

# Parenting through separation

Putting your children first

SECOND EDITION



Introduction to this guide

Becoming a separated parent is not something you may have anticipated. It is challenging in so many ways and can be very daunting.

*Parenting through separation* provides access to information and support that will help you throughout your parenting journey, through separation, divorce and beyond.

It will help you make decisions and find solutions, consider better ways of communicating to reduce conflict and to understand things from your child’s point of view and your ex-partner’s point of view.

We can’t promise it has all the answers you seek, but we hope it will provide you with helpful information on how to find a constructive way forward. When parents learn to work together to support their children this leads to outcomes that are better not only for children but also for parents themselves.

The guide has been written in a way that you can pick it up and read ahead as far as you need. You don’t need to read it all at once. Dip into it as and when situations arise where you need support.

There is signposting to helpful organisations and guidance on the many confusing legal terms you might come across for the first time as you embark on this journey.

Most importantly, we want you to feel supported and understand that you are not alone.



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Who are Resolution and the Parenting After Parting Committee?

Resolution is group of family justice professionals – lawyers, mediators, financial advisers, therapists and coaches – who work with families and individuals to resolve issues in a constructive way.

Resolution was founded 40 years ago by a group of family lawyers who believed that a non-confrontational approach to family law issues would produce better outcomes for separating families and their children.

We are passionate about helping families to navigate the challenges of parenting in the wake of separation in the best way possible for their children. We know that divorce or separation can be very difficult. But, when parents learn to work together to support their children, this leads to outcomes that are better not only for children, but also for parents themselves.

Our vision is of a world where families facing difficult change are supported so they can achieve child-focused solutions and for conflict to be taken out of family law disputes.

The committee:

- Adele Ballantyne, Eleda Consultancy Limited
- Claire Colbert, Family Mediation and Mentoring LLP
- Edward Cooke, Edward Cooke Family Law
- Marc Etherington, Rayden Solicitors
- Natalie Drew, TLT LLP
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- Helen Robson, Caris Robson
- Marcie Shaoul, The Co-Parent Way
- Sarah Smith, Sarah Smith Mediation Services
- Justine Soper, JLS Solicitors
- Leanne Sutherland, Ben Hoare Bell LLP
- Michelle Truelove, Surrey Hills Solicitors

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## Sharing our stories

Two members of the Parenting after Parting Committee share their stories.

We are privileged to introduce this guide for parents who are separating. Bringing up children after separation is truly one of the hardest things. We want to share our stories with you in the hope that they might help you choose to keep persevering to bring up your children together as co-parents, even though you are no longer in a relationship together.

When couples separate it's usually a difficult process. When couples who have children separate, it's even harder. Both of us have divorced and both of us have children. Neither of us found it easy. We decided to write this together, not to say that one of us did it the right way and one of us did it the wrong way, but to empower you in your choice of how you work with your ex-partner to bring up your children.

We hope our honesty empowers you to think about your children at the front and centre of everything you do. Co-parenting may be the hardest but most important thing you will ever do for your children.



### Ruth's story

The first time I had to handover my son to his dad for the night he was just a baby.

It was summer. It was probably a Tuesday night. My son's father rang the doorbell to pick up our child to take him to his new flat for the first time. I answered the door and I felt sick. Our child was still so little. A baby. His dad stood on the doorstep. I clung onto our son. I didn't want this to happen. I didn't want to let go. I reluctantly passed him over the threshold and he began to scream. Scream like I have never heard him scream before. And I will never ever forget that screaming for as long as I live. It was like he knew that his whole life was going to change. As though he knew it was going to be harder for him in many ways. He was protesting. I could still hear him screaming down the street.

Something primal and fundamental had been severed from me. It was a pain I don't think I have ever fully healed from. A deep visceral pain that ran through my core.

Now it's 12 years on. So much has happened. I'm a co-parent coach for a start. Which must mean that somewhere along the way it must have turned out ok.

And yes, in many ways it has. We share our son, we communicate well. We even all get together with new partners and new children so we can surround our son with a safe parental bubble as often as possible.

I help parents who are separating get to a place where they can talk with each other, make decisions together, protect their child as parents together. All of this provides such a fundamentally important structure for the child to grow up in. It keeps them safe and teaches them that relationships may not be perfect, but they can still work. I also tell parents the truth. That this will be the hardest thing you ever do.

Co-parenting means that you will see your child less than you want to. And that's not easy. The thing that keeps me going is that I know, I deeply and fully know, that my son needs to be with his dad too.

### Jack (Ruth's son)

For me growing up with divorced parents has been difficult at times, but I wouldn't trade my family for the world. In my opinion it has changed me as a person greatly, in both positive and negative aspects. My parents split up when I was a baby. I travelled between my mum's and dad's houses at about a 70/30 split in terms of how much time I spend at each.

As for how I have been affected by my situation growing up? I have always been afraid of confrontation and while this is something I have been growing out of more recently I will always prefer talking things out calmly as opposed to arguing. I think that it isn't necessarily a negative thing but it does mean that I have some confidence issues.

However I will always be grateful for the constant support I have been given by my parents, the fact that they are able and willing to communicate with each other and me. The fact that they do this has helped me massively over the course of my life so far. I don't believe that I have two families, I have one big family which functions as any other family does and that is part of what makes me who I am today.



Nadia's story

When my son was 11 and my daughters were 10 and 8, their dad essentially disappeared for about 18 months, concentrating on a new relationship.

Everything fell apart. It was a mess and we all suffered. Probably my son suffered the most as he missed his father so much and he also tried to become 'man of the house'. Many years later, I now experience how the lack of communication between their parents and how not addressing my own emotional 'fallout' has affected my children in different ways. One constantly seeks approval from their father, whilst another has a very minimal relationship with him. In part this is probably because I didn't promote or even try to establish a positive relationship with their father, but partly because their dad just didn't try either.

With hindsight, I wish I had done things very differently. I wish that I had been supported by professionals adopting all or any of the approaches and suggestions set out in this guide. I wish that I had parented my children very differently when my own relationship fell apart and that I had been aware of the consequences and damage the conflict with my co-parent would have, even today, on my now adult children. My wish is that this guide will help others not to make the same mistakes, albeit unintentionally, that I did and that it will encourage those professionals working with separated parents to adopt a child-focused approach with their clients.

**Ben (Nadia's son)**

To be honest, it wasn't easy. I knew things weren't right before things came out in the open and the way that happened wasn't ideal: on loud speaker whilst mum was driving me and my sisters in the car with nowhere to escape. As the oldest I felt that I took on a load of responsibility immediately trying to stay strong for my two sisters and mum.

For a long time I thought that the break up was our fault. Mum said that it wasn't but we never properly sat down and talked about things and mum and dad certainly didn't sit down with us together to reassure us that this wasn't down to us. Dad has made comments subsequently that he feels the marriage broke down due to the stress of having children and even now, in my twenties, there is a part of me which reflects on this. It did often feel like it was a competition between my parents. Mum missed us when we were with dad and that made us feel guilty. She always looked so sad.

I'm really pleased to learn that there is an increasing focus on encouraging parents to reflect on how their behaviours and comments can affect their children. I would urge every parent to ensure that their child has a voice and let them know its ok to use it. I also think that it is vital for families to seek help and support, especially for the children. Children need answers, they need someone or some place where they can emotionally check in: a 'safe space'.



What I wish I knew back then

We spoke to Bob Greig who set up Only Dads / Only Mums to support parents who are struggling to make the best decisions for their family during separation and divorce.

I went through the family court route myself. Before court hearings I would be physically trembling. 'Just breathe' my solicitor would say. At that point in time, even that became difficult. I could hear myself, catching air, struggling, all a bit staggered. I stopped being able to do my job properly. I became increasingly isolated as I wouldn't / couldn't socialise anymore. Awful times.

There are three things I now know that I wish I had known back then.

1. Mediation works. If it hasn't worked for you, try again. And again if needed. Mediated settlements are better than family court judgments for every possible reason. It really is worth giving it every chance.

2. If you are feeling overly stressed, talk to your GP. Write down what is going on for you and tell them. Yes, that can feel embarrassing and put you out of your comfort zone. But do it all the same.
3. Discard all statements and advice from people who say 'all the judges are biased against dads' and 'men have no say in the outcome.' There's a deep seam of such views expressed online and by various groups. They are not helpful to you or your children.

Your most difficult task in the weeks and months ahead is to ensure everyone you meet – CAFCASS officers, social workers, solicitors, mediators, judges – understands that you love your children. Tell them

about the hours you have spent making them laugh out loud in the swimming pool, how you worked through boring long division until they understood it, how one day you want to climb Ben Nevis with them.

You're not fighting for your children, you're communicating for them. And in that task, I wish you and your family well.

Both these accounts show how difficult the court process can be. See pages 32-35 for the different ways to approach separation.

Simon's story

If I was facing this again, with what I know now, I would try to keep an open dialogue with my wife.

After the initial breakdown of the relationship overall communication was very civil in respect of arrangements for the children.

Things deteriorated when my wife got a new partner. Dialogue seemed to move quite quickly from a collaborative, centre ground to extremes. I felt that the children got lost in this. The impact of this on the children was a lack of routine and inconsistent contact.

Whilst my solicitor was very proactive, I felt that the process was too slow – children grow up quickly – too much back and forth with little progress only led to frustration and spiralling costs.

At times it felt like the system had no teeth and had a bias towards the mother who had parental control. I often wondered if this would have been the case should roles have been reversed. Court Orders when in place were ignored and there was little to no retrospective action.

Today I have contact with my daughter, but sadly not with my son.

The legal landscape is now changing, thankfully. If I was facing this again, with what I know now, I would try to keep an open dialogue with my wife. I would be pushing for one lawyer to act for both of us. Continue to keep the children front and centre of any arrangements and all conversations at all times.



# The end of the relationship – what does it feel like and what will happen now?

Deciding to end a relationship is a complex and difficult process and is not arrived at easily. Equally being told your relationship is at an end, is often a shocking and emotionally traumatic event.

It is common for those leaving and for those being left to experience similar feelings despite how it might look on the outside.

Depending on what has been happening in the relationship, and every couple's relationship is unique, the ending might feel inevitable and expected or a complete surprise.

Some might describe the initial event as if they were in or witnessing a car crash. Life speeds up and thoughts run away turning life upside down. Others might say it's like everything is in slow motion and they are devastated.

When a relationship is over, both people are pushed into a period of uncertainty and these feelings of confusion are entirely normal:

- "So, is it really over?"*
- "I can't believe it's over"*
- "I didn't see it coming"*
- "Why didn't you tell me you were this unhappy?"*
- "I'll do anything, let's just try again"*
- "I tried to tell you, you wouldn't listen"*
- "You know we haven't been happy"*
- "We've been arguing for ages, you just storm off"*

If you are leaving an abusive relationship see pages 38-39 for more help and guidance.

## The five stages of the loss cycle



Coming to terms with losing someone who you thought you would be with forever is one of the most difficult journeys a person can take. How long it takes to accept and move on depends on the individual.

Parents may often find it difficult to separate their relationship feelings from their parenting feelings and it is this clash that can get in the way of allowing an ongoing relationship with the children, for both parents.

So, let's talk about the two processes you will both have in common: loss and living with uncertainty.

