



Separated Families Policy

Introduction and Context

Research and experience have shown that separated parents can work well together in the best interests of their children and can together play a role in their children's education.

However, some parents become estranged, and do not work together or in the best interests of their children, especially during the initial stages of their separation. This is very often traumatic for any children concerned where personal family problems can have an impact on the child and on the setting/schools the children attend.

This policy is an attempt to minimise the impact, clarify to all parties what is expected from separated parents and what can be expected from the Pre-school/staff.

The definition of a parent for Pre-School purposes is much wider than for any other situation.

The Education Act 1996 defines a parent as:

- All natural parents, including those that are not married
- Any person who has parental responsibility but is not a natural parent e.g. a legally appointed guardian or the Local Authority named in a Care Order;
- Any person who has care of a child i.e. a person with whom the child resides with and who looks after the child irrespective of the relationship

Who has “Parental Responsibility”? (The Children Act 1989)

Having parental responsibility means assuming all rights, duties, powers, responsibilities and authority that a parent of a child has by law. People other than a child's natural parents can acquire parental responsibility through:

- Being granted a residence order
- Being appointed a guardian
- Being named in an emergency protection order (although parental responsibilities in such a case is limited to taking reasonable steps to safeguard or promote the child's welfare)
- Adopting a child

At Bottesford Bunnies we recognise that when parents separate, it can be a difficult situation for all concerned. We understand that emotions may run high, and this policy sets out how we will support all parties within the Pre-School including our staff team. The key person will work closely with the parents to build close relationships which will support the child/children's emotional wellbeing and report

any significant changes in behaviour to the parents. Parents will be signposted to relevant services and organisations for support for the whole family.

The main role of the Pre-School is to offer support and guidance for easing the period of transition for the children involved.

Parental Responsibility

While the law does not define in detail what parental responsibility 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
- 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
- Allowing confidential information about the child to be disclosed.

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, 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
- By a parental responsibility order, made by a court.

Pre-School registration

During the registration process we collect details about both parents including who has parental responsibility, as this will avoid any future difficult situations. True and correct information must be put on this document.

We request these details on the child 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 records.

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 court orders or injunctions. This will make sure we can support the child and family fully in accordance with the policy set out below.

We will:

- Ensure the child's welfare is paramount at all times they are in Pre-School.
- Comply with any details of a court order 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, e.g., learning journeys, progress checks within the Pre-School, to both parents where both hold parental responsibility.
- Invite both parents to Pre-School events, including parental consultations and social events where both hold parental responsibility.
- 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 parent's separation remain confidential.
- Ensure that no member of staff takes sides regarding the separation and treats both parents equally and with due respect.
- Not restrict access to any parent with parental responsibility unless a formal court order is in place. We respectfully ask that parents do not put us in this position.
- Liaise with both parents (where possible) on billing arrangements. Clarifying who will be responsible for any payments due.

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.
- Work with us to ensure continuity of care and support for your 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 Manager/Deputy Manager/Keyperson 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.
- Not ask the Pre-School 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.

Arrangements for complaint

These are defined in the Bottesford Bunnies complaints policy.

References to other relevant policies and procedures

This policy has been adopted by Bottesford Bunnies on Tuesday 19th September 2023
at the team meeting by Director CW, Manager, Deputies and educators.
Next review date September 2024

Signed on behalf of the setting by:

.....Director

Next Review Date

Reviewed and updated January 22nd, 2025, by Director, Room Lead, Deputy Room Lead and Educators

Next review date January 2026

Reviewed and updated January 28th, 2026, by Director/Manager, Deputy and Educators

Next review date January 2027