

## **Change of Name Policy**

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Where the policy refers to the Governing Board, the Governing Board are currently replaced by an Interim Executive Board (IEB). The Chair of Governors will currently be Chair of the IEB.

## **Rationale for changing a student name**

For a number of reasons parents may request schools to change the name of their child on the school register. These requests will often be well thought through and in some circumstances based upon genuine concerns.

However, changing a child's name should not be done lightly and must be in line with the law. The name of a child is an important part of the child's identity, and the long-term best interests of the child should not be overlooked. A change of name can be in relation to first name, last name or both.

## **Who can change a child's surname/last name or first name**

Those people who have parental responsibility for a child ( a child is defined legally as a person under 18), must all agree or consent to the change.

In cases where a parent of a child is seeking to register the child on education records under a different name from that on the child's birth certificate, they will be asked to produce the relevant consent or documentation.

## **Parental responsibility**

If both parents are married to each other then they both have parental responsibility and can change the name if they both agree.

If parents are divorced, both parents still have parental responsibility and must consent to the change.

If the child's birth was registered after 1 December 2003 and the parents have never been married and both parents are shown on the birth entry then both parents have parental responsibility and must give their consent to the change

If the child's birth was registered before 1 December 2003 and the parents have never been married and if there is no parental responsibility order or agreement in place then the mother has sole parental responsibility and may change the child's name. However, in line with case law it is good practice that the father who does not have parental responsibility should be contacted to seek consent. This is particularly important if the father has contact with the child and is part of the child's life.

It may sometimes be that a parent is no longer in the child's life however this does not extinguish parental responsibility.

Adoption extinguishes the child's birth parents' parental responsibility and transfers all their parental responsibility to the adoptive parents.

Where a second female parent has acquired parental responsibility by virtue of S.43 of the Human Fertilisation and Embryology Act 2008, then both parents must consent to the change.

### **If there is a dispute**

In the event of disagreement or in the absence of consent, the matter should be referred to the courts for determination. Therefore, in the case of a person with sole parental responsibility evidence should be sought that the father consents to the change. Where there is no such evidence, the name should remain unchanged and the parent should be advised to seek independent legal advice.

### **Required documentation**

#### **For births registered before 1 December 2003**

We need written consent from both parents regarding the change if the parents were:

- married at the time of the birth
- married later
- entered into a parental responsibility agreement

If this is not the case then we require written confirmation from the mother stating that:

- she has never been married to the father
- they have never entered into a Parental Responsibility Agreement

#### **For births registered after 1 December 2003**

We need written consent from both parents regarding the change if:

- the father is named on the birth certificate
- the parents married later
- the parents entered into a Parental Responsibility Agreement

If this is not the case then we require written confirmation from the mother stating that:

- she has never been married to the father
- they have never entered into a Parental Responsibility Agreement

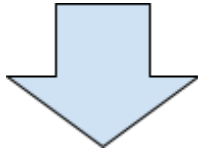
In addition, we need proof that the father is not named on the birth certificate, for example, a long birth certificate.

Please see Appendix A for the process and use the linked form to complete the change of name.

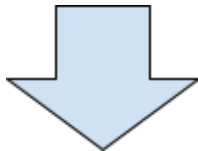
## **Appendix A: VI Form Change of name procedure**

***This procedure covers any request to change a student's name. A change can be a student's first name or surname or both. This does not apply to a preferred name on Arbor (such as Matthew to Matt, Abigail to Abi). A change in name will result in that name going on all communication from the school and official exam certificates unless advised otherwise.***

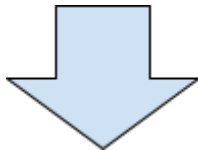
*A student will request a change in name and at which point will be asked to speak to the Year team or Student Services.*



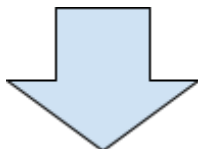
*The Year team or Students services will establish the reason for a change in name and explain that home will need to be contacted and written permission will need to be obtained.*



*If the student agrees to contact home. Home to be contacted and a permission form will be issued. To be signed by parents and returned to school.*



*Once form is received a copy is scanned and uploaded onto Arbor and name is changed with all staff informed of the change that has been made and expectation made that this name will now be used.*



*If a student decides they do not want home contacted, the student's legal name will remain on Arbor. If upon the discussion with the student you feel there is a potential safeguarding concern around why the student does not want home contacted. Please log with the DSL.*