### The Loss Cycle

Whether you have initiated the separation or not, you will both go through the process of loss.

It is the same process that you might go through if a loved one dies and it is common for one of you to be at a different stage to the other.

Imagine this, you are in a relationship, it's been good, then ok and now it's not working. You can't talk to each other,

you might feel unloved, criticised, disrespected, not wanted or needed, taken advantage of. Maybe you feel like something is going on but are afraid to ask. You've tried to talk but got nowhere. Sound familiar?

When issues like this occur in a relationship, if they are not resolved then each of you begins to exhibit different behaviours. Sometimes it's subtle, sometimes it's more obvious.

As one person begins to make their way through the five stages, the relationship may continue to deteriorate. After a time, there is often a catalyst that will enforce a major change. Commonly when this occurs the relationship has ended for one person. This parent is at stage 5 and accepts that for them, the relationship is now over.

Then comes the car crash for the other person and they begin their journey through the loss cycle.

Once this has happened everyone is thrown into a period of uncertainty.

Coming to terms with losing someone who you thought you would be with forever, is one of the most difficult journeys a person can take.



Identities are changing from couple to single, from parents together as a family unit, to one parent with the children and the other. Depending on circumstances and who decides to leave the family home, there are many questions that arise during this time:

- "Will we have to sell our home?"*
- "I haven't worked since we had children, how will we manage financially?"*
- "What will our friends and family think?"*
- "How much will divorce cost?"*
- "Will I cope on my own?"*

There seems to be so much to sort out both practically and emotionally and it comes at a time when at least one of you will be emotionally "all over the place", due to the loss you are experiencing. This can make decision-making seem impossible.

Who wants to agree with the practicalities of legal issues and more importantly organising the children when they are devastated, angry and confused by loss?

It can turn otherwise rational, clear-thinking parents into what appear to be stubborn and unreasonable people.

Being honest with yourself about the relationship while you are emotionally upset is, for many, extremely hard. It is important, when struggling to accept that a relationship is over, to get some help. There are many professionals out there who can help you on this journey.

Consulting with a therapist or divorce coach who has experience of helping separating couples will help. Try to choose a family solicitor who offers other forms of dispute resolution, that means they offer different ways of problem solving that don't involve going to court.



Visit the Resolution website for help finding a family justice professional committed to a non-confrontational approach.

Think about how the other parent may be feeling and put yourself in their shoes. Be prepared to discuss things at a pace that is comfortable for you both, which may be different and may change.

# What should my first steps be now that I have separated from my partner?



### When, what and how do we tell our children?

Telling the children that you are separating is a really hard thing to do.

Putting it off is natural and understandable.

Most children of separated parents say that they were told too late and that they were aware of something being wrong before their parents talked to them. This can feel really unsettling for children of all ages.

It's often better to tell your children something rather than nothing as you work out all the details of your separation.

You may feel that you want to have a complete plan worked out before you tell your children. Remember that it can take some time to agree a plan and it's not necessary to have all of the answers when you talk to your children.

Consider getting early help from a third party such as a mediator/ counsellor or a coach so you can make a plan for your children that will take into account the trust and conflict levels between you. When trust levels are low and conflict is high, it can feel difficult to talk together and reach agreements.

### Emotional first aid

One positive step that you can take in the early stages of separation is to get your mind ready for the road ahead.

Appreciating your own emotional journey and focusing on self-care from the outset will help you to ride the bumps and manage the conflict.

As mentioned earlier in the guide, you and your partner will start your emotional separation journey at different times and travel at different paces.

Family separation is tough. The ride can be bumpy and it will take some time to get things sorted out.

- Remember to be patient with yourself and to ask for help when you need it.
- Be realistic: life is going to feel upside down for a while.
- At the very beginning it is vital to ensure that you are taking necessary steps to make sure that you will be okay. If you feel steady and well-supported then you will be in a far better place to support the needs of your children as your family changes shape.
- Self-care is vital: on an aeroplane you are advised to put your own oxygen mask on before applying masks to your child/ren. The same principle applies to your separation.

### Why looking after yourself is important for your children

The emotional behaviour that occurs when a significant relationship breaks down is important.

There has been a great deal of research into how family separation impacts children and one clear message comes out of all of that research: children cope well if there is no long-term parental conflict.

### Understanding

This will influence how each of you is coping at any one point in time.

If you are coping better, then your children will cope better.

Remember to reach out for support when the emotions feel overwhelming. You can approach friends, family, therapists, divorce coaches and one of the many organisations that help separating couples.

See pages 32-35 for more about your separation options and the professionals who can help you.

### Is it possible to separate without conflict?

The short answer is 'no'.

When any significant personal relationship ends there will usually be some conflict.

Be realistic, aim to manage your side of the conflict, rather than to eradicate it.

The level of conflict you experience during your separation is likely to be affected by your personalities, your relationship dynamic and the circumstances of your separation.

### Trust

Trust is always bruised or damaged when a relationship ends.

There are three different types of trust:

- personal
- parental
- financial

One or all of these could potentially be impacted.

Trust can be broken in different ways. Imagine a vase. A vase could be broken into 5 pieces and stuck back together again or it could be smashed into a thousand tiny pieces which could not be re-built.

### Your separation support team – who should you gather around you and why?

Family separation is scary because there are lots of unknown parts to it. When things are unknown, we don't know how we will cope or respond to them.



Consider putting in place a team to support you: a legal adviser/ a financial adviser/ a mediator/ support from family and friends/ a therapist or coach. With a team in place you are likely to feel much stronger and prepared for the journey.

Ask for recommendations and seek out professional advisers who are a good fit for you and who will complement your aims and priorities for your separation journey. Resolution can help you find a law professional:



Visit the Resolution website for help finding a family justice professional.

Make sure you get information about all of your separation options. Spend time researching these options and share information with your separated partner.

TOP TIPS

- Remember: first aid matters.
- Try to take the time to learn about and understand the emotional separation journey.
- Consider building new rules for communication: parents who are in a relationship become parents who are not in a relationship and need to work out how this new relationship will operate.
- Try to remember that, for children, families change shape but they do not end.
- Be prepared to keep starting again ... and again ...

- Make parental communication a separate focus in your parenting plan.
- Try not to communicate through your children.
- Think carefully about the role model you want to be for your children at this challenging time.
- Endeavour to communicate about your children when they are not around; try to get into good habits if you can.
- Seek out local resources such as separated parenting courses/mediation/parenting coaching.



# How could things look if we get this right?

A good co-parenting relationship can really enhance a child’s life. It means your child will be held in a safe parental bubble and can grow up with a good attitude towards relationships.



When co-parents do well, their child can move between houses and families with the minimal amount of disruption. This means they have to adapt less each time they move and they are assured that things happen in a similar way at both houses.

### A co-parenting relationship is working well when:

- Your child transitions relatively easily from one house to the next.
- Your child is able to talk freely about their other parent in front of you without feeling judged.
- Your child is able to call you when they want even if they are with their other parent.
- Your child is able to move their things between houses because they are confident that they are their things and they have ownership of them.
- Your child knows what is happening on important days and times of the year like Christmas and is not made to choose between parents.
- You can both go to parents evenings and school shows and other significant events together and easily.

### A blended family is working well when:

- All parents can communicate with each other about the ‘original child’.
- Other siblings are respectfully talked about in both houses.
- You are able to meet occasionally as one big blended family unit, so the original child is able to have all their important people around them at the same time.
- You can recognise that a new step-parent can bring to your child skills and information that you don’t have and you can see that as a positive thing.



# Your new co-parenting role

Once you decide to separate, along with the many decisions you will both be making, there will be a big change in your parenting role.

### You are becoming co-parents

During your time together you will have fallen into specific roles within your household and this includes looking after your children.

Once you have separated, the difference in roles and parenting styles is often amplified and this can be a reason why arguments occur when you are trying to organise a routine for your children.

Learning to be co-parents is a new journey. It is not always easy and, like learning anything new, you won’t always get it right the first time. It is important to remember that everyone is adjusting to a new way of living. Try to be patient during this transition.

Taking time to think about what needs to happen at the beginning of your separation is time well spent. It might be easier if you seek professional help to understand how you can make the most of your initial plans for your children.

A professional can also help you to understand what your children need from you at this time. It might also be helpful to fill in a parenting plan together which looks at practical elements of parenting together as co-parents.

A good example of a parenting plan has been produced by NACCC in collaboration with Our Family Wizard and can be found at <https://naccc.org.uk/for-parents/parenting-plan>

### Short-term considerations

- What is a co-parent?
- What do I want to achieve as a co-parent when the children are with me?
- Keeping my relationship breakdown journey separate from my new co-parent journey.
- Building trust as a co-parent when trust in my adult relationship has been broken.
- Redefining the boundaries of the new co-parent relationship.
- Promoting a consistent and positive relationship between our children and both parents.
- How will my former partner and I communicate about the children?
- How can I help our children adjust to two homes with different rules in different homes?
- Achieving good handovers.
- Planning a destination: what will the future look like when I am co-parenting? What do I want my children to be saying about this in 10 years’ time?
- How will I make it ok for my children to spend time away from me?
- Special times, birthdays, Christmas etc, how do I make it fair?

### Long-term considerations

- Planning and attending important transitions, changing schools, university, graduation, weddings etc.
- Being clear about what happens when we get new partners?
- How can we be flexible within the boundaries of the new routine?
- How to negotiate when children get annoyed/upset with one of us.
- Working hard to prevent ‘yo-yoing’ between homes.
- Trying to be the best co-parents we can be.
- Ensuring and encouraging inclusion of grandparents and extended family in the lives of our children.
- Remembering the bigger picture, things will settle down.
- Being civil to each other in front of our children.

# Communicating with your co-parent

Separating is a journey not an event. Each parent will start their journey at a different time and travel a slightly different route in an emotionally different way.



Along the route you will face a rollercoaster of emotion: shock/denial/anger/bargaining/deep sadness/acceptance but not necessarily always in that order. These emotions represent a well-known emotional recovery journey.

During a family separation every parent and every child will experience these emotions in their own way and in their own time.

Family separation leads to a great deal of domestic, parental, social and financial reorganisation. You will need to have many conversations with your co-parent and with your children as life is reorganised. Sometimes it can feel overwhelmingly challenging to have these conversations, particularly early on in your separation journey. Every separation situation is different. The most likely factors that will influence your separation journey will be your relationship dynamic with your former partner and the way that your separation happens.

### Talking with your co-parent

The way your separation occurs might influence how easy or difficult it feels to communicate. Consider getting some early help and support you so that you can establish a way to communicate.

Explore using a mediator, a therapist, a coach or even a family friend whom you both respect and who you feel can be neutral.

Whatever your situation there will be things to plan and agree in the short term about your living arrangements and/or your children.

As you navigate your way through separation, it can be really helpful to try to imagine yourself wearing two different hats: your personal hat and your parental hat.

Try to make a conscious effort to put on your parenting hat when you are having conversations with your co-parent about the arrangements for your children.

