

# Your Parenting Plan

A guide to making practical arrangements for your children if you live apart or are separating.



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Riaghaltas na h-Alba  
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## **When NOT to use this guide**

If you have fears about your safety or that of your children in relation to your children's other parent, the process outlined in this booklet is not recommended for you.

It's also vital that you seek advice about your safety concerns – contact one of the agencies listed on page 38 under “Support for Families”.

For more guidance, please see “First Steps” on page 7.

# Not a couple, but always parents

Whenever it's safe and possible, children benefit from positive relationships with both parents.

When parents separate, children can feel vulnerable and insecure – it's a huge change. Some parents never live together as a couple.

It can really help your children if you can put aside any differences you have with one another and agree on arrangements that will bring stability and continuity to their lives.

Making a Parenting Plan is a good way to do this and can also help prevent future disagreements about parenting issues.

## Families in Scotland are changing

Divorce rates are falling, but more children are now born to unmarried parents than married ones. Meanwhile, of Scotland's 614,000 households with dependent children in 2011, almost one in three lived in a household headed by one adult, and around 56,000 included stepchildren.

## Who makes Parenting Plans?

Parenting Plans are used by parents in many different situations, from separated parents living singly, to families with children from more than one relationship and by parents who have never lived together as a couple.

Parenting Plans are not just for 'biological' parents. Children in a stepfamily that is separating may want and need to keep up their relationships with their step-parent, their step-siblings and other friends and relatives.

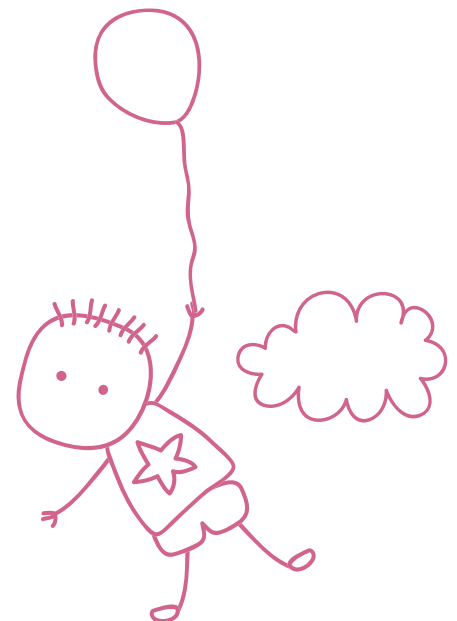
## Who is this booklet for?

This booklet is mainly for parents who are separating or who live apart.

It has been written with the help of experts in family relationships and family law and builds on a similar resource for parents in Scotland that was first published in 2006.

Other family members who look after children, those who work with parents and families, and children and young people themselves may also find the information in this booklet useful.

**"I hate it when Mum and Dad argue about me. They think I can't hear them but I do."**



# How to use this guide

Whether you're a parent, grandparent, or support a parent or separating family, this booklet can help you make sure good arrangements are made for the children's needs and wellbeing.

Making a Parenting Plan is a flexible process. You can pick and choose which areas you need to agree on.

## Parents

If you're about to separate or are already living apart, this booklet will help you make a Parenting Plan for your children.

Are you in a position to do this now? Do you need extra support? See "First Steps" on page 7.

## Grandparents

Grandparents have important roles to play in their grandchildren's lives. The love, support, and continuity you can provide can be especially important during family break-ups.

You may wish to give this booklet to the children's parents and encourage them to think about making a Parenting Plan together.

If you are a full-time carer for your grandchildren, it might be helpful to work with the children's parent or parents to draw up a Parenting Plan. Before you start, consider the information on page 7 "First Steps".

You might also want to read the Charter for Grandchildren included with this guide.

## Children and young people

Family break-ups are tough to cope with – especially for children. Don't blame yourself for what's happening though. It's not your fault and is something that's happened between your parents.

It may help your parents organise things better for you if they can draw up a Parenting Plan. You may wish to give them this booklet to help them do this.

