

40. Separated Families

Version number	Dates produced & approved	Reason for production & revision	Author	Locations	Proposed next review
V1.0	Jan 2018	To support the Pre-school when dealing with separated families	K Coupe	Dropbox.com 2017/18 folder	2020
V2.0	Nov 2022	Reviewed and updated. Inclusion of "Associated Policies & Procedures" section as per Safeguarding Audit section 175/157	E Roberts R Powell	Dropbox.com Website Policy Folder	Nov 2024

Statement of Intent

The priority at North Nibley Pre-school is for the child of separated parents to be supported by the staff as necessary and for parents to be able to receive and share information about their child in the most appropriate way. With regard to information sharing, this policy differentiates between the resident and non-resident parent. For the purposes of our policy, we will define a resident parent as the one who has the child living with them for the majority of nights per week.

At North Nibley Pre-school we recognise that separated parents may find themselves in a difficult situation with regards to maintaining good working relationships with those who care for their children. We understand that the family situation can be complex and difficult for all the parties and can sometimes involve legal proceedings. This policy sets out how we will support the family within the setting, including our staff.

All staff, but particularly the key person, will work closely with the parents to build relationships which will support the child's emotional wellbeing. They will report any significant issues or changes in behaviour to the parents, ie. both resident and not-resident parent. Parents will be signposted to relevant services and organisations for support for the whole family.

Should the parents want to discuss a matter with a member of staff other than the child's key person, they should talk to the Play Leader in the first instance. Separated parents can be given the option of being supported by different members of staff who would communicate between themselves and share information regarded as pertinent to the child's welfare.

Parent

As a parent you are entitled to be given information about your child and share in decision making in relation to your child's learning.

On registration we will ask parents if both parents wish to separately receive information about their child, or if they wish to nominate one parent, normally the resident parent, who will then agree to keep the non-resident parent updated. This decision should be confirmed in writing by both parents and will be kept on your child's record. It can be changed by both parents informing the playleader in writing.

As part of the registration process, North Nibley Pre-school will ask for you to agree who is to be the parent who is contacted in the first instance if staff need to communicate with a parent. The other parent will be asked to give written consent for this.

Parental Responsibility

While the law does not define in detail what parental responsibility¹ is, the following list sets out some of the key features of someone holding parental responsibility. These include:

- providing a home for the child;
- having contact with and living with the child;
- protecting and maintaining the child;
- disciplining the child;
- choosing and providing for the child's education;
- determining the religion of the child;
- agreeing to the child's medical treatment;
- naming the child and agreeing to any change of the child's name;
- accompanying the child outside the UK and agreeing to the child's emigration, should the issue arise;
- being responsible for the child's property;
- appointing a guardian for the child, if necessary; and
- allowing confidential information about the child to be disclosed.

In England

If the parents of a child are married to each other at the time of the birth, or if they have jointly adopted a child, then they both have parental responsibility. Parents do not lose parental responsibility if they divorce, and this applies to both the resident and the non-resident parent.

This is not automatically the case for unmarried parents. According to current law, a mother always has parental responsibility for her child. However, a father has this responsibility only if he is married to the mother when the child is born or has acquired legal responsibility for his child through one of these three routes:

- by jointly registering the birth of the child with the mother (from 1 December 2003);
- by a parental responsibility agreement with the mother; or
- by a parental responsibility order, made by a court.

Other adults can obtain parental responsibility for a child, for example via a Child Arrangement Order or by application of a step parent or Guardian.

Registration Process

During the registration process we collect details about both parents including who has parental responsibility and the usual pattern of where the child resides during the week.

We request these details on the child's registration form. If a parent does not have parental responsibility, or has a court order in place to prevent this, we must have a copy of this documentation for the child's record. We also need to be informed in writing if another person holds parental responsibility.

If a child is registered by one parent of a separated family, we request disclosure of all relevant details relating to the child and other parent such as parental responsibility, court

¹ See <https://www.gov.uk/parental-rights-responsibilities>

orders or injunctions. This will make sure we can support the child and family fully in accordance with the policy set out below, including offering the other parent the opportunity to complete a set of registration forms.

We will:

- ensure the child's welfare is paramount at all times they are in our care;
- comply with any details of agreements between parents and/or court orders where applicable to the child's attendance at the Pre-school where we have seen a copy/have a copy attached to the child's file;
- provide information on the child's progress, eg. learning journeys, progress checks within the Pre-school, to both parents, or to the nominated parent, provided there is no Court Order to the contrary of which we have been advised.;
- invite both parents to Pre-school events, including parental consultations and social events provided there is no Court Order to the contrary of which we have been advised;
- ensure any incident or accident within the Pre-school relating to the child is reported to the person collecting the child;
- ensure that all matters known by the staff pertaining to the family and the parents' separation remain confidential;
- ensure that no member of staff takes sides regarding any separation and treats both parents equally and with due respect; and
- not restrict access to any parent or person with parental responsibility unless a Court Order is in place. We respectfully ask that parents do not put us in this position.

We ask parents to:

- provide us with all information relating to parental responsibilities, Court Orders and injunctions;
- update information that changes any of the above as soon as practicably possible by advising the Play Leader via a letter or email from both parents or from the resident parent if the manager deems this to be applicable;
- work with us to ensure continuity of care and support for their child;
- not involve Pre-school staff in any family disputes, unless this directly impacts on the care we provide for the child;
- talk to the Play Leader/key person away from the child when this relates to family separation in order to avoid the child becoming upset. This can be arranged as a more formal meeting or as an informal chat; and
- not ask the preschool to take sides in any dispute. We will only take the side of your child and this will require us to be neutral at all times.

Associated Policies and Procedures

- No 4 : Safeguarding children and child protection
- No 5 : Non-collection of children
- No 15 : Parental Involvement