage the parents to resolve their dispute and reach agreement.

Collection

Diamond Creek Primary 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 Diamond Creek Primary 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 Diamond Creek Primary School, generally, we will:

- encourage the parents to resolve their dispute away from school
- encourage to 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, Diamond Creek Primary School may contact Victoria Police and/or Child Protection.

Visits during school hours

We understand that there may be a rare occasion where there may be a critically important reason why a parent or carer may need to speak to or see their child at school, during school hours.

If there is a particular serious, pressing or unavoidable issue that cannot wait until the end of the school day, and for which there are no alternatives, 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 always avoid arranging to visit their children at school wherever possible, as this does cause inappropriate disruptions to the school day. This will only be considered as a last resort in a grave situation, and due to school circumstance at the time accommodation of the request for visitation may not be possible, therefore the request may be denied. This decision will be final and not open to be contested.

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 and follow all school protocols and directives from the Principal.

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 (a student at our school), staff at Diamond Creek Primary 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

Diamond Creek Primary 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

Department of Education and Training School Policy Advisory Guide:

- [Decision Making Responsibilities for Students](#)
- [Requests for Information About Students](#)
- [Intervention Orders](#)

EVALUATION AND REVIEW

This policy is listed for review as per the school's policy review schedule.