However, there may be good reasons why they can't make a Parenting Plan right now – try to be understanding if this is the case.

Do you have an adult you can talk to about what's going on? A close family friend, grandparent or other relative, or a teacher? Getting enough support for yourself is important.

Check out the sources of advice and information listed under "Children and Young People" on page 39 to find out where you can get help if you need it.

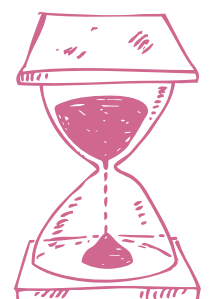
## Family support workers and other professionals

If you're working with a separating family or one where parents live apart – and if it's safe and appropriate (see page 7) – you could offer to support them to draw up a Parenting Plan or help them find more specialised assistance, for example from a family mediator.

To find sources of support for families, see page 38.

A separate document entitled "*Your Parenting Plan – Guidance notes for legal professionals, educators and others who work with parents and children*", is also available to help you decide how best to use this resource.

**Copies of Your Parenting Plan and supporting materials can be downloaded or paper copies requested at [mygov.scot/parentingplan](http://mygov.scot/parentingplan)**



# What is a Parenting Plan?

A Parenting Plan is a voluntary agreement between parents that also reflects the wishes of their children.

It can help parents who live apart to work together to make sure that their children's needs are met in the best way possible.

Though both parents can sign their Parenting Plan and should try their best to keep to it, it **is NOT a legally binding contract** and is not designed to be enforced by the courts.

If you want to make a formal, legal commitment to reflect the agreement you reach, you can ask a solicitor to help you draw up and register a Minute of Agreement.

You can find out more about what the law says on Parental Responsibilities and Rights on page 35.

## What's in a Parenting Plan?

All families are different and things change over time, so no two Parenting Plans will be the same.

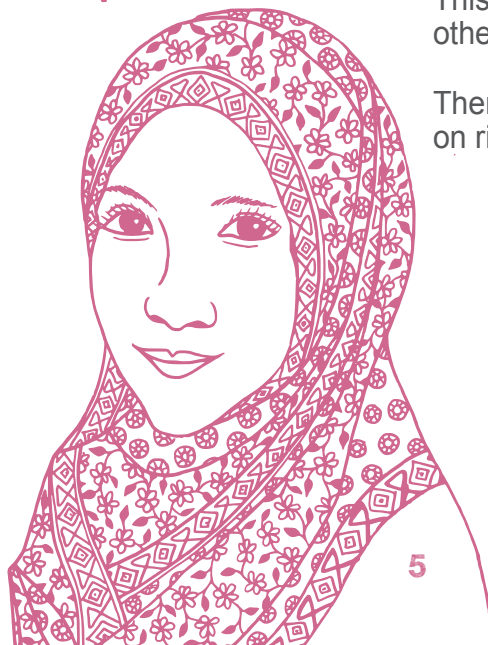
A Parenting Plan sets out what you agree about some or all of the following:

- Where your children will live and when they will spend time with each parent
- Who else can look after them
- How children can maintain relationships with other people who are important to them
- School and school holidays
- Trips away and special days such as birthdays, Christmas and other celebrations
- Health
- Money matters
- How you will share important information about your children
- How you will review the plan as the child grows up or circumstances change

This isn't an exhaustive list and there may be other areas you'll want to include in your Plan.

There may be things you can't reach agreement on right now, but may want to re-visit in future.

"I can see she's more settled now we're better organised for her."





# Putting your children first

Agreeing with your child's other parent might not be easy, but focussing on how you will organise looking after your children is vital for their wellbeing.

Here are some things all separating parents should keep in mind:

## Change is unsettling

Children find change difficult to cope with and thrive on stability and a regular routine. At the very least, this means knowing whom they're going to be with, when and where.

Explain any new arrangements to them, so they can understand what is happening and why.