### Make a communication plan

Think about making a simple parental communication plan to keep you steady in the early weeks and months whatever your separation situation. This should cover:

- What do you need/not need to communicate about as parents.
- What is the important information to share/rules might you want to agree in the short and medium term.
- How will you share important information (text/email/telephone/face to face/online communication tool).
- How will you deal with emergencies.
- How will you make a plan for the coming days, weeks, months.
- How will you behave towards each other in front of your children.
- When and where will you talk about your children and agree your parenting plan. Try to keep your conversations private from your children.
- Talking with your children about how things will change.

Understandably, many parents put off having this conversation with their children. It can feel overwhelming and sometimes parents choose to delay talking to their children as they feel that they do not yet have all of the answers.

Below is a traffic light system to give you some guidance as to what communication may be appropriate in your circumstances:

**Red (High conflict)** – there has been a breakdown in communication with your ex-partner and discussions at handover are likely to lead to an heated argument.

- It might be best to agree not to talk at all at handover, except for a hello or a goodbye. Your children will be watching, so please try and remain as respectful as possible.
- Instead you may want to consider using a “contact handover book” which you and your ex-partner can exchange at handover.
- The content of the handover book should be limited to you and your ex-partner providing information that will assist the other parent during that period they are caring for the children.
- You can also do the handover information via email. Remember to keep it focused on your children and not about aspects of your relationship.

**Amber (Conflict)** – you are able to talk with your ex-partner but only on limited issues because expanding the discussion may cause a disagreement.

- Limit conversations to topics that you would discuss if you were handing over your children to a childminder, ie only information they will need to look after the children during the forthcoming period. For example, explaining a child is unwell or explaining whether the children have eaten any food etc.

**Green (Positive co-parenting relationship)** – you are able to communicate effectively with your ex-partner.

- Communicate in a manner that you feel is appropriate and keep it child focused.
- If during your discussions, a topic of conversation arises that you feel is negative, may cause disagreement or is not best for the children to overhear, suggest to your ex-partner that it will be good to discuss this another time.
- Try to use the positive co-parenting relationship to demonstrate to your child that even after break-ups, relationships can still function effectively. Even though it might be difficult, being polite and respectful to the other parent will help your children to be comfortable as handover approaches.

The traffic light system by Marcie Shaoul, *The Co-Parent Way*

## Top tips for difficult conversations with your former partner/co-parent

- Keep in mind that you and your former partner/co-parent are likely to be in a different place on your emotional recovery journey which will play a large part in how easy or how difficult it feels to talk.
  - Choose your time to talk – not too early/late in the day/when you are tired, try to avoid distractions and aim to guarantee privacy especially from your children.
  - Choose your words carefully and avoid combative language – it will make a difference.
  - Acknowledge and take ownership of
- your own emotions.
  - Try to give the other parent notice that you want to talk so that you can both feel prepared and focus on one important issue for each of you at each meeting.
  - Plan what you want to communicate – writing it down or having an agenda can help you to get your thoughts in order and to make sure that you do not forget anything important.
  - Try to avoid having very long conversations. A good tip is to keep to an agreed amount of time.
  - Try to put yourself in the shoes of
- the other parent even when this feels really challenging.
  - Agree to take time out if either of you is becoming stressed.
  - If it is feeling difficult to stay calm, take a deep breath, stop and think before you respond.
  - Suggest taking a break from your conversations if this feels helpful to either of you.
  - Consider getting help from a counsellor/therapist/coach to support you to have your conversations and agree some ground rules.



# Communicating with your child

You will need to have many conversations with your children as life is reorganised. It is better if you can have joint conversations with your co-parent. These conversations need to be age-appropriate and reassuring.

**Top tips for your conversation with your children**

- If your situation allows, you should try to have a joint conversation when all of your children are present. Please keep this age appropriate. There is more specific information about this later in the guide.
- Keep your initial conversation short – there will be a limit to what your children can take in.
- Plan on a series of conversations including different follow-up conversations if your children are different ages/stages.
- Repeat your messages of reassurance often in the weeks and months that follow.
- Be mindful that your children’s reactions will depend upon their age, developmental stage and their individual personality.
- Plan carefully with your co-parent what you will say, when you will deliver your message and what you will do straight afterwards.
- Be mindful of your body language.
- Reassure your children that it is okay to feel sad or scared and showing emotion is good. They can always talk to either of you and ask questions.
- Remember that you are a role model and your children are watching how you manage this situation. If they see that you are still their parents, making decisions together about them, then they will cope better.
- Get help from a mediator/parenting coach/therapist, if it feels difficult to make a plan together.

Divorce is a grown-up problem that you cannot change.

Some suggestions of things that you could say to your children

We are both your parents and nothing can change that.

Our feelings for each other have changed but we will never stop loving you.

We seem to have a problem that we just cannot work out.

We know this will be hard for you and we are sorry.

We have made our decision and we will not change our minds.

You are allowed to love both of us.

It is okay to feel sad about this.

What has happened is not your fault – you did not cause this.

Our family will look different but we will still be a family.

We will both continue to be a big part of your life.

We will try not to ask you to take sides.

We loved you when you were born and we love you now. Nothing can change that.

You will find this painful and difficult now but you will feel better again.

We have not yet sorted out all of the details of how our family life is going to look, but when we know we promise that we will share this with you.



# Listening to your child

Separation and divorce is a traumatic time for you and your children. Sometimes the behaviour displayed by your children may mirror your own. Your children may seem upset, angry or quieter than usual, or they might need you to listen so you can understand just what’s going on in their head.

Why should you listen to your children?

- Because it’s the one thing they tell professionals that their parents don’t do very well.
- You can be clear what is going on, rather than guessing.
- It tells children that as parents, you are emotionally available for them.
- Children feel like they “matter” when you listen to them.
- They are trying to adjust to a new situation, and might just need you to listen to them whilst they figure it out.



Skills for good listening

- Try to be calm.
- Pick a time when you can fully listen. If you are busy, explain to your child that you want to listen and suggest a good time. Don’t forget to prioritise this, make it happen.
- Try not to interrupt, if more than one person is speaking it is harder to fully listen.
- Be curious rather than knowing by asking open questions, What? Where? Why? How? Who?
- Allow emotions to happen, don’t try to fix it or make things better.
- Listen, check for meaning, validate, empathise, reply:  
*“So what I heard you say was ... is that right?”*  
*“I can see you are upset/angry/frustrated by that.”*  
*“I am sorry you are upset etc, thank you for telling me.”*  
*“Is there anything I can do to help?”*
- If things get heated, take a time out:  
*“I’m feeling upset/angry right now. I would like to have time out so I can calm down. I will need 10 minutes (or however long you think you need). I will be back in 10 minutes to try again.”*
- Listen carefully and clarify what words mean by asking questions. We all interpret words differently.
- Try not to guess what the conversation is about or how it will end. Try to be curious rather than knowing.
- Try not to worry about giving an answer immediately. If you don’t know or need time to think then say so. It’s ok to say:  
*“I don’t know at the moment. I will try to find out and let you know when I do.”*
- Listening to your children doesn’t mean you are going to agree or do what they ask you. It does however let them know that you have heard them and their view is important.

The FJYPB Top Tips on pages 22-23 are from children and young people with experience of family law proceedings to help parents think about matters from their child’s perspective.



# Communication at handover

The handover can be one of the most important events that takes place post-separation. It is one of the occasions where you, your ex-partner and the children all come together. If communication during handover is mishandled it can cause harm to separated parents, extended family and children.

### I don't want to go!

For many children, at some point, there may come a, "I don't want to go" or "it's boring at mum's/dad's" situation.

The response often given to children regardless of age is "you don't have to go if you don't want to" and often parents will say to professionals, "I'm not forcing them to go."

If you find yourself in this scenario then it is important to consider the following.

- Your children are trying to work their way through an unknown situation.
  - They may be struggling to come to terms with a new home, routine and fraught parents.
  - They may be fearful about the future.
  - However, mature/grown up your children seem to be, they cannot possibly understand the dynamics of your adult relationship breakdown. Giving them the details will upset them.
  - Ultimately, children are "parent pleasers" and if they feel that you are angry/upset with their other parent they might change their behaviour and what they say, in order to make everything ok. Children may say what they think you want to hear. Look at what they are saying and not saying.
  - Children are brilliant at reading their parents' body language but may misunderstand what that means for them. For example, you might be angry/upset with your former partner, and your children may read that as, "if daddy doesn't like mummy then maybe if I go to see mummy, daddy won't like me."
  - The behaviour children often display, particularly distressed behaviour, is often for the benefit of the parent they are leaving. Quite often, once with the other parent and out of your view, a child will be calm, happy and delighted to be with that parent.
- When it is safe to do so, a relationship with both parents is hugely beneficial. Children can cope with differing parenting styles and different rules in each of their homes. They become settled in new routines as long as:
- Both parents make it ok for children to spend as much time as they can with their parents. That means putting aside your adult relationship breakdown emotions for the long-term, emotional benefit of your children.

- Try to make the decision to spend time with their other parent non-negotiable. As parents, sometimes our children have to do things they don't want to, or ask for things they cannot have. They will react less if you can be positive and happy for them to spend time with the other parent.
- Be confident that whatever behaviour you see in the short-term will be gone once they are out of view. Children can go from laughter to tears and back again in a very short time.
- Start as you mean to go on. Just because your adult relationship has ended, your children's relationship with their parents endures. Be the best parent you can be.
- If you appear sure, confident and assertive then your children will 'read' this in your body language and so will feel sure, confident, and able to leave you to have time in their other home with their other parent.
- Remember that your children will need patience, reassurance and time to adjust to this new way of being co-parented. Try to stay calm and positive during this time.



Top Tips	Do	Do not
<p><b>What to try and not to try when it comes to communication at handover</b></p> <p>Your children are watching and learning from you so be mindful of that. What we are teaching our children is how we behave towards other people.</p>	<ul style="list-style-type: none"><li>• Try to be polite, courteous and respectful to your ex-partner. This will help create a positive atmosphere.</li><li>• Try to smile and be relaxed at handover. Your body language and expressions will be picked up by your ex-partner and the children.</li><li>• When your children want to tell you about all the positive things they did with their other parent try to take an interest but not interrogate.</li><li>• Try and remain calm if the other parent makes a comment that upsets you. Don't react. Address this separately with your ex-partner when the children are not present.</li></ul>	<ul style="list-style-type: none"><li>• Try not to be critical about the other parent directly to them, in front of the children and/or within earshot.</li><li>• Try not to initiate a conversation with your children about their time with the other parent. Allow the children to take the lead on this when they feel comfortable.</li><li>• Try not to raise a topic with your ex-partner that you know will lead to a disagreement or conflict.</li><li>• Try not to lose sight that handover should always be child focused.</li></ul>



# Decision-making with your child: the child's voice

One of the hardest things to navigate is knowing when it is appropriate to bring your child's voice into decision-making and when to keep them secure by making decisions as their parents. A child often notices and understands much more than we think or realise.

Even though you are no longer an 'intact' family, you are still a family unit. You are your children's parents and you are taking decisions that will put their best interests at heart.

## Understanding the new perspective

The first thing we need to understand is the change in the way the relationships happen in your new family unit. You've moved from parenting your child as two parents in a loving relationship to being two parents who are no longer in a relationship, not living together, and sometimes not liking each other. It's from that new place that you have to find a way to parent your children. You may be noticing that your behaviour is changing and that your co-parent's behaviour is changing. This can make it really hard for you to make decisions and even harder to make them with someone else about the most important person in the world to you: your child.

