

SEPARATED PARENTS – ACCESS TO A CHILD POLICY

Introduction and background to Policy

Research and experience have shown that separated parents can become particularly estranged, especially during the initial stages of the split. This is often very traumatic for any children concerned and unfortunately these personal family problems can have an impact on the Nursery the children attend.

This policy is an attempt to minimise any impact and to clarify to all parties what is expected from separated parents and what can be expected from the Nursery and its staff.

EYFS Key Themes and Commitments

A Unique Child	Positive Relationships	Enabling Environments	Learning and Development
----------------	------------------------	-----------------------	--------------------------

Characteristics of Effective Learning

Playing and Exploring Engagement	Active Learning Motivation	Creating and Thinking Critically - Thinking
----------------------------------	----------------------------	---

The definition of a parent for Nursery purposes is much wider than any other situation. The Education Act 1996 defines a parents 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 names in a Care Order;
- Any person who has care of a child i.e. a person with whom the child resides and
- who looks after the child irrespective of the relationship

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

- Appeal against admission decisions;
- Ofsted & Nursery based questionnaires;
- Participate in any exclusion procedure;
- Attend parent meetings / Nursery events;
- Have access to Nursery records and receive copies of Nursery reports, newsletters, invitations to Nursery events, Nursery photographs relating to their child and information about Nursery trips.

The Nursery Management recognise that while the parents of some children may be divorced or estranged, they are entitled to the above and this entitlement cannot be restricted without a specific court order. In particular, the Nursery does not have the power to act on the request of one parent to restrict another.

The information provided to the Nursery when the child was enrolling detailing whether parents have parental responsibility for the child will be presumed to be correct unless a court order or original birth certificate proving otherwise is provided to the Nursery. Similarly, the information provided on the address(es) where the child resides will be presumed to be correct unless a court order proving otherwise is provided to the Nursery.

At Hook Village Nursery, our sole wish is to promote the best interests of the child, working in partnership with all parents **unless otherwise directed by a court order.**

Upon receipt of any court order restricting access to a parent, the Nursery retains the right to consult the Local Authority before taking any immediate action. The Nursery is only obligated 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 Nursery. The Nursery also has no responsibility for enforcing any court order. In the event that the Nursery is not informed of the existence of such an order, neither parent will have rights superior to the other.

Parents are encouraged to resolve contact issues without involving the Nursery directly. The interests of the child will always be paramount when deciding whether to accommodate a request from an estranged parent.

Change in parent responsibility

- It is the responsibility of the parents to inform the Nursery when there is a change in family circumstances. The Nursery needs to be kept up to date with contact details, arrangements for collecting children and emergencies.
- We encourage parents to tell us at an early stage if there is a change in family circumstances. Whenever possible, staff will be informed of such changes so that suitable support can be offered. We will, however, recognise the sensitivity of some situations and maintain the level of confidentiality requested by parents as far as possible.
- General Nursery updates are sent to all parents and posted on the website and/or Facebook page. These updates will contain all the main events within the Nursery, including parties, sports days, parent's evenings, trips etc. Occasionally letters are sent to individual homes. We would expect parents to communicate these messages to each other as and when appropriate.
- We will hold one parents day appointment per child, where all parents are welcome. We would expect parents to communicate with each other regarding these arrangements, including the sharing of the Key file, if handed to parents for comments. The Nursery will only consider separate appointments if there is a court order in place restricting parents attending the same appointment.
- We expect that parents should liaise and communicate directly with each other in matters such as the ordering of Nursery photographs, tickets for outings and other instances. The Nursery will not deal individually with these requests in view of the significantly increased workload that they represent.

Progress reports and Child records

Any parent has the right to receive progress reports and review pupil records for their children. If the parents are separated or divorced, progress reports will be sent to the parent and address in the Nursery records specifying where the child resides with the expectation that he/she will share the report with the other parent. If the child is subject to a joint residence order and the Nursery records formally capture that the child resides at two addresses, then progress reports will be sent to both addresses.

The Nursery will send copies of the progress reports to a parent with whom the child does not reside only if that parent submits a written request.

Disagreements between parents must be resolved between the parents and cannot be resolved by the Nursery or Local Authority. In the event that the parents are unable to agree with one another on decisions regarding the child's educational programme, including but not limited to placement, participation in extracurricular activities, and consent to evaluation and services, the Nursery will arrange a meeting with all parents (preferably together or separately if required) to attempt to assist the parents to resolve the situation and if it cannot be resolved may refer the matter to the relevant department of the Local Authority.

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

- The Nursery Manager or Deputy will meet with the parent seeking to remove the child and, in his/her presence, telephone the parent to whom the child would normally be released and explain the request.
- If the parent to whom the child would normally be released agrees, the child may be released and the records will reflect that permission was granted orally.
- In the event that the parent to whom the child would normally be released to cannot be reached, the Nursery Manager or Deputy dealing with the issue may take a decision based upon all relevant information available to him/her.
- The Nursery Manager or Deputy may have to refuse permission if consent cannot be obtained.
- During the discussion or communication with parents, the child will be supervised by an appropriate member of Nursery 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 Nursery information via our usual process or alternatively request in writing additional copies of communications which are not available on the Nursery website (all parents are recommended to regularly use the Nursery's website and Facebook pages as they contain all back dated newsletters and has a range of information and links).

We will maintain our open door policy with all parents, and the keyperson for the child and/or Nursery Manager will be available by appointment to discuss any issues.

Procedures

During the registration process it is important for the Nursery to know full details about both parents. 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.

The Nursery requests that all details are logged on the child registration form. 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 fully support the child.

The Nursery 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 they are applicable to the Nursery's situation, provided the Nursery has seen a copy/has a copy attached to child's file.
- Provide information on the child's progress within the Nursery to both parents.
- Ensure any incident or accident within the Nursery relating to the child is reported to both parents as soon as possible.
- Ensure that all matters known by the staff pertaining to the family and the parent's separating shall remain confidential.
- Ensure that no member of staff takes sides within the separation and treats both parents equally and with due respect.



Signed on behalf of Hook Village Nursery
Chairperson

Updated October 2021