## Agreements vs. court orders

It's often better to reach an agreement without going to court. Going to court is expensive and stressful for everyone involved, including your children. Voluntary arrangements that are mutually agreed tend to work better and last longer.

Being able to reach agreement will also help reassure your children that you're both willing to work together to put their needs first.

You can also, if you wish, make a legal commitment without going to court. Ask your solicitor about drawing up and registering a Minute of Agreement.

## Setting the tone for the future

There will be lots of times when you need to speak with your child's other parent to make sure the arrangements you've made are working.

A good Parenting Plan sets out how and when you will communicate about your children's needs, as well as detailing the practical arrangements you make for them. The effort you put in to reaching an agreement now will stand you all in good stead for the future.

## Children have a right to be involved in matters that affect their life...

Discuss any changes that are taking place with your children. What would they like to happen? What do they think about the arrangements you and their other parent are suggesting? They may have useful ideas of their own. When things can't

be arranged just as they'd want, explaining why will help them to adjust and accept new ways of living. The right of children to be involved in matters that affect them is one that applies throughout their lives and not just while parents separate. Make sure that they have opportunities to be involved on an ongoing basis.

This right is acknowledged internationally in Article 12 of the United Nations Convention on the Rights of the Child, and in Scottish Law in the Children (Scotland) Act 1995.

## ... but don't ask them to take responsibility for life-changing decisions

Children often (wrongly) think that they're to blame for family break-ups and feel deeply guilty as a result.

Listening to and taking on board their wishes is important, but making them responsible for decisions that will have a major impact on family life risks making any guilty feelings far worse – especially if things don't work out.

## Sensitivity regarding new partners

Children can find it hard to accept a parent's new partners – as can their other parent. Children may resent any time you spend with a new partner, or feel that if they start to like them they're betraying their other parent.

Children can also form strong bonds with new people in their lives and be upset if the new partnership splits up.

Many parents only introduce new partners to their children (and their other parent) when they're sure the relationship will last. Whenever you feel the time is right, it's important to take things slowly.

You may need to reassure children that your new partner is not a 'replacement' for their other parent and that they'll still be able to see them as before.

# First Steps

Before you start, there are some important things to think about, like whether you're both ready to try and make a Parenting Plan and what support you'll need to help get you talking and to work through the plan-making process.

## Is it safe?

Before starting, ask yourself:

- Has the other parent been violent or abusive towards you?
- Has the other parent been neglectful or abusive towards your children?
- Are you or your children fearful of the other parent?
- Have they made threats of violence or tried to control you in other ways?
- Do you have concerns about your children's safety when with the other parent, e.g. about a new partner, household visitors or other relatives, or because of risk of harm from drink or drugs?

If the answer to any of these questions is 'yes', or if you're unsure, it's vital you seek advice from one of the parent or family support agencies listed at the rear of this booklet.

It may still be possible for your child to keep up contact with their other parent, but different arrangements need to be made for this if there are any issues around safety, such as a supervised contact plan.

If you're worried about your safety or that of your child, speak to your solicitor, local Social Work Department or one of the organisations listed under "Support for Families" on page 38.

## Are you both ready?

If you've lived together as a family, it's usually best to get a Plan in place before you start living apart. But making one will only be possible if you can talk and listen to each other respectfully. Obviously, this can be difficult during what may well be a distressing time for everyone involved.

Even if you've never lived together, being able to communicate respectfully with each other as parents will make agreeing on a workable Parenting Plan much easier.

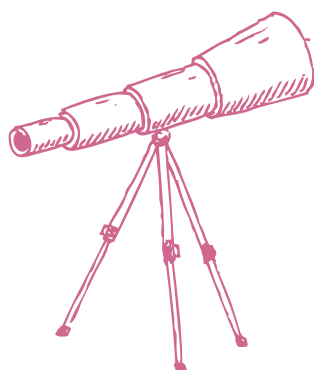
Family mediation and relationship counselling can help with this. Once you're able to talk more easily with each other, your family mediator may be able to help you agree a Parenting Plan for your children. However, family mediation and relationship counselling may not be appropriate if there are any concerns around safety.

