

## Separated Family NMS 5.1

We recognise that when parents separate it can be a difficult situation for all concerned. We understand that emotions may run high and this policy sets out how we will support the all parties when their child/ren and/or young person attends our provision, including our staff team.

### Parental Responsibility

While the law does not define in detail what parental responsibility is, the following list sets out some key features of someone holding parental responsibility. These include:

- Providing a home for the child
- Having contact with and living with the child
- Protecting and maintaining the child
- Disciplining the child
- Choosing and providing for the child's education
- Determining the religion of the child
- Agreeing to the child's medical treatment
- Naming the child and agreeing to any change of the child's name
- Accompanying the child outside the UK and agreeing to the child's emigration, should the issue arise
- Being responsible for the child's property
- Appointing a guardian for the child, if necessary
- Allowing confidential information about the child to be disclosed.

### Wales

If the parents 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 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. 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 1 December 2003)
- By a parental responsibility agreement with the mother
- By a parental responsibility order, made by a court.

### Registration

During the registration process we collect details about both parents including who has parental responsibility, as this will avoid any future difficult situations.

We request these details on the registration form of each child. If a parent does not have parental responsibility, or has a court order in place to prevent this, we must have a copy of this documentation for our records.

If a child is registered by one parent of a separated family, we request disclosure of all relevant details relating to the child and other parent such as court orders or injunctions. This will make sure we can support the child/ren, young person and family fully in accordance with the policy set out below.

### We will:

- Ensure the child's welfare is paramount at all times they are in the setting
- Comply with any details of a court order where applicable where we have seen a copy/have a copy attached to the child's file
- Make information available for both parents where both parents hold parental responsibility
- Invite both parents to engage in parental consultations and other events where both hold parental responsibility

- Ensure any incident or accident within the setting relating to the child is reported to the person collecting the child
- Ensure that all matters known by the staff pertaining to the family and the parent’s separation remain confidential
- Ensure that no member of staff takes sides regarding the separation and treats both parents equally and with due respect
- Not restrict access to any parent with parental responsibility unless a formal court order is in place. We respectfully ask that parents do not put us in this position.

**We ask parents 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 we can support your child
- Not involve any of our staff in any family disputes, unless this directly impacts on the service we provide for the child or young person
- Talk to the Children and Young People’s Development Officer in private via a more formal meeting or as an informal chat
- Not ask us to take sides in any dispute. We will only take the side of your child and this will require us to be neutral at all times.

This policy was adopted on 13.10.2025 and will be reviewed on or before 13.10.2026

Name and Position	Signed	Date
Kate O’Sullivan Community Association Manager	<i>Kate O'Sullivan</i>	13.10.2025
Olive Frances Vice Chair of Trustees	<i>Olive Frances</i>	13.10.2025