**Supporting separated parents’**

*‘Children learn best when they are healthy, safe and secure, when their individual needs are met, and when they have positive relationships with the adults caring for them’ (EYFS 2021).*

This policy helps nursery to communicate the expectations to those with parental responsibility, provide information to help all those with parental responsibility to support their child as best they can, and support a child’s right to love and be loved by both parents.

Parental separation can be a sensitive issue, reflecting on the child in many ways, and it can be a time of uncertainty and change for all involved. In situations of parental separation, the child’s needs and welfare will always be our priority and our main aim will be to support the child within the family to reduce the impact of tension or conflict as much as possible.

In the eyes of the law, mothers automatically have parental responsibility of the child from birth; however, fathers gain parental responsibility through being married to the child’s mother when the child is born or being named on the child’s birth certificate. Parents can choose how they make arrangements for looking after children when they separate from a partner. [Making child arrangements if you divorce or separate: Making child arrangements - GOV.UK (www.gov.uk)](https://www.gov.uk/looking-after-children-divorce).

Parents with responsibility are entitled to share in the decisions that are made about their child and to be treated equally. This includes matters such as:

* Admission decisions;
* Attendance at parent/nursery events;
* Access to the child’s records, education reports and assessments,
* Copies of school photographs;
* Information about nursery trips; and newsletters, etc;
* Decisions about suspension or exclusion.

Nursery does not have the power to act on the request of one parent to restrict the other parent’s involvement. We will only do so if there is a specific court order, which is rare.

To support you and your child in the best way possible, it is important for practitioners to be aware of arrangements in the home and family context.

**On enrolment to the setting, we will seek to:**

* Learn about the child as part of our enrolment process, gaining understanding of living arrangements, family situation and who has parental responsibility.
* Understand the role each carer has, and any set contact times or routines. This information will be recorded on the child’s file and shared with the appropriate staff.
* Understand any legal arrangements already in place relating to care of the child, such as parental rights and responsibilities, shared custody, or separation agreements (parent plan).
* Confirm each parent’s commitment towards payment of fees, and if the nursery bill is to be split, what percentage each parent will contribute towards it.
* Where both parents have responsibility, both parent signatures will be required to complete the registration process unless there is a specific reason why this is not possible.

**Communication:**

There is an expectation from Nursery staff that both parents will work together to share information about their child. It is assumed that the parent with whom the child principally lives, will keep the other parent informed. If this is not happening, you should make a specific request in writing for separate communication.

* Arrangements for sharing information will be discussed on enrolment, including what and how information will be shared from to and from nursery.
* We promote an “open door policy” and this is also a good way to voice concerns in the first instance if you feel you are not involved with the educational decisions about your child.
* We encourage parents to play an active role in their child’s nursery education and experiences and will promote the engagement of both parents within the setting.
* Both parents will receive news and information from nursery relating to their child, including Family updates, and messages sharing information about the child’s health and development, or upcoming parent events.
* In the interests of privacy and data protection, we will not share personal details including financial information about either parent with another.
* We are a neutral service, and parents will be able to view important information about their child on Family, however we will not divulge billing or payment information with anyone except the registered bill payers on the account, without written permission from the other party.

**Changes to children’s care, contact or living arrangements.**

We ask that parents keep us informed of significant developments or changes to their child’s normal routine or living arrangements. This allows us to give ongoing support to the child and family and ensures that the ‘parent plan’ or shared arrangements are understood and respected.

We will send reminders at least annually for parents to check and update their child’s information and contact details of both parents, including relatives or other adults that are documented as emergency contacts. This is to ensure that in an emergency the correct people can be notified and both parents are happy and kept informed. If a child is still having contact with both parents but one parent has moved out of the family home, we will ask for contact details held by both parents.

If it is necessary to change children’s attendance at any point, requests for changes to attendance or other registered information must be agreed in writing by both parents with parental responsibility.

**Parental disagreements and conflict**

* Early years settings are not able to stop those with parental responsibility from collecting their child. The nursery will remain a neutral space and both parents will be treated equally.
* Parents must support the consistent, safe care of their child by informing the setting, and sharing relevant information about legal childcare arrangements.
* Parents who find it hard to agree on decisions relating to shared care arrangements for their child may find it useful to make a **parenting plan**.