## Support for you

Getting help with your own feelings about the separation can be useful and may help you avoid getting upset or angry when you're with your child's other parent.

To find support, contact one of the family mediation or counselling organisations listed on page 36. Even a brief chat on one of their helplines might help you feel more settled.

You can always work towards making a Parenting Plan later when you're in a better position.



# Talking to your children

The more you can help them understand what's happening and why, the easier it will be for them to adjust.

- Explain the fact of your separation so that they understand the changes that are taking place (you don't have to give detailed reasons).
- Reassure them that your separation does not alter the fact that you both love them and will continue to be their parents.
- Don't criticise or blame the other parent.
- Take time to explore how they're feeling and what they think about the changes taking place.
- Keep your promises. Your children need to be able to trust and rely on you. This is very important right now.
- Reassure them that they are not to blame for your separation.
- Try to show a united front to your children and assure them that you both want what's best for them.

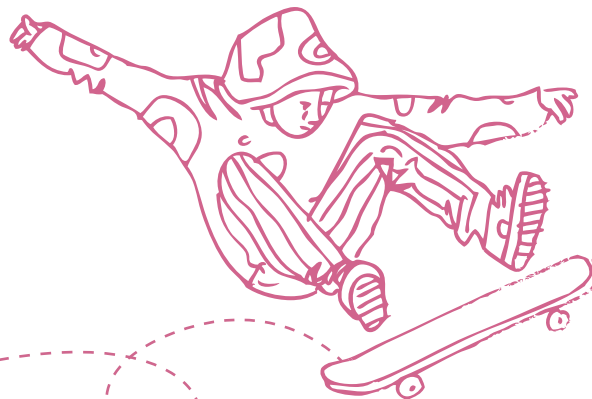
## Texts, emails and social media

If you can talk to your children about important matters face-to-face, over the phone or by video call, it's easier to get a sense of how what you're saying is affecting them – and vice versa.

Text messages and emails are quick to create and send but can be easily misunderstood and may be read by people they're not intended for.

Take care when communicating via social media too (Facebook, Twitter, Instagram, Snapchat etc.). Unless you use a closed group or 'personal' or 'private' messaging, other people in your children's social circle may be able to see your conversation.

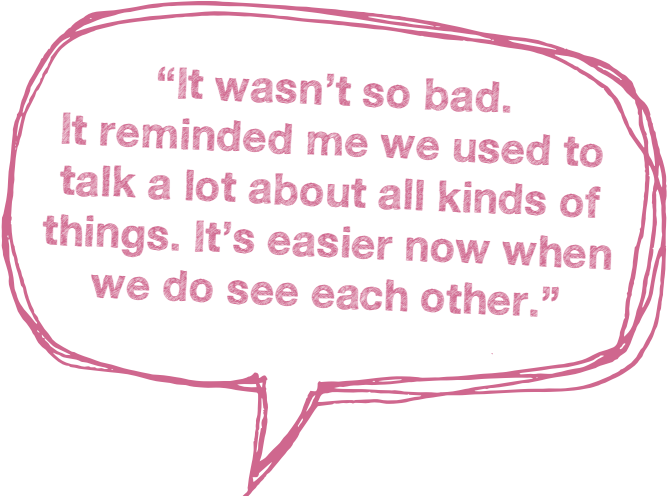
*"I liked that mum and dad both asked me what I thought."*





# Talking to each other about your children

Communicating with your child's other parent may be hard, but getting things right for your children is vital.



**“It wasn't so bad. It reminded me we used to talk a lot about all kinds of things. It's easier now when we do see each other.”**

## Are you ready to talk to each other?

Matters to do with your children naturally stir up strong emotions, and especially if you're still trying to come to terms with your separation from your partner.

Talking to a family mediator, counsellor or family law solicitor could help you get into the right frame of mind and avoid further arguments.