## Decision-making with my child

It's really important to remember that your parenting decisions create necessary boundaries for your children. These boundaries provide the structure in which your children grow up and flourish. When these structures are not secure, that is when children can run into behavioural difficulties and struggle emotionally. The voice of the child is all about including your children, where appropriate, in some of the decisions that you will take whilst you are establishing your "new normal" and beyond.

It's hard to know when to include children in the decisions. It's certainly not ok to include them or exclude them all the time as this can make them feel overly responsible or left out.

The traffic light system can also be used for children, usually appropriate from the age of 5 and up.

- **Red** – for really big decisions. These may include – where do they live, what school do they go to, how do we divide their time between us?
- **Amber** – for significant but not critical decisions. For example, how much screen time should they have, how often do they need to do homework, what time should they go to bed?
- **Green** – for simpler decisions. These may include which friends do they want to see, what food should we feed them?

It's really important that your child has a voice in your decision making, particularly in the green and amber areas. A child needs to feel heard when their parents are separating and not having a voice can feel very stifling and can end up making them feel insignificant.



## Red decisions

Red decisions are where most of your parental and child contact structure will come into play. It might be about where your children spend Christmas and holidays and significant dates, or how many days a week your child spends with each of you. These are decisions that are important for you to make with your co-parent. The tip here is to make it fair. So if your children spend Christmas with one parent, perhaps they can spend New Year with the other, and then swap it around next year. Children often have a very strong value of being fair to both their parents and to ask them to choose where they want to spend a significant time, can be the same as asking them to choose which parent they like best. It's not nice. Don't do it.



## Amber decisions

With amber decisions there is more flexibility built in. Here your child can really have a say and feel respected and heard as you take their view into account. In an ideal world, sit down with your child and your co-parent and bring the topic to the table. Perhaps you're going to talk about bedtimes, screen time and boundaries around homework. A really simple technique to use is called a 'Thinking Round'.<sup>1</sup> Each of you take turns to give your opinion and ideas and thoughts on the subject without being interrupted by anyone else, and then move around to each person in the same way. Everyone should have the same amount of time and the rule is no interruption. This way, everyone gets their voice heard and everyone is really listening. When you've done that, have a discussion about what the decisions should be based on what you've heard. Your child will feel loved and respected and as they have been involved in the decision-making process and they are more likely to stick to the boundaries that you have set together.



## Green decisions

For green decisions there is no reason why these can't be child-led. Agreeing with your co-parent which decisions should be child-led is a really good way of enabling your child to feel empowered in a situation that can be very disempowering for them. And if you and your co-parent can agree on which decisions you are happy for your child to take the lead on, then it can be really nice to watch together as your child learns the art of decision-making.



## When not to involve my child?

When a decision can be contentious, or there is going to be high emotions surrounding it, then that's the time not to involve your child. It's much better for your child's emotional wellbeing if you are able to present a united front wherever possible as it tells your child that you are communicating, that you can still be parents together even though you're not together. That's the job your child needs you to do. If you're finding it difficult to make a decision or to talk about a decision, try to see things very truthfully from your co-parent's point of view. Remember they too love your child. If it's still hard to resolve, seek the help of a co-parenting coach, mediator or family therapist.

## What about separation decisions?

There has been a great deal of research about the impact of separation on children. One key point established is the importance of listening to a child's wishes and feelings to enable them to be heard in decisions that are going to impact them. There is a clear difference between being heard and putting the responsibility of a decision on a child's shoulders. Letting a child (of an appropriate age) know that their parents would like to hear their view, whilst making it clear that it will still be up to both parents to make any decision together, can be a useful tool in empowering a child. This needs to be done carefully to make sure a child does not feel they are ever being asked to pick between parents.

When talking to your child, share important, reassuring information in an age-appropriate way.

## A note on ages

**The younger your child, the harder it is to work with the structure opposite, because naturally it is not appropriate for small children to be making big decisions. However, starting early with small decisions that have very little impact is a really good way to open up ways of talking and negotiating that will help them to be involved with decisions about their lives as they grow older.**



# TOP TIPS

for parents who are separated



The FJYPB members are children and young people with experience of family law proceedings. They have devised these top tips for parents to help them think about matters from their child’s perspective.

‘LISTEN TO YOUR CHILD’

You can find out more about the FJYPB at [cafcass.gov.uk](http://cafcass.gov.uk)

- 1
  - Remember I have the right to see both of my parents as long as it is safe for me.
- 2
  - I can have a relationship with the partner of my other parent without this changing my love for you.
- 3
  - Try to have good communication with my other parent because it will help me. Speak to them nicely.
- 4
  - Keep my other parent updated about my needs and what is happening for me. I might need their help too.
- 5
  - Don't say bad things about my other parent, especially if I can hear. Remember I can often overhear your conversations or see your social media comments.
- 6
  - Remember it is ok for me to love and have a relationship with my other parent.
- 7
  - Don't make me feel guilty about spending time with my other parent.
- 8
  - Don't make permanent decisions about my life based on how you feel at the moment. Think about how I feel now and how I might feel in the future. My wishes might change.
- 9
  - Be open to change, be flexible and compromise when agreeing arrangements for me.
- 10
  - Its ok with me if my parents don't do things exactly the same. You are both different and that's alright with me.

- 11
  - Don't be possessive over me and the things that belong to me. Make it easy for me to take the things I need when I spend time with my other parent, such as school work, PE kits, clothes, books, games, phone etc. Let me choose what I want to take with me.
- 12
  - Keep me informed about any changes to my arrangements.
- 13
  - Try not to feel hurt if I choose to spend time with my friends instead of seeing you. I am growing up!
- 14
  - Remember that important dates (birthdays, celebrations, parents evening, sports day etc) are special to you, me and my other parent. I may want to share my time on those dates with each of you.
- 15
  - Work out between you and my other parent who is responsible for the extra things I need, such as new school shoes and uniform, school trips, dinner money and the cost of my hobbies or after school activities. I don't want to be involved in this.
- 16
  - Remember that I don't expect you or my other parent to be perfect, so I don't want you to expect my other parent to be perfect either. Accept mistakes and move on.
- 17
  - Make sure I am not left out of key family events. Please compromise with my other parent so I can join in.
- 18
  - Please don't stop me having contact with extended family members who are important to me. Ask me how I feel about them. Don't assume my feelings are the same as yours.
- 19
  - Don't use me as a messenger between you and my other parent.
- 20
  - Don't use my relationship with my other parent against me, or them.
- 21
  - Don't ask me to lie to my other parent or other family members.
- 22
  - Don't ask me to lie to professionals, or to say what you want me to say.
- 23
  - Don't make me scared to say what I think about my arrangements for fear of being told off or treated badly by you if you don't agree.
- 24
  - Remember that I might want something different to my brother or sister.
- 25
  - Don't worry about how others see you or what they think. I am what matters.



# Your child's emotions and reactions

As a parent managing these reactions from your child can be difficult and it is important that you reduce the stress of separation for children as much as possible as this can have physical, psychological and emotional consequences.



## Children's reactions to separation

Children, like the adults involved, will have an emotional reaction to the separation of their parents. Their experience may depend upon their age and personality and can also be affected by the way in which their parents decide to deal with the separation.

### Some common experiences and feelings for children include:

**Denial** – Changes to their parenting and family structure may feel overwhelming and children can avoid accepting this by pretending it is not happening. This can include not telling people, changing the subject, making excuses and attempting to reconcile parents.

**Anger** – A child might test the limits and rules and there may be more emotional outburst and disrespect. There can be blame and temper tantrums and often unkind things are said that are not meant.

**Bargaining/trying to save the family** – Children often feel very responsible for their parents separating and will make promises to be good or to become the perfect child in the hope that this brings the family back together. Sometimes they can create physical symptoms and illnesses to seek attention, or misbehave in the hope that their illness or bad behaviour will force a reconciliation.

**Despair and sadness** – Children may withdraw from family and friends. Their concentration may be affected and they may have trouble sleeping. Children can become tearful, agitated and have a change in their school performance.

**Children may also feel guilt, jealousy, rejection, isolation, have a crisis of identity and feel powerless.** There may be frustration, confusion and anxiety along with fear and shock. Some children may feel relieved, calm and hopeful. These feelings can be different child to child and between siblings and they can move between different stages at different times.

These feelings may be different to your own. It is really important to listen to your child and hear what is going on for them where possible. Be honest that you're not going to get back together and tell them that you both love them and will always love them even though you are not together anymore.

How quickly a child may adjust will depend on the level of conflict, their parents' ability to adjust and the support they get from their parents. This will also be impacted by their personality, age, gender and stage of development.

## General ways to help

- Listening (active listening). Follow up on conversations and provide a constant channel of communication. Don't force a child to talk if they are not ready. Really focus on what your child is saying. Being fully present and not distracted can really help them feel heard.
- Provide comfort, stable, calm and consistent parenting.
- Focus on the needs of the child and respond to those needs.
- Minimise exposure the child may have to any conflict there may be between you and your former partner. Make sure you maintain boundaries around adult issues, keeping your issues separate. In other words, don't talk to your child about your ex-partner's behaviour.
- Provide space to the other parent to enable quality time with the child with both parents, where appropriate. Do not try to influence a child, however strongly you may feel.
- Acknowledge the child's feelings are normal. Ensure they have a safe space to express how they are feeling. Try not to judge or criticise their feelings even if they may be different to your own. Try to understand things from their perspective and discuss healthy ways for them to deal with the feelings they may be processing.
- Try to keep routines and consistent predictable arrangements for them.
- Make it clear that it is not their fault.
- Acknowledge how they may be feeling and that it is okay to feel sad or angry. Work to develop positive coping strategies and healthy ways to deal with this and talk about it.
- Let them know that they are not responsible for making decisions.
- Let them know they are not responsible for the break-up.
- Let them know that they are loved by both parents and leaving each other does not mean either of you will be leaving them. Let them know that the love that you have for them will last forever and that they do not need to take sides. This may need to be said more than once.
- Allow them to spend time with siblings and extended family.
- Help them access other help or support when needed (see resources at pages 42-43)
- Be aware of taking them on too much responsibility or trying to be an adult. Allow them to be children.
- Be honest with age appropriate information but not giving details of why you are separating or the financial issues.

There will be a period of acceptance and adaptation and then resolution. This can take many months and much longer than it takes parents to come to these stages.



