



2008/0003871POKB

Kevin Brennan MP

Parliamentary Under Secretary of State for Children, Young People and Families

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Mr J Baker
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29 January 2008

Dear Mr. Baker,

Thank you for your letter of 4 January addressed to the Rt Hon Ed Balls MP about your concerns that schools are failing to send non-resident fathers copies of their children's school reports. I am replying as Parliamentary Under Secretary of State for Children, Young People and Families.

All schools and nurseries have guidelines on keeping parents informed about a child's education. The Departmental guidance for maintained schools, 'Schools, "Parents" and "Parental Responsibility"' sets out general principles to guide maintained schools in keeping parents informed about a child's education and related matters. I should clarify that this is a guide and should not be treated as a complete and authoritative statement of the law. It is not statutory legislation and schools are not bound to follow it.

The general principle is that for the purposes of education law all "parents" should be treated equally in the provision of information about their child's education. This includes receiving copies of pupil reports and invitations to meetings involving the child. Section 576 of the Education Act 1996 defines "parent" to include all natural parents, any person with parental responsibility and any person who has care of a child or young person. For day-to day purposes the school's main contact is likely to be the parent with whom the child lives on school days. However, if a non-resident parent subsequently contacts the school and requests information to be given directly to them, then the school should do so, having taken reasonable steps to ensure the individual requesting the information is the parent of the child. The exception to these principles is where there is a court order limiting an individual's exercise of his or her parental responsibility.

Many parents, as well as schools, tell us they find the guidance useful. It might interest you to know that we are in the process of updating and re-issuing the guidance to schools to clarify information that parents, including non-resident parents, can receive from them.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Kevin Brennan', written in a cursive style.

KEVIN BRENNAN MP