



ABNEY GARSDEN McDONALD
— solicitors —

DIVORCE SEPARATION AND EDUCATION

When parents separate they are often concerned about their children's education and issues may arise which need to be resolved. Below are some of the most commonly asked questions.

I have separated from my partner with whom the children live. How can I make sure that I am kept informed about the children's progress at school, parents evenings etc?

The school will send correspondence to the children's home address. The first port of call would be to ask your former spouse/partner to keep you informed and provide you with copies of all of the information provided by the school. If communication has broken down between you, then you should notify the children's school that you have separated and request that they send you copies of school report and correspondence in relation to school activities. Some schools may ask you for a small fee to cover the administration costs of this. If you have concerns that you are not being kept updated do not be afraid to contact the school and arrange an appointment with the Head teacher to discuss your child's welfare.

My ex partner and I cannot agree about which school our child should go to. How can we resolve our differences?

It is always best if you can resolve problems by communicating. If this is difficult you may wish to consider mediation which offers you both an opportunity to talk things over with the help of a mediator. If you cannot reach an agreement then you can apply to the court for a specific issue order under the Children Act 1989 so that the court makes a decision as to what is in your child's best interest. The court's paramount concern will be the welfare of your child. You will need to obtain as much information about the schools as possible to assist the court in making a decision.

My child goes to a private school. Can I ensure that my spouse will continue to pay the school fees after we are divorced?

If a child is already going to a fee-paying school or there are plans to send him/her to one, the court can make an order within the divorce, that your spouse continues to pay the school fees. The court will however take into account your spouse's outgoings after separation and much will depend on whether the school fees are still affordable. If income is stretched but there is sufficient capital, a court can make an order that a reasonable sum be kept intact so that a child can continue in private education particularly if a child is at a crucial stage in the education process.



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Joan Goss is a Family Law Specialist and a Member of the Law Society's Advanced Family Law Panel. Should you require advice on any aspects involving disputes in relation to divorce, separation and children you can contact Joan on 0161 482 8222 for a free initial interview.