Appendix 1

Policy and Procedure: Managing Conflicting Parental Consent

1. Purpose

This policy outlines the procedures to be followed when conflicting parental consent is received in relation to a pupil's participation in school activities. It ensures that decisions are made consistently, transparently, and in line with legal requirements, while safeguarding and promoting the welfare of the child at all times.

2. Scope

This policy applies to all situations where parental consent is required, including (but not limited to):

- Educational visits and trips
- Medical treatment and first aid
- Photography and media permissions
- Participation in specific school activities or events

It applies to all pupils on roll at the school and all staff responsible for collecting or acting upon parental consent.

3. Legal Framework

This policy is informed by the principles of parental responsibility as defined in the Children Act 1989. The school recognises that:

- More than one individual may hold parental responsibility
- Individuals with parental responsibility have equal rights in decision-making
- The school has a duty of care to act in the best interests of the child

Where a court order is in place, the school will act strictly in accordance with that order.

4. Guiding Principles

- The child's safety and wellbeing are paramount
- The rights of all individuals with parental responsibility will be respected equally
- The school will remain neutral in parental disputes
- In the absence of clear agreement, the school will act cautiously, and in the child's best interests

5. Procedures

5.1 Identification of Conflict

- Any instance where differing parental responses are received must be clearly identified and flagged immediately by the member of staff reviewing consent forms.

5.2 Pause on Activity Participation

- The child must not take part in the activity in question until the conflict has been resolved.

5.3 Recording and Escalation

- The conflicting consent must be recorded on the school's safeguarding recording system (CPOMS).
- The matter must be referred without delay to a senior leader, such as the Headteacher or Designated Safeguarding Lead (DSL).

5.4 Communication with Parents/Carers

- All individuals with parental responsibility must be contacted to inform them of the conflict.
- The school will seek clarification and, where appropriate, request written confirmation of the agreed position.
- Communication should be clear, factual, and neutral.

5.5 Decision-Making

- Where agreement between parents/carers is reached, the school will proceed in line with the confirmed consent.
- In the absence of a clear and agreed outcome, the school will adopt a **no-consent position**, and the activity will not proceed.

5.6 Exceptional Circumstances

- Where there is evidence of a court order, prohibited steps order, or specific legal restriction, the school will act in accordance with that legal documentation.
- If there are safeguarding concerns linked to the disagreement, these must be managed in line with the school's Safeguarding and Child Protection Policy.

5.7 Recording the Outcome

- The final decision and rationale must be clearly recorded on the pupil's record.
- Relevant staff must be informed of the outcome to ensure consistency in practice.

5.8 Ongoing Awareness

- Any known or ongoing instances of parental disagreement should be clearly flagged within pupil records and included in transition information to support future awareness.

6. Staff Responsibilities

- All staff must check consent information carefully before allowing a pupil to participate in any activity.
- Any uncertainty, discrepancy, or concern must be referred to a senior leader before proceeding.
- Staff must not make unilateral decisions in cases of conflicting consent.

7. Safeguarding

Any concerns arising from parental conflict must be considered in line with the school's safeguarding procedures. Where appropriate, the Designated Safeguarding Lead (DSL) will assess whether further action is required.

8. Monitoring and Review

- This policy will be reviewed annually or in response to changes in legislation or guidance.
- Responsibility for review lies with the senior leadership team.

9. Conclusion

This procedure ensures that the school respects the legal rights of all individuals with parental responsibility while prioritising the safety, wellbeing, and best interests of the child at all times.

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April 2026