

Working with Separated Families Policy

When parents/carers separate it is a difficult situation for all concerned. Here at Sweet Peas we understand that it may be an emotional period and this policy defines how we will support the child and their family within the nursery.

England and Wales

If the parents/carers 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/carers 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/carers. According to current law, a mother always has parental responsibility for her child. A father, however, 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 1st December 2003).
- By a parental responsibility agreement with the mother.
- By a parental responsibility order, made by a court.

Scotland

A father has parental responsibility if he is married to the mother when the child is conceived, or any time after that date. An unmarried father has parental responsibility if he is named on the child's birth certificate, alternatively unmarried fathers can also be named following a re-registration of the birth.

Registration

During the registration process it is important for the nursery to know details about both parents/carers. This includes details about who does or does not have parental responsibility as this will avoid difficult situations that may arise at a later date.

If a parent does not have parental responsibility or has a court Order in place to prevent this, the nursery needs a copy of this documentation for the child's records.



If a child is registered by one parent of a separated family the nursery requests that all details relating to the child and other parent are disclosed wherever possible, e.g. court Orders, injunctions. This will allow the nursery to have all the appropriate information in order to support the child fully.

At Sweet Peas we will

- Ensure the child's welfare is paramount in all operations relating to their time within the nursery.
- Comply with any details of a court Order, where applicable, provided the nursery has seen a copy/has a copy attached to the child's file.
- Provide information on the child's progress within the nursery to both parents/carers if requested. This will not happen if there is advice from a court Order that suggests it would not be appropriate to do so.
- Ensure that all team members treat both parents/carers equally and with due respect, taking care not to comment on their personal situation regarding the separation. Any information known by the team member relating to the situation will be treated with full confidentiality. Any new partners will be given due respect as with all other visitors to the setting.

The nursery cannot restrict access to any parent with parental responsibility unless a formal court order is in place. We respectfully ask that parents/carers do not put us in this position.

We ask parents/carers 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 the nursery team in any family disputes, unless this directly impacts on the care we provide for the child.
- Talk to the Manager/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.





- Not ask team members to pass comment on any personal disputes. It is in a child's best interests that we are able to remain neutral at all times.

Restricted access to children

If a parent requests for any member of team to not allow their child to be collected from nursery by a parent who has parental rights they will be advised that legally we are unable to prevent this. If the parent is concerned for their child's safety they would be advised to call the police or speak with a solicitor. If the parent has genuine concerns for the child's safety and the other parent comes to collect we will inform the parent that this has happened once the parent has left the building. If there are no genuine concerns for the child's safety the parent is welcome to call and ask if their child is still at nursery at any given time of the day but the team will not interfere with the situation and call the parent when the child has been collected.

If there is a court Order against a parent who attempts to collect:

- They will not be granted access to the nursery or the child and will be asked to leave the premises.
- If they become abusive or aggressive the police will be called.
- Once the situation has been resolved, the parent with parental responsibility will be informed of the incident.