It’s important to remember that children are often in the middle of parental conflict, and consideration must be taken towards the long-term emotional impact on children who experience conflict between their parents. Where there is unresolved parental conflict, separated parents will be advised to pursue the matter through a legal representative or the family court.

A **parenting plan** is a written agreement between co-parents, that covers the practical issues of parenting. Co-parents are those who share the duties of bringing up children, especially those who are separated or not in a relationship. A parenting plan can help because it clearly shows what arrangements and actions you have agreed to meet the needs of your children. This can sometimes mean that you can avoid having to go to court to reach such agreement. It can help you to think about what is in the best interests of your children and to put the needs of your children first. The benefits of making a parenting plan together include:

* Helping everyone involved know what is expected of them.
* Creating a clear agreement to refer back to, and
* Setting out practical decisions about your children, such as living arrangements, education, and health care.

**A Parenting plan can be completed online:** [Parent Plan Start (cafcass.gov.uk)](https://www.planningtogether.cafcass.gov.uk/plan).

The following websites also offer help and support for resolving parental disagreements and sorting childcare arrangements following separation or divorce:

* [Sorting out child arrangements | Advice now](https://www.advicenow.org.uk/guides/survival-guide-sorting-out-arrangements-your-children)
* [Parenting together - Cafcass - Children and Family Court Advisory and Support Service](https://www.cafcass.gov.uk/grown-ups/parents-and-carers/divorce-and-separation/parenting-together/)
* [Making child arrangements - Citizens Advice](https://www.citizensadvice.org.uk/family/making-agreements-about-your-children/making-child-arrangements/)

**Safeguarding concerns**

It is our professional duty to put the child first, and as part of our commitment to supporting children’s development and wellbeing, we will support the child and family in a professional manner.

We will continue to promote the welfare of all children, and link with statutory services as part of our professional duty if we have concerns about the wellbeing of a child. If a child is in immediate danger or at risk of harm, a referral will be made immediately to children’s social care or the police, as appropriate. It will be at our discretion, on a case-by-case basis, to consider the level of information, if any, that is provided to parents when a referral has been made to children’s social care.

Information sharing should always be in the best interests of the child. It is especially important that nursery works closely with children’s social care to consider next steps if it has reason to believe sharing information with a parent will potentially put a child at greater risk of harm.

If parents have a concern regarding the suitability of care given by the other parent, we can direct them towards support services, but they will need to contact services directly. Parental disputes and complaints about one another should be directed towards their own legal representatives such as family law or CAFCASS. It is not the place of nursery as an education setting, to be caught in the middle of settling parental disputes.

**Uncooperative or disruptive behaviour**

If a parent’s action or proposed action contravenes our ability to act in the child’s best interests, we will try to resolve the problem with the parent but avoid becoming involved in any conflict. However, there may be occasions that we decline requests for action from one or more parents.

All adults, including parents have a duty to act within the best interests of children. If we feel that the behaviour of a parent becomes harmful, interferes with the educational welfare of others in the nursery, causes an unlawful nuisance or disturbance on nursery premises, we will seek legal advice and if necessary, call the police.

All nursery employees, parents and children have the right to be treated with respect. If a parent, carer, or member of the public behaves in an unacceptable way towards a member of staff or a child attending the nursery, we will act according to our Abusive and disruptive behaviour policy, which may result in exclusion from the setting or legal action.

**Other helpful links**

[Guide for separated parents: children and the family courts (CB7) - GOV.UK (www.gov.uk)](https://www.gov.uk/government/publications/guide-for-separated-parents-children-and-the-family-courts-cb7)

<http://www.livewellcapaign.co.uk/healthyrelationships>

**Links to EYFS:** Learning and development considerations 1.11, 1.16, Safeguarding and welfare requirements 3.1, 3.2, 3.4, 3.7, Key person 3.27, Information and records 3.69, information about the child 3.73, Information for parents and carers 3.74.

**This policy links to the following Stebbing green day nursery documents:** Safeguarding and child protection policy, Abusive and Disruptive behaviour, Behaviour and relationships policy, Admissions procedures, Registration terms and conditions of business, Key person policy, Arrivals, Departures, and attendance.

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