Before you get started, consider calling one of the support organisations listed at the rear of this booklet to chat through how you're feeling and what you want to achieve.

## Whenever you talk to each other:

- Communicate directly with your child's other parent – don't send messages through your children.
- Try to stay calm – sit comfortably, relax your shoulders, deliberately try to breathe more slowly and deeply.
- Even when you can't agree, be respectful and respect one another's views.
- Learn to listen well and you'll be more likely to be listened to yourself:
  - concentrate fully on what they're saying, rather than what you'll say next.
  - don't interrupt.
  - try not to jump into their pauses – leave them time to think.
  - allow them to finish speaking fully before you respond – leave a pause after you think they've finished.
- Before responding:
  - think carefully about what's been said and what you'll say next.
  - if you're unsure, check you've understood what's been said and what they've meant.
- Don't make demands that can't possibly be met.
- Stick to the point in hand and tackle one issue at a time.
- Use 'I' statements (e.g. "I think" or "I feel") to help the other parent understand your position.
- Beware of "you" statements and generalisations (e.g. "you always do/say/think such-and-such") – they tend to come across as confrontational.
- Be ready to compromise but be clear and honest about things that are important to you.
- If things become heated, take a break – you don't need to do this all at once.
- If things become very difficult or upsetting, agree another time when you can work on this.
- Try to record any agreements you've already reached before you stop the session.
- Recognise that circumstances will change over time and be flexible.
- Once you've come to an agreement with your child's other parent, do your best to stick to it.

# Making a Parenting Plan

The purpose of making a Parenting Plan is to help ensure the welfare and happiness of your children by agreeing sensible and sustainable arrangements for their care.

## How will you do it?

Parents can make a Parenting Plan themselves or with help from a family mediator or family law solicitor. Parenting Plans can be worked on together face-to-face, by telephone, by email or online, or by communicating through a family mediator or solicitor.

Some parents may use this guide to make a written, signed agreement that covers all aspects of how they'll look after their children after separation.

Others may not want to write anything down and will simply use this guide as a starting point for discussions.

## Different children, different plans

If you have more than one child, you might want to make a separate plan for each of them. They may have different needs and wishes, especially if they're of widely different ages. Having a plan for each child and discussing it with them individually will help them feel they have more control over what happens in their life.

## Building confidence

It may help to start with things you know you'll find easier to agree on and work towards the more difficult areas.

## Honesty and compromise

Being prepared to reach compromises can be useful, but there's little point pretending that something you feel very strongly about isn't an issue just to get a Plan in place. If your Plan isn't mutually agreed, it's unlikely to last.

## Reviewing your Plan

Circumstances change and, of course, children's needs change as they grow. Part of having an effective Parenting Plan for your children is being ready and able to review it and make adjustments as required. Towards the end of the Planning topics you'll find guidance on making future adjustments.







# Living arrangements and time together – guidance

Making practical, workable arrangements that are good for your children.

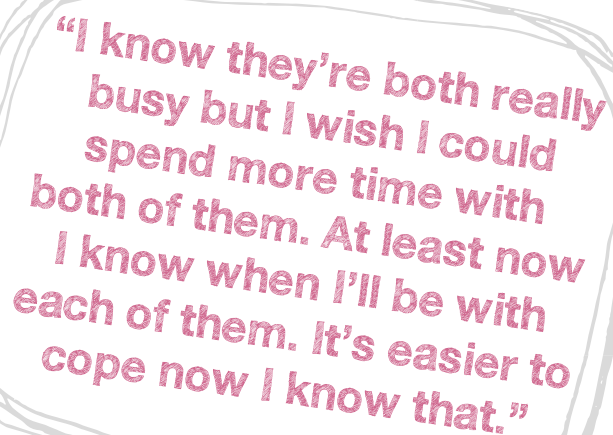
## Different arrangements suit different families

Both parents usually want to play a full role in their children's lives and this can make it difficult to agree on living arrangements.

