**Separated parent policy**

Whether you have been separated throughout your child’s life or currently going through a separation, this policy will be used by Windmill Pre-School.

According to the UK Government website the information below states parental entitlement, custody and visitation rights.

**Definition of parent**

Section 576 of the Education Act 1996 defines ‘parent’ as

* All natural parents, whether they are married or not.
* Any person who, although not a natural parent, has parental responsibility for a child or young person.
* Any person who, although not a natural parent, has care of a child or young person (having care of a child or young person means that a person with whom the child lives and who looks after the child, irrespective of what their relationship is with the child, is considered to be a parent in education law).

**Parental responsibility**

Having parental responsibility means assuming all the 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 responsibility in such a case is limited to taking reasonable steps to safeguard or promote the child’s welfare).
* Adopting a child.
* (In the case of step-parents) in agreement with the child’s mother (and other parent if that person also has parental responsibility for the child) or as the result of a court order.

**Where a child’s parents are not married to each other, the child’s father can gain parental responsibility by**

* Registering the child’s birth jointly with the mother.
* Through a ‘parental responsibility agreement’ between him and the child’s mother as the result of a court order.

In addition, a local authority can acquire parental responsibility if it is named in the care order for a child.

**Court orders and parental responsibility**

Court orders under section 8 of the Children Act 1989 (often called section 8 orders) settle areas of dispute about a child’s care or upbringing and can limit an individual’s parental responsibility.

The Pre-School will not allow contact between a child and parent in the setting or around the perimeter of the settling if there is a court order preventing contact on any matter such as if safe guarding concerns have been raised.

**General principles for educational settings.**

Everyone who is a parent, as defined above (whether they are a resident or non-resident parent) has a right to participate in decisions about a child’s education and receive information about the child (even though, for day-to-day purposes, the settings main contact is likely to be a parent with whom the child lives on school days).

Pre-School staff must treat all parents equally, unless there is a court order limiting an individual’s exercise of parental responsibility. Individuals who have parental responsibility for, or care of a child have the same rights as natural parents, for example:

* To receive information, e.g. pupil updates.
* To participate in activities, e.g. charity events, parents evenings, (for trips outside the Pre-School where parents are invited, we will need consent from both parents.
* To be informed about meetings involving the child. This will depend on any court document restrictions or in cases that involve safeguarding concerns.
* Where a parent’s action, or proposed action, conflicts with the Pre-Schools’ ability to act in the child’s best interests, the Pre-School should try to resolve the problem with that parent but avoid becoming involved in conflict.

**Registering a child at our Pre-School**

Committee and management team should:

* Ask parents or guardians for the names and addresses of all parents when they register a child at the Pre-School.
* Ensure that names and addresses of all parents, where known, are included in the registration paperwork and child.
* Ensure that names and addresses of all parents are forwarded to any educational settings that the child currently attends or in the future.
* Ensure that details of court orders are noted in the child’s paperwork/ file.  
  where the address of a non-resident parent is unknown, tell the resident parent that the non-resident parent is entitled to be involved in their child’s education and ask that information is passed on to them.

**Obtaining consent**

When the Pre-School need parental consent to outings and activities, Manager/senior staff should seek the consent from the resident parent unless the decision is likely to have a long-term and significant impact on the child or the non-resident parent has requested to be asked for consent in all such cases.

In cases where the Pre-School considers it necessary to seek consent from both parents, it is possible that one gives consent and the other withholds it. When this happens, it is best to assume that parental consent has not been given. Such an approach safeguards the position of the Pre-School, ensuring that it is not exposed to any potential civil liability if, for example, the child is injured while on the Pre-School trip.

**Changing a surname**

A change of surname is a private law matter and should be resolved between parents. Where the parents have divorced, the Pre-School should ensure that the surname by which a child is known should not be changed without written evidence (independent of the parent seeking to make the change), that consent has been given by the ‘other parent’ or by anyone else who has parental responsibility.

**General requirements**

The Pre-School will try to be accommodating when parents need to bring in overnight bags for the other parent to collect with their child.

The Pre-School takes no responsibility for theft or damage of the bags or their contents. We ask that you inform us if there is medicine or electronic devises in the bag as these will need to be stored separately.

**Working with and respecting our Pre-School staff team**

* The Pre-School has a zero-tolerance stance on harassment or lack of respect towards our staff team.
* The Pre-Schools’ number one priority will be the care and protection of your child.
* The Pre-School will not be drawn into choosing sides.
* We will not allow a parent to speak about the other parent in ear shot of the child, where we feel it will paint the other parent in a negative light to the child.
* The Pre-School will only become involved in providing information or evidence to the court or a parent’s lawyer when given written requests from the parent’s lawyer or from the courts. We will not provide information on request by a parent.
* The Pre-School has the right to contact the authorities without consent if we feel the child is being abused in any way by either parent. This includes emotional abuse.

**If we feel that we are being put in the middle of a parent’s dispute and that any of the above criteria are happening in our setting, we reserve**  
**the right to terminate your child’s place at our Pre-School with immediate effect.**

**With regards to safeguarding, if Windmill pre-school feels there are any safeguarding concerns regarding your child(ren) we have a duty of care to report any concerns to our first response team.**

**Contact number- 01296 383962**

Email: cypfirstresponse@buckscc.gov.uk or secure-cypfirstresponse@buckscc.gov.uk

We also offer support for our families if needed, working closely with Buckinghamshire council family support service. Parent/carers can also refer themselves for support using the following link-:

[Get help from the Family Support Service | Family Information Service (buckinghamshire.gov.uk)](https://familyinfo.buckinghamshire.gov.uk/familysupport/get-help/)

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| This policy was adopted at a meeting of | Windmill Pre-school | name of setting |
| Held on | 23/6/2022 | (date) |
| Date to be reviewed | 23/6/2023 | (date) |
|  |  | |
| Name of signatory |  | |