

## PARENT DISPUTES POLICY



### **Help for non-English speakers**

If you need help to understand the information in this policy please contact the Victorian School of Languages (03) 9474 0500

### **PURPOSE**

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

### **SCOPE**

The VSL acknowledges and welcomes all family structures and parenting arrangements, including 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**

The VSL 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 the VSL and make decisions about the student's education, we may ask carers to complete an Informal Carer Statutory Declaration Form (Appendix A). This is a written statement that sets out the care arrangements for the child.

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, the VSL 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 decisions occurring during class operation times, the VSL 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's policy on '[Decision Making Responsibilities for Students](#)'.

### **Family Law Act Orders and Care Arrangements**

Parents are responsible for providing the VSL 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**

The VSL understands that some families may have Family Violence Intervention Orders in place. Parents are responsible for providing the VSL with up to date information and documentation relating to Intervention Orders and should contact the Principal to discuss how staff can best support students in these circumstances. Should your Intervention Order be changed or varied, it is important that you inform the Principal and provide any updated documentation.

Department 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, the VSL may:

- defer admission/enrolment 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, the VSL may conditionally enrol the student and encourage the parents to resolve their dispute and reach agreement

### **Collection**

The VSL 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 the VSL 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 the VSL, generally, we will:

- encourage the parents to resolve their dispute away from school
- encourage to parents to ensure the child's attendance at VSL classes 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, the VSL may contact Victoria Police and/or Child Protection

### **Visits during VSL school hours**

We understand that there may occasionally be a reason why a parent or carer may want to speak to or see their child at school, during VSL class hours.

If there is a particular pressing or unavoidable issue that cannot wait until the end of the school day, we ask that parents or carers call the school office and speak to the Area Manager to make the request to speak to or see their child during school hours.

We also ask that parents avoid arranging to visit their children at school wherever possible, as this can cause inappropriate disruptions to the school day.

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.

### **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@education.vic.gov.au](mailto:foi@education.vic.gov.au)

### **Managing disputes**

Whenever faced with a dispute between persons who are responsible for decision-making in relation to a child, staff at the VSL 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

The VSL 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.

### **COMMUNICATION**

This policy will be communicated to our school community in the following ways:

- Available publicly on our school's website [www.vsl.vic.edu.au](http://www.vsl.vic.edu.au)
- Included in our staff handbook
- Discussed at staff briefings/meetings as required
- Made available in hard copy from school administration upon request

### **RELATED POLICIES AND RESOURCES**

- the Department's Policy Advisory Library:
  - [Decision Making Responsibilities for Students](#)
  - [Requests for Information About Students](#)
  - [Intervention Orders](#)

### **POLICY REVIEW AND APPROVAL**

|                            |                            |
|----------------------------|----------------------------|
| Policy last reviewed       | August 2023                |
| Consultation               | School Council: 16/08/2023 |
| Approved by                | Principal                  |
| Next scheduled review date | 2027                       |

**Appendix A- Informal Carer Statutory Declaration Form**

State of Victoria

**Statutory Declaration**

**I,** .....  
[full name of person making the declaration]

**Of** .....  
in the State of Victoria

[address of person making the declaration]

.....  
[occupation of person making the declaration]

**DO SOLEMNLY AND SINCERELY DECLARE THAT;**

1. I have the day to day care and responsibility of the children named below:

|   | <b>FULL NAME</b> | <b>DATE OF BIRTH</b> | <b>RELATIONSHIP TO CARER</b> |
|---|------------------|----------------------|------------------------------|
| 1 |                  |                      |                              |
| 2 |                  |                      |                              |
| 3 |                  |                      |                              |
| 4 |                  |                      |                              |
| 5 |                  |                      |                              |

2. The children normally or regularly reside with me.

3. I share the day to day care and responsibility of the children with the following persons:  
*(mark N/A if this section is not applicable)*

|   | <b>FULL NAME</b> | <b>DATE OF BIRTH</b> | <b>RELATIONSHIP TO CHILD (IF ANY)</b> |
|---|------------------|----------------------|---------------------------------------|
| 1 |                  |                      |                                       |
| 2 |                  |                      |                                       |
| 3 |                  |                      |                                       |

4. The following persons retain legal parental authority for the children:

|   | <b>FULL NAME OF PERSON</b> | <b>CONTACT DETAILS<br/>(INCLUDE ADDRESS, HOME,<br/>WORK &amp; MOBILE<br/>TELEPHONE NUMBERS<br/>WHERE POSSIBLE)</b> | <b>RELATIONSHIP TO<br/>CHILD/REN</b> |
|---|----------------------------|--|--------------------------------------|
| 1 |                            |  |                                      |
|   |                            |  |                                      |
|   |                            |  |                                      |

|   | FULL NAME OF PERSON | CONTACT DETAILS<br>(INCLUDE ADDRESS, HOME,<br>WORK & MOBILE<br>TELEPHONE NUMBERS<br>WHERE POSSIBLE) | RELATIONSHIP TO<br>CHILD/REN |
|---|---------------------|---|------------------------------|
| 2 |                     |   |                              |
|   |                     |   |                              |
|   |                     |   |                              |

5. I have advised the persons named in paragraph 4 of my intention to access this school or children’s service or other service on behalf of the children. **Yes**

6. I have not advised the persons named in paragraph 4 of my intention to access this school or children’s service or other service on behalf of the children for the following reasons:

.....  
 .....  
 .....

7. I attach to this statutory declaration a certified true copy<sup>1</sup> of my:

- Driver’s Licence
- OR  Passport
- OR  Other identification containing a photograph

Specify .....

I acknowledge that this declaration is true and correct, and I make it with the understanding and belief that a person who makes a false declaration is liable to the penalties of perjury.<sup>2</sup>

**Declared at .....** **in the State of Victoria,**

**this .....** **day of .....** **20.....**

..... **Before Me**.....  
 [Signature of person making this declaration] [Signature of authorised witness]

..... [Name,  
 address, occupation of witness]

**To be signed in front of an authorised witness** – Authorised witnesses are listed under section 107A of the *Evidence (Miscellaneous Provisions) Act 1958*. The list includes: Justice of the Peace, Pharmacist, Police Officer, Medical Practitioner, Lawyer and School Principal.

<sup>1</sup> A copy of the photo ID specified must be certified as a true copy by the authorised witness and attached to this statutory declaration.

<sup>2</sup> Under s 318 of the Crimes Act 1958 (Vic) the maximum penalty for the offence of perjury is 15 years imprisonment.

**NB:** This document is valid for twelve months from the date of declaration.