# How children can react to separation and how to help them

## Common age-related responses

Age	Possible behaviours	Ways to help
Newborn to 2 years old	<ul style="list-style-type: none"><li>• Crying</li><li>• Clingy behaviour, may reject one parent after a period of separation</li><li>• Regression to earlier stages</li><li>• Feeding issues</li></ul>	<ul style="list-style-type: none"><li>• Be consistent with care and routines</li><li>• Be calm and patient</li></ul>
2 to 5 years old	<ul style="list-style-type: none"><li>• Tearfulness</li><li>• Regression to baby-like behaviour</li><li>• Clinginess to adults or toys</li><li>• Temper tantrums</li><li>• Bedwetting</li><li>• Aggression and defiant behaviour</li><li>• Attention-seeking behaviour</li><li>• Sleep issues</li><li>• Made up pains and ailments</li><li>• Lethargy or hyperactivity</li><li>• Strong desire for reconciliation</li><li>• Blaming themselves and worrying about being abandoned</li></ul>	<ul style="list-style-type: none"><li>• Reassure them they are loved and it is not their fault</li><li>• Be present</li><li>• Maintain routines, especially bedtime</li><li>• Be calm and consistent</li><li>• Talk to nursery/care provider</li><li>• Avoid being angry</li></ul>
5 to 8 years old	<ul style="list-style-type: none"><li>• Concerns and conflict about taking sides and loyalty/disloyalty to parent</li><li>• Concern about other parent</li><li>• Behaving younger than they are</li><li>• Feeling guilt that it's their fault</li><li>• Tearful</li><li>• Being very "grown up"</li><li>• Feeling rejected and lost</li><li>• Lack of concentration</li><li>• Withdrawal</li><li>• Attention-seeking behaviour</li><li>• Bedwetting</li><li>• Appearing to be coping and composed</li></ul>	<ul style="list-style-type: none"><li>• Explain issues in age appropriate ways</li><li>• Provide reassurance that they are loved and it is not their fault</li><li>• Be calm and consistent</li><li>• Listen</li><li>• Talk to school about the situation and any changes to it</li><li>• Let them know it is ok to be upset</li></ul>

Age	Possible behaviours	Ways to help
9 to 12 years old	<ul style="list-style-type: none"><li>• Taking sides</li><li>• Acting as a carer/adult to parent</li><li>• Attempting to replace absent parent</li><li>• Depression or withdrawal</li><li>• Aggression</li><li>• Premature adolescence</li><li>• Emotional</li><li>• Preoccupied with own bitterness and humiliation</li><li>• Profound feeling of loss, helplessness or loneliness</li><li>• Anxiety for future</li></ul>	<ul style="list-style-type: none"><li>• Avoid conflict in front of child</li><li>• Provide reassurance and comfort</li><li>• Talk to school</li><li>• Be positive about other parent</li><li>• Encourage friendships</li></ul>
13 to 18 years old	<ul style="list-style-type: none"><li>• As with 9 to 12 year olds along with</li><li>• Distancing self and avoiding own feelings</li><li>• Shame/contempt towards parent/s</li><li>• Premature independence</li><li>• Discipline issues, rude and antisocial behaviour</li><li>• Anger and arrogance</li><li>• Physical ailments and fatigue</li><li>• Issues with school work</li><li>• Feeling increased responsibility for younger siblings</li><li>• Anxieties about future</li><li>• Fears about forming their own relationships</li><li>• Worries about money</li></ul>	<ul style="list-style-type: none"><li>• Provide time and space to talk</li><li>• Don't rely on them for support for you</li><li>• Encourage friendships at both homes</li><li>• Set clear boundaries of appropriate behaviour and set appropriate consequences</li><li>• Talk to school</li></ul>
Over 18 years old	<ul style="list-style-type: none"><li>• Confidence loss</li><li>• Impact on own adult relationships and view of relationships</li></ul>	<ul style="list-style-type: none"><li>• Be honest</li><li>• Explain all relationships are different</li><li>• Listen to their opinion. They are a young adult now</li></ul>



# Extended family

In many families, children enjoy a valuable and close relationship with extended members of their family including grandparents, aunts, uncles and cousins. These close and special relationships can be invaluable in helping your children cope with the trauma of your separation. They may also form an integral part of your child’s support system, something that you should hopefully wish to maintain.

Even if you do not regard your child’s relationship with their extended family members as particularly close, it has generally been shown that children benefit from being encouraged to maintain links with their extended family. It is important that these precious and unique links are not permitted to suffer just because the relationship between the child’s parents has broken down.

Undoubtedly you may find it difficult and perhaps uncomfortable, at least in the early days, to spend time with or encourage a relationship with your ex partner’s wider family, and this is something that you can perhaps address as a topic with your ex who may well feel exactly the same. Addressing how to use extended family as a support network for your child can be overlooked. In addition, expressing to wider family the importance of encouraging positive behaviour towards the other parent when they refer to them or when they are with the children is vital. If you are endeavouring to maintain a positive relationship with your ex, then this should be communicated to your family and friends so that they also endeavour to adopt a similar positive approach – there is nothing to stop both parents from reinforcing with their close family and friends that however well intended it may be, negative talk about their co-parent will not be tolerated, but especially when the children are present or can overhear. Family and friends will hopefully be encouraged by, and want to support, the positive parenting relationship that you are seeking to adopt.

It could be that maintaining relationships with extended family will require a degree of selflessness on your part, often eating into your ‘time’ with the child(ren). Just remember, the importance of the extended family relationships to your children does not lessen because you have separated. These relationships for your children and the support that extended family provide can be hidden or taken for granted until it is removed and this can have a very negative result for children. Grandparents and other wider family members can play understated roles as confidants and influencers, encouraging children to develop an understanding of respectful relationships. Reducing the time with these family members or even ignoring them altogether because of your own relationship with them, can sadly perpetrate a cycle of negativity which will ultimately be detrimental to everybody and especially a child.

“When my mum and dad separated I wasn’t able to see my uncle and cousins. It felt like losing several family members all at once.”



# Important decisions for separating parents

Making the decision to separate or divorce is understandably one of the most monumental and emotional decisions that a parent will make, whether it is by mutual agreement or otherwise. It represents only the first step in the separated parents’ co-parenting journey and, at that early stage, it is difficult to know which aspects of co-parenting will be capable of agreement or those that will lead to conflict.

- Examples of the types of issues that can lead to conflict between separating parents include:
- Initial issues**
    - How and when to talk to the child(ren) about separation and divorce
    - Arguments about the financial aspects of separation and divorce
  - Education**
    - Choice of school – disagreement about what is best for the child
    - Cost of childcare or school fees
    - Location
    - Arrangements for preschool childcare and type of setting (ie nursery, nanny, childminder)
    - Involvement with or attendance by the parents at nursery/school
    - Decisions about extra educational support for children
    - Completion of homework, reading or other schoolwork
  - Living and contact arrangements**
    - Future living arrangements including whether one or both parents move out of the family home and, if so, to where they will relocate
    - Arrangements for the child(ren) to spend time with each parent
    - Issues with handovers
    - Telephone or video contact with the other parent during contact
    - The movement of toys/clothes/possessions between both homes
    - Spending time with grandparents and wider family
  - Social**
    - Enrolment in extra-curricular activities
    - Child’s attendance at birthday parties and playdates
  - Parenting**
    - Differing parenting styles and practices including rules about homework, eating, sleeping arrangements or discipline
    - Sharing of important information with each other
  - Medical care or therapeutic support**
    - Decisions about therapeutic or psychiatric support for children
    - Arrangements for emergencies
    - Sharing information about injuries, illness or medical issues
    - Vaccinations
    - Attendance at appointments
  - Religion or culture**
    - Observance of religion or other cultural issues
    - Pressure from wider family to observe religion or culture
  - Holidays and special days**
    - Arrangements for holidays
    - Taking children abroad
    - Arrangements for safe-keeping and sharing of child’s passport
    - Religious holidays
    - Arrangements for child’s birthday
    - Birthdays of extended family



# The future and changes that might happen along the way

Most families experience changes and events along the parenting journey that may pose challenges and, sometimes, difficulties. While some of these changes may happen soon after separation, on other occasions such events only arise some years after separation or divorce.

It is impossible to list every one of these possible changes, as every family is different. However, when these situations arise, it is really important that parents can work together to agree how best to manage these changes and transitions in a way that is always sensitive to their children's needs and best interests.

Some of the most common life events that can occur after separation and divorce include:

- **Moving house**

Sometimes people move home upon separation or divorce however, there are also many occasions where this may not take place for some years. It is vital to plan moves carefully, as there are often issues that parents need to agree on, such as where the children go to school or issues relating to a child's health and welfare. Even more careful consideration needs to be given to matters where it is proposed that one parent moves abroad with the children.

In this situation, if you are unable to directly agree all of these issues with the other parent, the best approach is to seek support from a family law professional such as a family consultant, family mediator or family lawyer. Many families face this sort of transition at some point. Most are able to navigate such changes themselves without needing support but, where you find this is not possible, do not be afraid to seek appropriate professional help.

- **New partners**

Life does change in many ways after separation. While you may not envisage meeting someone else when you are going through a separation, it is likely that, at some point, either you or your ex-partner will start a new relationship.

Managing the introduction of a new partner needs to be handled in a sensitive and very carefully considered way, factoring in how the children are likely to cope with such a transition. Rather than rushing ahead with this, it is far better that you try to agree how to do this with the other parent before you introduce a new partner to the children.

Bear in mind, too, that sometimes children need more time than you before such an introduction is made. Your new partner may also have children and you need to consider how this might be managed. Your own child's age may also be relevant, as an older child may have his or her own view on the situation that needs to be factored into the matrix.

The best advice is to seek to agree a plan of action with the other parent, as not involving them may lead to bad feelings

as well as a breakdown in trust. If the other parent is seeking to introduce their partner, do try to keep an open mind. A meeting between both parents and a new partner can be helpful, as very often mistrust and suspicion may be rooted in past conflict rather than in a realistic assessment of the likely impact of introducing the new person to the children.

- **Step-parenting and "blended families"**

The 21st-century family comes in all shapes and sizes. Many children now experience the separation of their parents at some point in their childhood. Similarly, parents form new relationships and children will have step-parents or live-in "blended families", ie families where there are children who come from earlier relationships.

Being a step-parent can seem very daunting at first, but there are lots of helpful online resources, such as

[www.beingasteppeparent.co.uk](http://www.beingasteppeparent.co.uk)

[www.familylives.org.uk](http://www.familylives.org.uk)

There will of course be challenges. The scale of these as a step-parent varies, depending on family background, the children's ages and everyone's past experiences.

Step-parents need patience, understanding, clear boundaries and empathy. If you are already a parent, these are skills you already possess.

Although the notion of the "blended family" has only entered the English language in recent years, it is much more common than you might think and parents can access plenty of advice and support. Sometimes, blending children into the family unit who come from differing backgrounds and experiences can be challenging. If you do need assistance, there are therapists and co-parent coaches who can help.

The British Association for Counselling and Psychotherapy (BACP) and the Association for Family Therapy and Systemic Practice (AFT) both have directories to find a therapist near you.

It may also be the case that, at some point, your child or children might benefit from their own therapeutic support, so that they can have a "private space" to talk through any matters that might be worrying them.



- **Children growing up and changing phases**

While some of the changes will only affect some families, there is one inevitable thing about parenting: your child or children will grow up. Whether this comes in the shape of moving school, going through puberty, undertaking exams or moving to college or university, this will affect all children. It will require ongoing communication and cooperation between their parents.

The fact that children do grow up and that on many occasions the family dynamic shifts means that it is all the more important that parents can establish a relationship of trust and respect as soon as possible when they separate. This can sometimes take longer to build for some more than it does for others, but, in most instances, it is possible.

Every family is different, and separated parents have many ways of communicating. Some separated parents meet up less frequently or not at all, but still communicate and agree matters well, either online or via phone. Others do get together from time to time, for example to mark a child's birthday, graduation or other special occasion.

