

PARENTAL RESPONSIBILITIES POLICY

PURPOSE

This policy is to ensure Richmond West Primary School provides a guide as to who is responsible for students and the common decisions which need to be made in relation to their education and wellbeing.

It is also to ensure Richmond West Primary School complies with DET policy and the provisions of the

- *Children, Youth and Families Act 2005 (Vic)*
- *Family Law Act 1975 (Cth)*
- *Family Violence Protection Act 2008 (Vic)*

SCOPE

- In determining who is responsible for making a specific decision in relation to a student, the Principal or relevant staff member should consider whether or not the student is an “adult” or “mature minor.” If so, the student can make his or her own decisions.
- A person is considered an adult once they are 18 years of age.
- The law also recognises that as children mature they are capable of making their own decisions about a range of issues. These children are referred to as “mature minors” and as such can sign as an adult in the matters referred to in dot point 2.
- If the student is not an adult or mature minor, the school must consider parental responsibility, whether there are any Court orders in place - Parenting Order, Family Violence Protection Order, Protection Order and whether there are informal arrangements in place e.g. Parenting Plan, Carer.
- The school must consider whether or not the decision relates to a long-term issue about the care, welfare and development of the student. If so, then the person with “parental responsibility” for “major long term issues”, the person who has “guardianship” of the child or young person or the person who has been given responsibility for this decision pursuant to a Court Order or Parenting Plan can make the decision on behalf of the student.
- If the decision relates to other issues about the care, welfare and development of the student, then the person with “parental responsibility” who is spending time with the child or young person at the particular time, the person who has “custody” of the child or young person or the person who is the “carer” of the child or young person can make the decision on behalf of the student.

POLICY IMPLEMENTATION

In determining who can make decisions in relation to children and young persons who are not adults or mature minors, the school will consider all of the following:

- parental responsibility - each parent of a child under 18 years of age has parental responsibility for the child unless this responsibility is varied by a relevant Court Order or Parenting Plan
- any relevant Court Orders (It is the responsibility of the Principal or staff member to request copies of relevant court orders or informal arrangements that are in place)

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Whenever faced with a dispute between persons who are responsible for decision making in relation to a child, Principals and staff must avoid becoming involved, avoid attempting to determine the dispute, act neutral and not adopt sides, act in the best interests of the child of young person involved and act in the best interests of the school community.

If in doubt, the school may contact Legal Services Unit on (03) 9637-2750.

For responsibility for specific decisions about a child or young person please refer to the following chart.

Please refer also to the school's *Enrolment Policy*, and specific information in the Appendix

FURTHER INFORMATION AND RESOURCES

See Appendix 1:

EVALUATION

This policy will be reviewed as part of the school's review cycle or if guidelines change

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Appendix 1:

Decision to Be Made	Who is Responsible
<ul style="list-style-type: none"> ◦ Enrolment/transfer ◦ Year level movement 	<ul style="list-style-type: none"> · Persons with parental responsibility for “major long-term issues” · Persons with guardianship · Persons allocated this responsibility pursuant to a Court Order or Parenting Plan
<ul style="list-style-type: none"> ◦ Nomination of emergency contacts 	<ul style="list-style-type: none"> · Persons with parental responsibility · Persons with custody · Persons who are carers
<ul style="list-style-type: none"> ◦ Non – attendance at school when it is open for instruction 	<p><u>If it relates to a specific day(s)</u></p> <ul style="list-style-type: none"> · Persons with parental responsibility · Persons with custody · Persons who are carers <p><u>If it relates to chronic non-attendance</u></p> <ul style="list-style-type: none"> · Persons with parental responsibility for “major long term issues” · Persons with guardianship · Persons allocated this responsibility pursuant to a Court Order or Parenting Plan
<ul style="list-style-type: none"> ◦ Leaving school early / commencing late 	<ul style="list-style-type: none"> · Persons with parental responsibility and with whom the child is spending time with · Persons with custody · Persons who are carers
<ul style="list-style-type: none"> ◦ Development of Student Health Support Plan 	<ul style="list-style-type: none"> · Persons with parental responsibility for “major long term issues” · Persons with guardianship · Persons allocated this responsibility pursuant to a Court Order or Parenting Plan
<ul style="list-style-type: none"> ◦ Development of Individual Learning Plan ◦ Development of Behaviour Management Plan 	<ul style="list-style-type: none"> · Persons with parental responsibility for “major long term issues” · Persons with guardianship · Persons allocated this responsibility pursuant to a Court Order or Parenting Plan
<ul style="list-style-type: none"> ◦ Consent to participate in day excursion 	<ul style="list-style-type: none"> · Person with parental responsibility and with whom the child is spending time with · Persons with custody · Persons who are carers
<ul style="list-style-type: none"> ◦ Consent to participate in overnight excursion, camps, overseas excursions 	<ul style="list-style-type: none"> · Persons with parental responsibility for “major long term issues” <p>It is important to note that where there is a parenting order or a pending application for a parenting order, it is an offence for a person to take or send a child outside Australia unless it is with the written consent of each person with parental responsibility.</p> <ul style="list-style-type: none"> · Persons with guardianship · Persons allocated this responsibility pursuant to a Court Order or Parenting Plan
<ul style="list-style-type: none"> ◦ Consent to referral to student support service officers 	<ul style="list-style-type: none"> · Persons with parental responsibility for “major long term issues” · Persons with guardianship · Persons allocated this responsibility pursuant to a Court Order or Parenting Plan