



## CUSTODY

### Preamble

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.

#### 1. Aims:

- To develop and implement clear and responsible processes for managing custody related issues at a school level.
- To clearly articulate to parents the school's processes relating to the management of custody issues.

#### 2. 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 evidence/proof of residency and immunisation records, that proves a student's name and birth date.
- Visa subclass numbers in passports need to be seen and copied for all children who are not Australian citizens or permanent residents.
- The school will only enroll a child under the name provided on a Birth Certificate or a legally recognised document that details a name change, or proof that the student is included in a witness protection program or similar.
- 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, Magistrate 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.
- Guardians who have restricted access to students, and who's 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 breaches of custody restrictions will be reported by the Principal to the parent who legally looks after the child.
- All teachers and the Out of School Hours Care coordinator will have a copy of Family Court Orders, Magistrate Court Orders or similar legal documents relating to custody.

#### 3. Evaluation

This policy is to be reviewed as part of the school's three-year review cycle.

<u>Ratification Date</u>	<u>Review Date</u>	<u>Policy Number</u>	<u>Version Number</u>	<u>Date Produced</u>
October 2018	2021	81	2	May 2012