Ultimately, the one sure thing is that one day your child will be an adult. They are likely to form their own relationship, have a child and/or marry. These may well be events that link you as parents well beyond the point where your child grows up, so how you manage your parenting journey has an impact that is undoubtedly long-lasting.



# We can't agree and need help

Even though you have decided to separate, you are still both parents. Children can cope well through a separation if their parents manage it well, find ways to reduce conflict and maintain good quality contact with the whole family.



Trying to keep a good co-parenting relationship can take hard work and effort by both parents. There are ways to seek help from outside professionals and at the end of this guide there is information and a list of resources that can assist you in doing this.

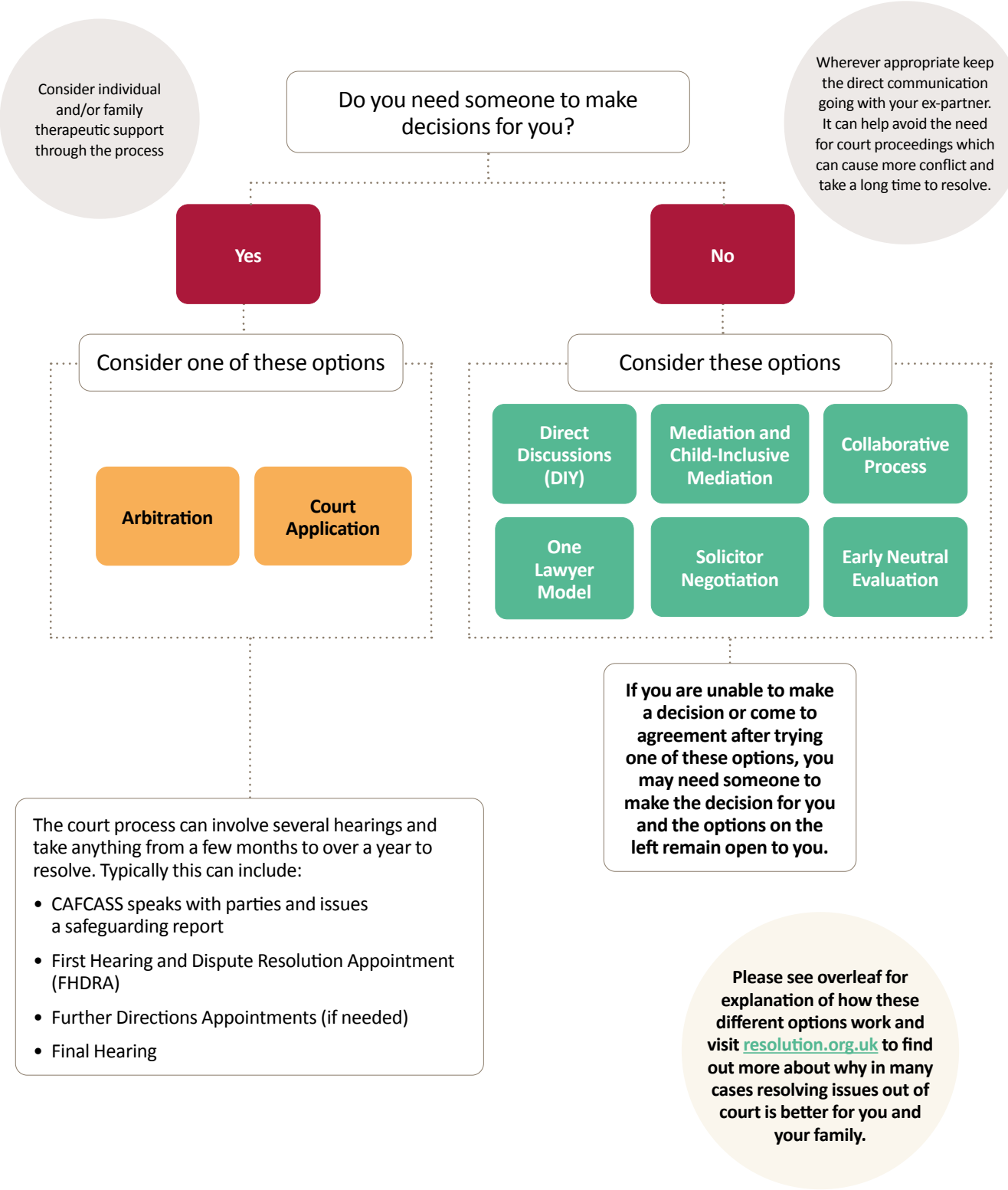
Sometimes seeing either an individual therapist or coach or attending counselling together can help you both process the end of the relationship and make it easier for you then, in turn, helping you both to parent your children together whilst apart. There are fantastic courses available through various organisations including CAFCASS, which provides information, tools and guidance about ways in which you may help yourself and your children to come to terms with the end of the relationship and how the next stage of parenting may look. CAFCASS and some specialist coaches and therapists also have parenting plans that they will give you to fill in together. These can be useful in establishing who will do what and when.

Often the discussions about where the children will live, how much time they will spend with both parents and what those arrangements may look like now and into the future can cause conflict. There are a number of different ways that people can achieve agreements and solutions that work for their family. Not any one solution or method is the right one for everybody, and it may be a combination of these will work best for your family.

Often the discussions about where the children will live, how much time they will spend with both parents and what those arrangements may look like now and into the future can cause conflict.

# Your options for finding resolution

Many families agree matters without going to court. These are the most commonly used processes for resolving conflict. Families may use some simultaneously or return to others at a later stage.



Understanding the different options and ways of resolving issues relating to separation and child arrangements

Method	How it works	What should you bear in mind?
Direct discussions	Some parents are able to discuss matters directly without help from others. This can include with the help of friends and family members. Try to find calm, neutral places to discuss things, out of the earshot of children.	<ul style="list-style-type: none"><li>• There may be times when direct discussion is difficult and emotions can run high. In those times, use other methods.</li><li>• Be sure you will be safe to negotiate in this way and put measures in place to ensure this. Set an agenda and time limits where helpful.</li><li>• You may still need legal advice for any agreement turned into a court order or parenting plan.</li></ul>
Early Neutral Evaluation	Early Neutral Evaluation (ENE) allows you jointly to agree to receive an independent opinion on the possible outcome if the decision were being made by the court.	ENE is normally done by a barrister that you both need to agree on and appoint together. The opinion you receive is not binding but can give you an indication of what might happen in a court process.
Mediation and child-inclusive mediation	Mediation is a dispute resolution method which enables conversations between parents to be facilitated by a mediator. Mediators are trained professionals who will act as an independent and neutral guide for you both. You can seek legal advice in the background of mediation. There are various types of mediation including mediation using online technology, shuttle mediation and mediation where your solicitors can come along. Child-inclusive mediation is a type of mediation where when it is agreed it is appropriate the mediator meets with the children to discuss their wishes.	Discussion had and agreements reached at mediation are “Without Prejudice” which means they cannot be referred to before a court, including anything that may be said to the mediator by a child. Mediators are trained professionals who will act as an independent and neutral guide for you both. You can seek legal advice in the background of mediation. <ul style="list-style-type: none"><li>• You may still need legal advice for any agreement turned into a court order or parenting plan.</li><li>• A list of Resolution mediators can be found at <a href="http://www.resolution.org.uk/find-a-law-professional">www.resolution.org.uk/find-a-law-professional</a></li></ul>
Solicitor negotiation	Solicitors can negotiate with your former partner/their solicitor on your behalf. This can be done by letter, email, telephone and face to face meetings.	<ul style="list-style-type: none"><li>• Solicitors normally charge on an hourly rate so make sure you know what you will be charged for and when.</li><li>• Beware of matters escalating through letters.</li><li>• A list of Resolution Family Lawyers can be found at <a href="http://www.resolution.org.uk/find-a-law-professional">www.resolution.org.uk/find-a-law-professional</a></li></ul>
Collaborative law	This process is one where both parents, with both lawyers, resolve issues by four-way meetings, agreeing that all advice and information is shared at those meetings.	<ul style="list-style-type: none"><li>• This needs collaboratively trained specialist lawyers. A list of Resolution Collaborative Lawyers can be found at <a href="http://www.resolution.org.uk/find-a-law-professional">www.resolution.org.uk/find-a-law-professional</a></li></ul>

Method	How it works	What should you bear in mind?
One lawyer model	The one lawyer model offers a conciliatory way of resolving your family issues without the need to instruct separate lawyers. This model allows couples to instruct the same lawyer who will provide guidance and advice to both about matters concerning finances or child arrangements. This approach seeks to minimise conflict between parties and can result in a quicker and more cost-effective resolution being reached.	<ul style="list-style-type: none"><li>• This model will only work if you are both willing to be transparent and disclose all relevant information.</li><li>• This model will not work if there is a power imbalance between you.</li><li>• It may be necessary for the lawyer to involve other expert professionals, for example a pensions expert to assist with any pension calculations.</li></ul>
Arbitration	Solicitors can employ an Arbitrator on your behalf to act like a Judge, deciding all issues or discrete points. Their decision will be binding on you both.  This can be a quicker and more confidential way of resolving matters than a court process.	<ul style="list-style-type: none"><li>• The Arbitrator will incur a cost in addition to the solicitors/barrister charges.</li><li>• The Arbitrator’s award will be converted into a court order.</li><li>• Arbitrations can be done on paper, or at court style hearings.</li><li>• A list of Resolution Arbitrators can be found at <a href="http://www.resolution.org.uk/find-a-law-professional">www.resolution.org.uk/find-a-law-professional</a></li></ul>
Court process	If none of the other options achieve resolution or are appropriate, a court application can be made to ask a Judge to decide the issues in dispute. This process can involve several court hearings and take anything from a few months to over a year to resolve. The court can ask for experts to report and a CAFCASS report when the welfare of the child is in concern. Children may be met by CAFCASS/Professionals.	<ul style="list-style-type: none"><li>• A Judge’s decision will be binding on you both.</li><li>• Along with an initial court fee you may also incur the costs of legal representation by a solicitor or barrister.</li><li>• In most cases you will need to attend a Mediation Information and Assessment Meeting (MIAM) before a court application is issued.</li></ul>

Once an agreement has been reached this can be drafted into a parenting plan. A good example of a parenting plan has been produced by NACCC in collaboration with Our Family Wizard and can be found at <https://naccc.org.uk/for-parents/parenting-plan>. If it is deemed to be necessary, it can be turned into a Children Act court order. If you have financial issues that also need to be resolved these may also need to be drafted into a court order (in separate proceedings).





# What is the legal position?

You may reach a point in your co-parenting journey whereby you need to give consideration to your legal position as a parent and what steps you need to take



If you are the father of a child, a useful starting point is determining whether you have “parental responsibility” for your child. This may seem something that is obvious, and which is automatically given to you as a parent, but this is not always the case. It is important to establish this before you take any legal action.

### What is parental responsibility?

Parental responsibility is defined as “all the rights, duties, powers, responsibilities and authority which, by law, a parent of a child has in relation to the child and his property”. Essentially this is your legal rights and responsibilities as a parent in respect of your child. This will include important everyday decisions relating to your child’s welfare and upbringing such as:

- Medical treatment
- Education
- Culture and religion
- Changing your child’s name

As a parent, if you wish to make an application to the court in respect of your child then you will need to have parental responsibility. If you do not, then you will need the court’s permission to make the application.