Some parents are able to share live-in parenting time equally. In other cases, children live with one parent and spend time with the other on a regular basis, including overnight.

For practical reasons, either parent may have to make immediate day-to-day decisions about the children on their own. However, it's important you continue to take more important and longer-term decisions jointly, discuss them with your children, and ensure ongoing opportunities for children to revisit whether the plan is working for them.

The most important thing is to consider your children's needs and what arrangements will provide them with security and stability at what can be a very difficult time in their lives.



*"I know they're both really busy but I wish I could spend more time with both of them. At least now I know when I'll be with each of them. It's easier to cope now I know that."*

## Being flexible

There will be times when plans need to change, sometimes at short notice, and so being flexible – and understanding – is essential.

You may have to try several different arrangements before things settle down into a routine that best suits everyone.

## Minor ailments

It's worth remembering that looking after children when unwell is part of normal parenting. Just because a child has a cold or other non-threatening health problem doesn't have to be a reason to cancel a prior arrangement.

## Keep children informed

If a planned time together has to be cancelled or postponed (for example due to illness), make sure to explain why to your children and try to arrange another time quickly. Meanwhile, do whatever you can to avoid them feeling they're being let down.

Children may also need to postpone or change arrangements to be with you because of a school activity, party or other commitment. You need to be understanding when these things happen.

## Keeping in touch

Between times together, it's good to keep up contact in other ways, such as phoning or video calling at agreed times, sending texts, emails or instant messages, or chatting online. This can be particularly important if you live far apart or spend time working away.

To avoid disputes, discuss these things with your child's other parent and try to agree when and how often other kinds of contact will happen. Some flexibility will be essential.

# Living arrangements and time together

## – things to consider

- Who will talk to your children about what they'd like to happen? How will you respond to their wishes?
- Where will your children live?
- How much time will they spend with each of you?
- Will any time together include overnight stays and, if so, how often will these happen?
- How will you spend your time together?
- Will there be any shared time spent together with your children?
- What rules do you need to agree on, e.g. about bedtimes, going out, internet access?
- How will you make sure that the things they need day-to-day (e.g. gym kit, musical instruments, medicines) are in the right place at the right time?
- Where will the child's toys and other things be kept?
- If an adult needs to postpone a planned time together, how will this be explained to the child and who will do it?
- If your child needs to postpone or rearrange a time together, how will this be managed?
- How else will children keep up contact (e.g. phone calls, texts or online)?
- If either of you have a new partner, how will you introduce them to your children?
- How will you deal with any reluctance, by your child or their other parent, to be involved with a new partner?
- How will you make childcare arrangements?
- Will the other parent be the first option when childcare is being arranged?
- Which other people do you agree can look after your children (e.g. grandparents, babysitters, relatives, neighbours) and how will you review this in future?
- Who will talk to your children about the arrangements you're proposing and explain them?



# Living arrangements and time together - what we've agreed

Handwriting practice area with 20 horizontal dotted lines.



We've talked about and explained these arrangements to our children.



**“Why do I have to see them at the same time every week? Sometimes I have other things to do with my mates but it’s no use saying anything. I don’t know who decided. Nobody asked me.”**



# Keeping in touch with relatives and friends – guidance

Children benefit from keeping up contact with people they know and trust – especially during times of change.

## Minimising disruption in their lives

Parents separating can be unsettling for kids. You can minimise the effect it has on them by ensuring they stay in contact with all the people they're used to seeing.

## A wider circle of support

Children need chances to talk about what's happening in their lives with people who're not directly involved in your separation or any ongoing disagreements you may have with your child's other parent. Just as important, they'll be able to relax and have fun in ways and places that are familiar to them.

## Finding out who matters to your children

It's important to ask children directly about this – it's not always who you think. They might include grandparents, children in the wider family, neighbours, teachers, or a friend's parents.

