

## **Separated Parents Policy**

At Newdigate Pre-School, we aim to promote the best interests of the child, working in partnership with all parents where possible. This policy is an attempt to clarify to all parties what is expected from separated parents and what can be expected from the Pre-School staff.

### **Parental Responsibility**

In order to help us to look after children whilst they are in our care, Newdigate Pre-School staff are required on our application forms to ask parents to provide certain information, such as names of both parents, address, contact details etc. We are also required to ask who has 'Parental Responsibility' for the child. This is important because it allows the Pre-School to be sure who has the right to make decisions about a child's education and medical treatment. However, this is a very specific legal term and many parents may be unaware of how it is applied:

- All Mothers automatically have Parental Responsibility.
- If a child's parents were married at the time of the birth, both parents automatically have Parental Responsibility.
- For children born from the 1st December 2003 where the Father's name is on the birth certificate, the Father and Mother will both have Parental Responsibility.
- In all other cases, Fathers are required to officially obtain Parental Responsibility.
- Parental Responsibility cannot be lost, except by legal adoption, although it does not automatically guarantee contact.

Parents, as defined above, are entitled to share in the decisions that are made about their child and to be treated equally by Early Years Settings. In particular, these entitlements include:

- Decisions on which sessions they attend;
- Ofsted & Pre-School based questionnaires;
- Participation in any exclusion procedure;
- Attendance at parent meetings/Pre-School events;
- Access to Pre-School records and copies of Pre-School reports, newsletters, invitations to Pre-School events, Pre-School photographs relating to their child and information about Pre-School trips.
- Collecting their child or nominating someone else to collect their child from Pre-School.

This entitlement cannot be restricted without a specific court order. The Pre-School does not have the power to act simply on the request of one parent to restrict another.

The Pre-School will not seek to make judgements about individual circumstances but will treat both parents equally unless there is a specific ruling in existence. Pre-School staff will never pass judgement on either parent to the child.

We will maintain our open door policy with all parents, and the child's Key Person or the Pre-School Managers will be available by appointment to discuss any issues. The Pre-School is under no obligation to inform the resident parent of the absent parent contacting the Pre-School. Any such information will be given at the discretion of the Managers.

### **Court Orders**

Upon receipt of any court order restricting access to a parent, the Pre-School retains the right to consult the Local Authority before taking immediate action. The Pre-School is only obliged to comply with an order if it is properly notified and has received a copy for its files, and only to the extent that it relates to the Pre-School. In the event that the Pre-School is not informed of the existence of such an order, neither parent will have rights superior to the other. Only a Court Order stating the arrangements is deemed to be valid; a letter from a solicitor is not sufficient.

## **Pre-School communications**

The Pre-School recognises that, while the parents of some children may be divorced or separated, both have a right to be informed of, and involved in, their child's education. However, we expect that parents, whatever the nature of their separation, will do all they can to communicate with each other and share information from and for the Pre-School, for the benefit of their child. It is assumed that the parent with whom the child principally resides will keep the other parent informed.

We do, however, recognise that communication between parents is not always possible. If an estranged parent wishes to receive information from the school such as progress reports or attending parent/teacher meetings they should contact the Pre-School in writing with a specific request for separate communication.

Should an un-named parent seek information or access to his/her child, the Pre-School will always inform the main carer of this to check Parental Responsibility and ensure no court order is in place. For the avoidance of doubt, we will seek written confirmation from the main carer. Proof of identity of the non-resident parent will always be required in these cases.

Disagreements between parents must be resolved between the parents and cannot be resolved by the Pre-School or Local Authority.

## **Collecting a child from Pre-School**

The Pre-School will release children to parents in accordance with arrangements notified to the Pre-School. If one parent seeks to remove the child from Pre-School in contravention of the usual arrangements and the parent to whom the child would normally be released has not notified the Pre-School of any change the following steps will be followed:

- Where a separated parent, who has parental responsibility and no court order in place, wishes to take the child during or at the end of the Pre-School day, the resident parent will be contacted in order to ensure that they are in agreement with the arrangement. If the parent to whom the child would normally be released agrees, the child may be released and the records will reflect that the permission was granted orally. If the parent opposes the other parent wanting to take the child then the Pre-School will advise that without a court order we cannot prevent them from doing so.
- In the event that the parent to whom the child would normally be released to cannot be reached, the Manager or staff member dealing with the issue will make a decision based upon all relevant information available to them.
- During any discussion or communication with parents, the child will be supervised by an appropriate member of Pre-School staff in a separate room.
- In extreme circumstances if there is a belief that a possible abduction of the child may occur or if the parent is disruptive, the police should be notified immediately.

All parents can have equal access to all Pre-School information via our Family app, or alternatively request in writing additional copies of communications which are not available on the Pre-School website (all parents are recommended to regularly use the Pre-School's website – it contains all back dated newsletters and has a range of information and links).