### Who has parental responsibility?

A mother will always automatically have parental responsibility.

A father will have parental responsibility if:

- He was married to or in a civil partnership with the child’s mother at the time of the child’s birth; or
  - Where he is an unmarried father whose name appears on the birth certificate.
- A father will not have parental responsibility if:
- He is not married to or in a civil partnership with the child’s mother and is not on the child’s birth certificate; or
  - He is not on the child’s birth certificate.

### Same-sex parents

Same-sex partners will both have parental responsibility if they were civil partners at the time of the child’s birth.

For same-sex partners who are not civil partners, the 2nd parent can get parental responsibility by either:

- applying for parental responsibility if a parental agreement was made;
- becoming a civil partner of the other parent and making a parental responsibility agreement or jointly registering the birth.

However, where same sex couples conceive using artificial or third party reproduction the situation is more complex and they should take advice on their specific situation, ideally before conception.

### How to obtain parental responsibility

If you do not have parental responsibility you can obtain this by doing the following:

- Entering into a Parental Responsibility Agreement with the mother of your child;
- Applying to the court for a Parental Responsibility Order;
- Jointly registering the child’s birth.

### Approach to living arrangements

If you can’t agree upon arrangements for your child with your co-parent, then you may be in a position whereby you consider making an application to the court for a Child Arrangements Order. This will set out where your child will live and how much time they will spend with each of you.

Court proceedings should be used as a last resort and we have referred to alternative ways of dealing with any dispute throughout this guide. There will be a range of factors that the court will take into consideration when determining what the best outcome should be for the child.

# Welfare checklist

The key piece of legislation dealing with issues relating to children is the Children Act 1989, which states that the child’s welfare is the paramount consideration when the court is making decisions in relation to the child. The court will consider and apply a ‘welfare checklist’ to assist them in making a decision and the following factors are key.

### • The ascertainable wishes and feelings of the child

An assessment of the child’s wishes and feelings will be undertaken by CAFCASS or Social Services and they will prepare a report for the court. The court will take into account the age of the child and the level of understanding and maturity that they have in expressing their own views. There is no specific definition of how old a child should be to be able to express their own views, however, the court may tend to place more weight on a child’s wishes from the age of 10 onwards.

It is also important for the court to consider whether the child’s wishes are their own or whether they have been influenced in any way, perhaps by one parent. The court may also determine that the child’s wishes are not in their best interests.

### • The child’s physical, emotional and educational needs

The emotional needs of a child are an important consideration as these need to be met by parents. The court will consider which parent is best placed to provide for the child’s emotional needs moving forwards.

### • The likely effect of any change in circumstances

Change is inevitable following parental separation, and this will have an impact on any child of the family. The court is required to consider the impact of any change in circumstances upon the child, such as a change of home or schools. Within any court proceedings the court will try to ensure that there is as little disruption to the child as possible.

### • The child’s age, sex, background and any characteristics which the court considers relevant

The court will take into account the child’s age, religious and cultural background and any other determining factors that may be specific to the child’s family.

### • Any harm which the child has suffered or is at risk of suffering

The court will look at any harm that the child has suffered and any potential risk of harm the child is likely to face in the future. ‘Harm’ will include any emotional, mental and physical harm. Any order made by the court will contain appropriate safeguards that are considered necessary based on the assessment of harm.

The court will also consider what harm may be caused to a child where they do not see both parents.

### • The ability of each parent (or parent making the application) of meeting the child’s needs

It will be a priority of the court to ensure that the child’s needs can be put first and that these needs can be met on a daily basis. The court will examine the facts and circumstances of your case and will consider things such as the accommodation that both you and your co-parent are able to provide to the child and the ability to meet the child’s ongoing needs. There is no presumption that one parent is better placed to meet a child’s needs compared to the other.

One parent’s conduct may be relevant to this factor if it affects their suitability as parents. For example, a criminal record of violence may be relevant. If the parent is looking to share care of the child with someone else, such as their new partner or relatives, then their conduct and suitability will also be relevant.

### • The range of powers available to the court

The court must consider all factors contained within the welfare checklist and all available orders that they are able to make using their wide discretion. The court will then make an order which is in the best interests of the child, even if this is different to the order originally applied for. The court will only make an order if it believes doing so would be better for the child than making no order at all.

This checklist is extremely significant when determining arrangements for a child and will be used by the court as a framework for making decisions. You may therefore wish to give some consideration to this prior to making any application to the court.

# What do I do if I have been in an abusive relationship?

## What is domestic abuse?

The government definition of domestic abuse is “any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality. The abuse can include, but is not limited to: psychological, physical, sexual, financial and emotional.”

Domestic abuse does not discriminate; it can affect anyone of any age, gender, sexuality, socio-economic status or ethnicity. It is important to remember that domestic abuse is not limited to physical violence and that it is often difficult for both victims and third parties to recognise the signs.

Examples of non-violent abusive behaviour include (but are not limited to) the following:

<b>Emotional abuse</b>	<ul style="list-style-type: none"><li>• Blaming you for arguments or for abusive behaviour towards you.</li><li>• Shaming, criticising or belittling you in front of third parties, your children or in private.</li><li>• Name-calling in private, in front of your children or third parties.</li><li>• Being made to feel as though you are worthless and unable to live without the abusive partner.</li><li>• Ignoring you or subjecting you to long periods of silent treatment as punishment.</li><li>• Minimising abusive or unacceptable behaviour.</li><li>• Threats to kill or harm you or your children.</li><li>• Deliberate damage to your clothes or possessions.</li><li>• Accusing you of flirting with or having affairs with other people.</li><li>• Other behaviour intended to make you feel afraid or unsafe.</li></ul>
<b>Sexual abuse</b>	<ul style="list-style-type: none"><li>• Pressured you into having sex or behaved in such a way that you had sex with your partner as you were afraid about what they might do.</li><li>• Touched you sexually or forced you to touch them sexually when you did not want to.</li><li>• Hurt you during sex or had unsafe sex without your consent.</li></ul>
<b>Coercive and controlling behaviour</b>  This is an act or pattern of acts of assaults, threats, intimidation, humiliation or other abuse used to harm, punish or frighten a victim in order to make them feel isolated from support and dependent on their abuser.	<p>Examples include:</p> <ul style="list-style-type: none"><li>• Control of your finances, what you can spend money on and when. Withholding funds so that you have to ask/beg your partner for money.</li><li>• Limiting, controlling or monitoring your access to phone and internet.</li><li>• Dictating who you can see, spend time or be friends with. Actively preventing you from spending time with family and friends.</li><li>• Control of your daily life, deciding what you wear, when you eat, what you can do and where you can go.</li><li>• Preying on and exploiting your fears and anxieties to control or cause you distress.</li><li>• Preventing you from attending work or education.</li><li>• Preventing you from accessing medical help or support.</li><li>• Monitoring your movements and requiring constant communication to check your movements. Turning up unannounced to check you are where you say you are.</li><li>• Unpredictable behaviour by your abusive partner so that you are treading on eggshells to avoid upsetting them or causing an argument.</li></ul>

## Why is it so important to get help?

Domestic abuse is a crime and you should not feel that you have to put up with or cope with abusive behaviour.

The first priority in any situation where abuse is a factor is the safety of you and of any children. Abusive behaviour has serious short and long-term impacts on the physical, mental, emotional and psychological health of victims. It is now understood that, even where children are not directly on the receiving end of domestic abuse, they can suffer significant harm through exposure to and living with domestic abuse in their home. This harm can manifest itself in emotional, behavioural and psychological issues in children both now and in the future.

## What should I do?

In an emergency situation where you and/or the children are in danger or any threat of danger the first step should always be to contact the police on 999. Otherwise help can be sought through professionals such as your GP, other medical professional or a teacher at your child’s school who can make referrals to social services. Alternatively there are a number of specialist domestic abuse organisations offering help, support and information. These include:

### National Domestic Abuse helpline

For women, a partnership between Women’s Aid and Refuge

**0808 2000 247**  
(24hr free helpline)  
[www.nationaldahelpline.org.uk](http://www.nationaldahelpline.org.uk)

**Women’s Aid**  
[www.womensaid.org.uk](http://www.womensaid.org.uk)

**Refuge**  
[www.refuge.org.uk](http://www.refuge.org.uk)

### Respect: Men’s Advice Line

**0808 801 0327**  
[www.mensadvice.org.uk](http://www.mensadvice.org.uk)

**Galop (National LGBTQ+ helpline)**  
**0800 999 5428**

**Hestia**  
Support and information for anyone in an abusive relationship

**Bright Sky – Free mobile app**

**Childline**  
For children and young people  
**0800 111**  
[www.childline.org.uk](http://www.childline.org.uk)

**Relate**  
Relationship support  
**0300 003 0396**  
[www.relate.org.uk/get-help](http://www.relate.org.uk/get-help)

You could also consider taking specialist legal advice from a family lawyer to assist you in making appropriate legal arrangements to protect you and your children. Depending on your financial circumstances, if you are a victim of domestic abuse, you may be able to secure legal aid funding for your legal fees in court cases about your children.

## What does this mean for any time my children spend with the other parent?

Where there are allegations of domestic abuse against one parent it may be appropriate for safeguards to be put in place before a child spends time with that parent. It may be that it is not suitable for a child to spend time with the abusive parent or that their time together is supported by a third party or supervised by a professional. If social services have been involved they may speak to both parents and give their views about contact arrangements. In other cases, if you have concerns about the safety of the children spending time with the other parent or about coming into contact with that parent, you should seek legal advice to put appropriate legal safeguards in place.



# Jargon buster

Whatever route you choose to take to address your co-parenting issues you may come across ‘legal jargon’ which can appear unfamiliar and confusing. Set out below are some of the key definitions to help you along your way.

## Applicant

The person applying to the court for an order and issuing an application.

## Respondent

The person who receives an application or an order.

## Arbitration

An alternative process to court whereby parties choose to instruct an Arbitrator to decide upon issues in dispute. This person will act as a ‘judge’ but the process will not involve formal court proceedings.

## Barrister

Barristers are lawyers who spend their time in court representing parties within proceedings. They can also be referred to as counsel.

## CAFCASS

This is the Children and Family Court Advisory and Support Service. CAFCASS officers are appointed in cases relating to children where there is a dispute over arrangements. They may be asked to prepare a report for the court setting out recommendations as to what would be in the child’s best interests.

## Child maintenance

A payment of money from the parent not living with their child to the other parent for the benefit of the child.

## Child Maintenance Service (CMS)

The CMS replaced the Child Support Agency in 2013. It is used by parents to put child maintenance in place where this cannot be agreed with the co-parent.

## Child Arrangements Order

An order setting out where a child is to live and how much time they spend with each parent. This type of order replaces contact and residence orders.

## Collaborative law

An alternative way of dealing with disputes over arrangements for children whereby each party instructs a collaboratively trained lawyer and all parties, and their lawyers meet for a series of round table discussions in order to try and resolve issues.

## Ex parte

Now referred to as ‘without notice’ when emergency hearings have been applied for and only the applicant has attended at court. Another hearing is usually held shortly after to enable the judge to hear from the other party.