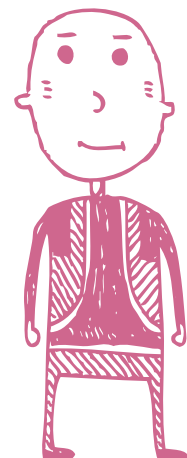
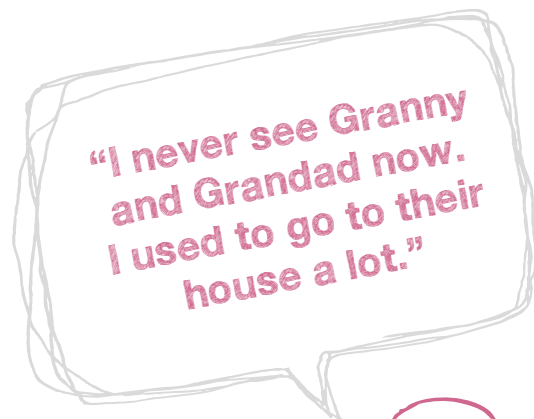
You could chat about this together or ask them to make a list. Younger children may like to fill in the diagram opposite or make one of their own.

## Helping them meet and keep in touch

Especially where separation involves a house move, you might need to help your children keep up these contacts. Young children may not know how to get in touch with people outside the family they're used to seeing, or need help getting to and from play dates etc.

## Things to consider:

- Which family members and friends do your children want to stay in touch with?
- As parents, how will you encourage your children to keep in touch?
- How will they be able to spend time together during and after your separation?
- Which of you will help your children arrange meet-ups etc. (it could be both)?
- For young children, you may need to gather contact details for their important people.
- Apart from meeting up, in what other ways do they want to keep in contact?
- How will you help them do this?







# School matters – guidance

As well as their education, school (or nursery) has a huge effect on children’s emotional and social life.

## Staying involved and up to date

It’s natural you’ll both want to be involved in your child’s education, but this can prove difficult for parents who don’t live with their child.

They can miss out on school communications and decisions about which subjects children will take, after-school activities, trips and exchanges.

Sometimes this is because one parent discourages the other from being involved or actively excludes them. This isn’t fair on them, but more importantly it can have negative effects on children too.

Not seeing your children after school and not being around to help with homework also make it more difficult to know how they’re doing and how they feel about school.

Agreeing how you’ll handle these things will help increase the support your children feel they have around issues to do with school. It should also help you avoid future disagreements.

Where both parents have Parental Responsibilities and Rights (see page 35), both parents should be able to share key decisions such as which school their child attends.

## Keep the school informed

The more information the school has, the more they’ll be able to help your children cope with all the changes going on.

Let the school know you’re about to separate (or as soon as possible afterward). If you can agree to do this jointly, it will help make it clear to school staff that you both want to stay involved, and set a positive tone for the future.

Knowing you’re separating will also help them keep an eye out for any problems, such as if your children are falling behind, or being teased or bullied about your separation.

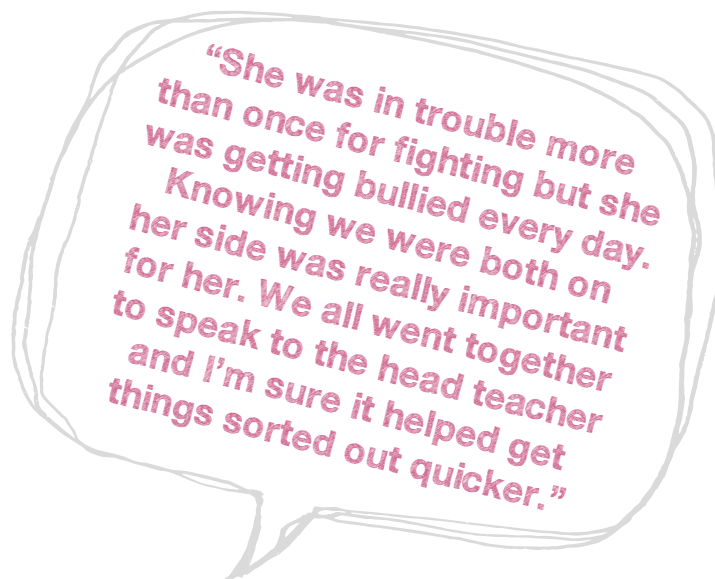
Remember to let the school know if there are any changes to name or address details, for both parents and children. Ensure the school has contact details for **both** parents.

