



**POLICY AND PROCEDURES MANUAL**

**Access to Students**

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## 1. OVERVIEW

Only parents or legal guardians are entitled to access a child at the College. Parents can delegate that access to friends and family, for example by giving permission for a child to be picked up by another parent after College hours. Unauthorised persons who call at the College and seek access to a student whom they claim they know should not be permitted to have access to the student.

## 2. RATIONAL AND SCOPE

The purpose of this policy is to ensure that only parents and legal guardians have access to a child at the College. It applies to all staff members of the College, parents and legal guardians.

## 3. PRINCIPLES

- a) The College will ensure that only parents and legal guardians are entitled to access to their child at the College.
- b) All staff will ensure that the correct authorised person will have access to a child.

## 4. PROCEDURES

### 4.1 Access to students

Only parents or legal guardians are entitled to access a child at the College. Parents can delegate that access to friends and family, for example by giving permission for a child to be picked up by another parent after College hours. Unauthorised persons who call at the College and seek access to a student whom they claim they know should not be permitted to have access to the student.

### 4.2 Separated parents

Under the Family Law Reform Act 1995 (the Family Law Reform Act), both parents have full parental responsibility for and are entitled to access a child and information relating to the child's schooling, unless a Parenting Plan or an order of the Family Court provides otherwise.



## 4.3 Parenting plan

After a separation, parents regularly make formal agreements setting out the arrangements for the care, welfare and development of a child. These arrangements are called Parenting Plans. Parenting Plans are made between the parents of the child, must be recorded in writing and signed by both parties.

Parenting Plans deal with such matters as:

- a) with which parent the child will reside;
- b) what contact the child will have with the other parent;
- c) the maintenance of the child;
- d) any other aspects of parental responsibility of the child.

In some instances Parenting Plans include reference to other persons concerned with the care, welfare and development of a child, such as grandparents or carers.

As Parenting Plans are not necessarily registered by the Family Court, a school must check to ensure that the document provided to them has been signed by both parents.

## 4.4 Court orders

In situations where parents cannot agree on the arrangements for the care, welfare and development of a child, the Family Court will issue orders to protect the best interests of the child. Where differences arise between the parents regarding contact or the residence of a student the College should not take sides in the dispute or do anything that could be construed as taking sides or essentially favouring one parent ahead of the other. The differences should be left to the parents to resolve in conjunction with their professional advisers.

There are 4 types of orders the Family Court can issue. These are:

- a) a Contact Order
- b) a Specific Issue Order
- c) a Residence Order



## d) a Maintenance Order

The College is likely to be mainly concerned with the first 3 types of orders. Following is a brief explanation of each of these types of orders.

A Contact Order will usually stipulate which person is allowed access to a student during College hours and is permitted to collect a student from the College. An Access Order made under earlier legislation has the same effect as a Contact Order.

A Residence Order usually deals with whom a student is to reside. Orders relating to custody or guardianship made under earlier legislation have the same effect as a Residence Order.

Specific Issues Orders deal with aspects of parental responsibility for a student such as medical, education and religious matters. Under the Specific Issues Orders, a parent's responsibility may be reduced and/or access to information relating to the child's schooling may be limited, including College reports, parent and teacher meeting and College newsletters.

## 4.5 Persons seeking access to a student

All persons authorised, by either a Parenting Plan or a Court Order, to have access to a student should be allowed this access subject to the College's usual rules and requirements. However, a Principal is obliged to refuse access to a student by anyone the Principal considers being a potential or actual risk to the physical or moral wellbeing of a student, or on to other students and/or staff of the College.

## 4.6 Conclusion

The separation of parents is often a stressful and emotional time for all parties involved particularly any student that may be involved. It is imperative that the College handle family issues such as these with compassion, common sense and with the welfare of the child being of paramount concern.

The College should always seek a copy of any Parenting Plan or Family Court Order to assist in clarifying the parent's wishes with respect to contact and release of information concerning a student.

Any differences that arise between the parents regarding contact, access to College information concerning the child or the residence of the child must be sorted out between the parents or their advisers. The College should not become involved in these issues and if in any doubt, should contact AISWA or the school's professional adviser.