## FHDRA

First Hearing Dispute Resolution Appointment. This is the first court appointment when an application has been made in respect of children.

## DRA

Dispute Resolution Appointment. This is the second hearing within proceedings relating to children. The aim of the hearing is to try and reach a resolution to any issues before the court by way of court assisted negotiation.

## Fact-finding hearing

A hearing within proceedings to deal with allegations made by one party against another, which if found to be true, would have an impact on the welfare of the child.

## Final Hearing

This is the final court appearance within proceedings. After hearing both parties give evidence a judge will make a decision which will lead to a binding order being made.

## Leave to remove

An application to the court requesting permission to remove a child permanently from England and Wales.

## Litigant in person

A person who is acting without assistance from a solicitor/legal professional and chooses to represent themselves.

## Mediation

A process whereby parties try to reach agreement with the assistance of an independent mediator.

## Mediation Information Assessment Meeting (MIAM)

Before issuing court proceedings you will be required to attend a meeting with a mediator to ensure you have considered the process and to explore whether mediation may be suitable for your case.

## Parental Responsibility

This is your legal rights and responsibilities as a parent in respect of your child. This will include important everyday decisions relating to your child’s welfare and upbringing.

## Prohibited Steps Order

This is an order made to prohibit something in respect of a child. For example, removing them from the country or changing their surname.

## Specific Issue Order

This is an order dealing with a specific issue in relation to a child where there is a dispute between parents for example, in relation to schooling or medical treatment.

## Section 8 Order

An order made under section 8 of the Children Act 1989. These include child arrangements orders, prohibited steps order and specific issue orders.

## Undertaking

A promise made to the court or to another party. If an undertaking is given to the court and broken it can be seen as contempt of court and an application can be made for the person who has broken the undertaking to be committed to prison.



Visit our website for glossary of legal terms



# Resources for separating families

There are many supportive organisations out there and we can only include a selection here. Please visit the Resolution website for a list of approved practitioners and more information.



## Help with separation

### CAFCASS and FJYPB

CAFCASS support children and young people who are going through care or adoption proceedings, or whose parents have separated and are unable to agree about future arrangements for their children. They have resources for children and adults, including a parenting plan which parents can use to note down what they've agreed about arrangements for their children and top tips for separated parents.

**0300 456 4000**

[cafcass.gov.uk](http://cafcass.gov.uk)

the Welsh one:

[www.gov.wales/cafcass-cymru](http://www.gov.wales/cafcass-cymru)

### Family Mediation Council

Explains how family mediation works and includes a search facility for finding a local mediator.

[familymediationcouncil.org.uk](http://familymediationcouncil.org.uk)

### Oneplusone

An online interactive parenting plan offered by One Plus One, and includes links to videos that help you to communicate better with your ex.

[oneplusone.org.uk](http://oneplusone.org.uk)

### Parent Connection

Resources to help separating parents work things out for themselves. Includes the Listening Room, a live chat service, and parent forums.

[theparentconnection.org.uk](http://theparentconnection.org.uk)

### Relate

Relationship advice and information for parents who are separating or have separated. Relate have a wealth of resources on their website for separating families.

**0300 100 1234**

[relate.org.uk](http://relate.org.uk)

## Resolution

Resolution is a group of family justice professionals committed to taking conflict out of family disputes. Members abide by a code of practice, which encourages solutions based on the needs of the whole family and, particularly, the best interests of children. Includes fact sheets and directories of local solicitors and mediators.

[resolution.org.uk](http://resolution.org.uk)

## Other support organisations

### Advice UK

Provides a directory of advice-giving organisations.

[adviceuk.org.uk](http://adviceuk.org.uk)

### Association for Family Therapy and Systematic Practice

Information on what's involved in family therapy and a directory of practitioners.

[www.aft.org.uk](http://www.aft.org.uk)

### Childline

Offers a free confidential helpline for children and young people, open 24 hours a day.

**0800 1111**

[childline.org.uk](http://childline.org.uk)

### Family Lives

Support for parents who are reaching crisis point.

**0808 800 2222**

[familylives.org.uk](http://familylives.org.uk)

### Family Rights Group

Provides advice for parents, grandparents, relatives and friends (kinship carers) about their rights and options when social workers or courts make decisions about children's welfare. They work with families who are in need, at risk or are in the care system.

**0808 801 0366**

[frg.org.uk](http://frg.org.uk)

## Gingerbread

Provides advice, practical support and campaigns for single parents. Offers factsheets and discussion forums.

**0808 802 0925**

[gingerbread.org.uk](http://gingerbread.org.uk)

## Home Start

Support for parents

**0116 464 5940**

[home-start.org.uk](http://home-start.org.uk)

## Kinship

Provides an independent online information, advice and support hub, just for kinship carers (grandparents, uncles, aunts, older siblings, family friends etc who take on the care of children). The one place you can go for information, expert advice and support for every stage of your kinship care journey.

**0300 123 7015**

[kinship.org.uk](http://kinship.org.uk)

## Mental Health Foundation

Information on all aspects of mental health and emotional issues, including addiction and substance abuse.

[mentalhealth.org.uk](http://mentalhealth.org.uk)

## MIND

Mental health charity with a range of online support and information, including an information line and a legal advice service.

**0300 123 3393**

[mind.org.uk](http://mind.org.uk)

## Money Helper Advice Service

Information, tools and advice on money issues.

[moneyhelper.org.uk](http://moneyhelper.org.uk)

## National Association of Child Contact Centres

Keep children in touch with parents following separation within a national framework of child contact centres and services.

[naccc.org.uk](http://naccc.org.uk)

## National Youth Advocacy Service (NYAS)

Provides specialist information, advice, advocacy and legal representation for children and young people up to the age of 25.

**0808 808 1001**

[www.nyas.net](http://www.nyas.net)

## NSPCC

Help and advice for adults who are worried about a child or need advice about child protection.

**0808 800 5000**

[nspcc.org.uk](http://nspcc.org.uk)

## Only Mums and Only Dads

Two separate websites for single parents.

Both provide access to Resolution member solicitors, barristers and mediators free of charge.

[onlymums.org](http://onlymums.org)

[onlydads.org](http://onlydads.org)

## Parenting. Give it Time (Wales)

Free practical tips and expert advice for parenting challenges.

Helpline: **0808 800 2222**

[gov.wales/parenting-give-it-time](http://gov.wales/parenting-give-it-time)

## Reunite International (Child Abduction Centre)

UK charity specialising in international parental child abduction and the movement of children across international borders. They offer a telephone advice line, a mediation service and an information hub.

**0116 2556 234**

[reunite.org/about](http://reunite.org/about)

## Rights of Women

Provides free, confidential legal advice on a range of issues including domestic abuse, family law, divorce and relationship breakdown. Free leaflets available to download from the website.

[rightsofwomen.org.uk](http://rightsofwomen.org.uk)

## Samaritans

24-hour helpline for confidential emotional support for those experiencing despair or distress.

**116123**

[samaritans.org](http://samaritans.org)

## Shelter

Practical help for families who need more in-depth help to keep their home, or to settle into a new one after being homeless.

**0808 800 4444**

[england.shelter.org.uk](http://england.shelter.org.uk)

[sheltercymru.org.uk](http://sheltercymru.org.uk)

## Single Parents

Information for single parents

[singleparents.org.uk](http://singleparents.org.uk)

## If you are a victim of domestic abuse

### Both Parents Matter Cymru (Wales)

Helpline **0333 050 6815**

[bpmuk.org](http://bpmuk.org)

### Galop (National LGBTQ+ helpline)

Works with and for LGBTQ+ victims and survivors of abuse and violence

**0800 999 5428**

[galop.org.uk](http://galop.org.uk)

### Live Fear Free Helpline

National Helpline for Wales and provides information, advice and support.

**0808 80 10 800** Croesawir galwadau yn Gymraeg / Calls are welcomed in Welsh.

Text: **07860 077333**

Email: [info@livefearfreehelpline.wales.gov.wales/live-fear-free/domestic](mailto:info@livefearfreehelpline.wales.gov.wales/live-fear-free/domestic)

## Refuge

Offers a free 24-hour National Domestic Abuse Helpline in partnership with Women's Aid to provide advice and support to anyone experiencing domestic abuse. Provides safe, emergency accommodation throughout the UK. Website offers a useful help for children section.

**0808 2000 247**

[refuge.org.uk](http://refuge.org.uk)

## Respect (Men's advice line)

Support and advice for male victims of domestic violence, information for their families and for men who want to change their violent and abusive behaviour.

**0808 801 0327**

[mensadvice.org.uk](http://mensadvice.org.uk)

## Welsh Women's Aid / Cymorth i Ferched Cymru

[welshwomensaid.org.uk](http://welshwomensaid.org.uk)

## Women's Aid

Offers a free 24-hour National Domestic Abuse Helpline as well as an online guide *The Survivors Handbook*.

**0808 2000 247**

[womensaid.org.uk](http://womensaid.org.uk)

## When a parent has an addiction

### Alcoholics Anonymous

Help for people who think they have a problem with alcohol.

**0845 769 7555** or **0800 917 7650**

[alcoholics-anonymous.org.uk](http://alcoholics-anonymous.org.uk)

### Al-Anon/Alateen

Offers hope and help to families and friends of alcoholics or young people whose lives have been affected by someone else's drinking.

[al-anon.alateen.org](http://al-anon.alateen.org)

### Narcotics Anonymous

Recovering addicts who meet regularly to help each other stay clean.

**0300 999 1212**

[ukna.org](http://ukna.org)

### Families Anonymous

National helpline offers free support to anyone affected by the drug abuse of a family member. Nationwide self-help groups are available.

**0207 4984 680**

[famanon.org.uk](http://famanon.org.uk)

### Gamblers Anonymous

Offers advice for compulsive gamblers and their families.

[gamblersanonymous.org.uk](http://gamblersanonymous.org.uk)

### Gamanon

Organisation offering meetings for families affected by a gambling problem. Support meetings are available in most areas.

[gamanon.org.uk](http://gamanon.org.uk)

## Useful publications

*(Almost) Anything But Family Court* by Jo O'Sullivan, £13.99, available from: [familyseparation.shop](http://familyseparation.shop)

*Family Court without a Lawyer* (4th edn) by Lucy Reed, Bath Publishing £20.00, available from: [bathpublishing.com](http://bathpublishing.com)

*Separating with Children 101* (3rd edn), Rebecca Giraud and Bob Greig, £20.00 print / £9.99 digital, available from: [familyseparation.shop](http://familyseparation.shop)



***Parenting through separation* is a practical and accessible guide for parents who are about to separate or who are already on the journey to co-parenting.**

Written by an expert, multi-disciplinary team of family justice professionals from Resolution's Parenting After Parting committee, it guides and supports parents through the separation process focusing on the needs of the child.

It helps parents with decision-making, finding solutions and provides helpful guidance on how children communicate their feelings according to their age. It offers solutions on better ways to communicate to manage and reduce conflict.

*Parenting through separation* will help parents navigate the complex terms involved in the legal process and outline other ways in which separation can be successfully managed out of court. There is helpful signposting throughout and key points are illustrated clearly and without jargon.

This guide aims to reassure parents that they are not alone and help them on their journey towards successful co-parenting.



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