



## Parental Consent

The gaining of parental consent and the gathering of necessary information about visit participants has often been done at the same time using the same mechanism. This does not need to be the case. This document covers consent: when it is needed and how to evidence it has been given. For guidance on gaining and using participant information see the document '*Participant information*' in section 4 of this guidance.

There is no requirement for visit leaders to carry evidence of consent on visits in the UK.

### Gaining consent

There are three different mechanisms to consider. How these three are used or combined is entirely up to the discretion of the employer or establishment. Some establishments will use one-off consent, others will prefer to use visit specific consent, while others will use a combination. In whatever way the various mechanisms are used, it is good practice to ensure that parents are clear about (a) how their consent will be sought when it is required and (b) how they will be given information on visits.

#### 1. No consent required.

Schools are **not** required to obtain consent from parents for pupils to participate in off-site activities that take place during school hours and which are a normal part of a child's education, such as local studies and visits to a museum or library etc. (Education Act 2002 section 29). While parents do not have the option to withdraw their child from the school curriculum, it remains good practice to inform parents that a visit or activity is to take place (see 'informing parents' below). Schools should be aware that asking for consent when it is not needed can lead to some parents assuming they can withhold consent and so withdraw their child from a curriculum visit when this is not the case.

Consent **is** needed for all visits organised by establishments other than schools. Consent **is** needed by schools for visits taking place outside school hours and also for activity taking place both during and outside school hours where it is perceived to involve a higher level of risk, such as a visit involving a long journey or adventure activity.

## 2. One-off or blanket consent

The Department for Education (DfE) has prepared a one-off consent form to be signed by the parent on enrolment of their child in a school. This form is intended to cover all types of visits and activities where parental consent is required. The form is available on the DfE website for establishments to adopt and adapt as appropriate, at

<http://media.education.gov.uk/assets/files/doc/d/dfе%20consent%20form.doc>

A similar form could be used for other establishments such as Early Years Foundation Stage (EYFS) providers and youth groups, or at the start of programmes for young people.

One-off or blanket consent provides evidence that parents have consented in advance to all visits and activities, which require their consent. It is essential that such blanket consent be turned into informed consent prior to any visit. Therefore, where one-off consent is used, parents must be given information about the visit and their child's proposed participation, and given the opportunity to withdraw their consent should they not wish them to participate. Careful consideration should be given to the administrative arrangements. The details of the visit to parents will be a reminder of consent given and could also be an opportunity to update participant information.

Activities that involve a charge, or that include payment or cancellation terms, will need agreement by parents to the financial arrangements. Such activities could be treated as visit-specific (see below) if preferred.

## 3. Visit-specific consent

While one-off consent can be used for virtually all visits there are situations where consent for a specific visit may be required. These include some visits abroad and some visits involving third party provision (for example an outdoor education centre) where the provider requires their own consent forms to be signed. In this case information about the visit can be provided to parents and their informed consent given on that basis.

## Recording consent

Consent may be recorded on paper (e.g. one-off or visit specific consent forms, tear off slips on letters) or electronically. Whichever way consent is recorded, proper consideration must be given to correct storage of personal information and to its retention. For guidance on retention of information see '*Retention of documents*' in section 6 of this guidance

## Some considerations for e-consent

With appropriate security measures in place, parents can give consent electronically - e.g. by email, text, website or apps. Online systems that provide the option for visit-specific e-consent should have the facility for parents to confirm that they have been fully informed, and when and by whom the consent was given. Systems that use a hyperlink or attachment facility enable the direct connection between consent and information about the visit. Where it is not possible for parents to update information electronically, as part of the consent process, it would be sensible to include a statement such as:

*'I will inform the school of any changes to my child's medical condition or individual needs (including any emotional wellbeing or mental health issues which may affect their participation in the visit), agreement to medical treatment and any changes to emergency contact numbers.'*

Where e-consent is provided online via a web link or app, this should be accessible only via a protected parental login. If consent is given by email or text, it should use the email address or mobile number provided by the parents to the establishment. This should be taken directly from the establishment's Management Information System, where such a system is in place.

## Visits abroad

For visits abroad, proof of parental consent may be requested by medical professionals prior to carrying out treatment. Establishments should enquire if this is the case for the country to be visited and, if unsure, use visit specific consent and take copies of consent forms with them. For visits to some countries it may be necessary for Visit Leaders to provide evidence of their responsibility for the young people in their party.

## Curriculum visits involving religious education or sex and relationship education

Parents have a right to withdraw their children from Religious Education lessons, from collective acts of worship and from some elements of Sex and Relationship Education, but not from the National Curriculum. This means that parents do not necessarily have the right to withdraw their child from a visit to, for example, a place of worship, if this visit forms part of the school's delivery of the National Curriculum. It is therefore important for visit leaders to be clear about the purpose of the visit, including the wider personal, social and cultural benefits and its link to the curriculum.

## Consent when parents are separated or divorced

It is usual practice to seek consent only from the parent the child lives with. If a separated or divorced parent asks to be approached for consent as well, and both parents agree to this, then it is reasonable for the school to accede to the request.

If the parents do not agree, the question arises as to whether the separated or divorced parent has parental responsibility (i.e. was married to the other parent at the time of birth; is named as a parent on the birth certificate; or has parental responsibility via a court order). If not, consent need only be sought from the parent who does have parental responsibility. If both parents do have parental responsibility, it is for them to resolve the issue, if necessary by going to court for a "special issue order".

## Informing parents

Schools are required to deliver a broad and balanced curriculum to their pupils and it is widely understood that it is not possible to do this effectively without making full use of the local environment and community, within which the school is set. Regular and frequent curriculum visits and activities, off the school site,

should therefore be the norm and it would be unreasonable for schools to inform parents of each particular excursion. For these visits, which do not require parental consent, it is good practice to inform parents, perhaps when they enrol their child, or annually through prospectus, policy document or web site, about the way the school uses the local environment and the fact that their child will not always be on the school site but could be learning somewhere in the wider community.

Where consent is required the key is to provide parents with sufficient information to make an informed decision about the participation of their child. Such information may be given in a variety of ways, as the information needed by parents will depend on the nature and complexity of the visit. For example, regular sports fixtures or cultural visits may involve information being given for the season or for the term ahead with parents being informed of any changes to this as they occur, perhaps by note, phone, email, text etc. For more complex visits specific information letters will be needed and for the most complex or adventurous visits a combination of written information and briefing/information meetings may be most appropriate.

Inevitably last minute opportunities will arrive for exciting learning opportunities and the mechanisms for communicating with parents and gaining informed consent should support these. Verbal consent via a telephone call is perfectly acceptable in such a situation (and when parents are unable to give consent in writing) but it would be wise to note the time and date of the phone call, who made it and who gave consent.