## School’s responsibility to keep parents informed

Schools are required to keep parents informed about how their children are doing and to do what they can to help parents who don’t live with their children to be involved with their child’s education. As part of this, schools should provide relevant information and reports to parents who don’t live with their children unless there is a specific legal order preventing them from doing so.

The Scottish Schools (Parental Involvement) Act 2006 sets out the duties on education authorities to promote the involvement of all parents in their children’s education.





In doing so, authorities and schools must be sensitive to the needs and wishes of both parents, who may not always agree. Education authorities and schools are encouraged to pay particular regard to the views of the child or young person in such circumstances.

For further guidance on schools' and local authorities' responsibilities on parental involvement in education, please see the statutory guidance for the 2006 Act, which is available to download from the following link: [www.gov.scot/Publications/2006/09/08094112/0](http://www.gov.scot/Publications/2006/09/08094112/0)

### **Keeping each other informed**

Not all information about what's going on regarding your children's education will come via the school. Your children may tell you things, for example about difficulties they're having. At times, the school may not send details to both of you.

If you can agree to regularly share what you know with each other, it will help make sure your children are fully supported.

### **What school should know about day-to-day arrangements**

Tell the school if the children's address is going to change. Let them know about the children's living arrangements and make sure they have full contact details for both of you so everyone can be kept up-to-date on your children's progress.

Similarly, the school should always have up-to-date emergency contact details, such as your place of work or study, or the details for another relative or carer if you can't be contacted.

If there are going to be changes about who will pick up your children from school, staff should be informed about this and may need a photograph of anyone they're not used to seeing.

### **Parent evenings**

Parent evenings and parent-teacher consultations are key times for you to find out how your child is getting on at school and for teachers to suggest ways you can help them.

If you're not comfortable doing this together, contact the school to make arrangements to see your children's teachers separately.

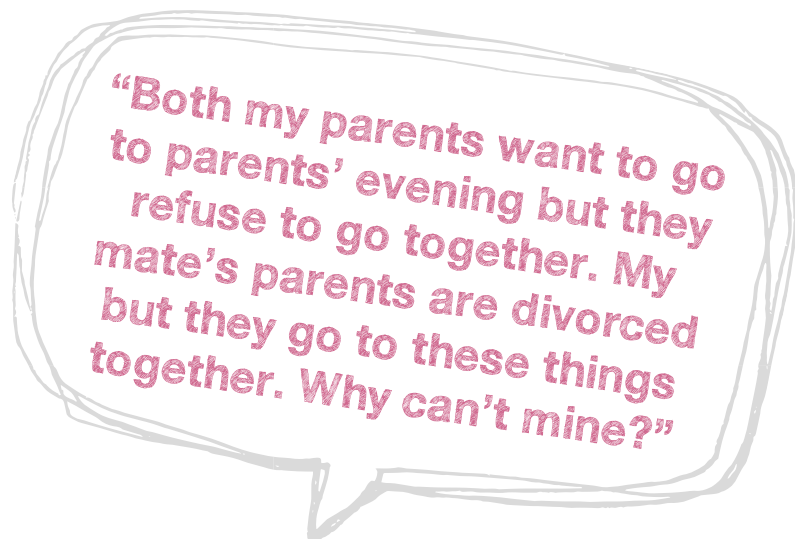
### **Special occasions**

You can sit apart if you prefer, but it can mean a lot to children to know someone is cheering them on at sports days or watching them in school shows or at prize-giving ceremonies. If you've lived together as a family, this can become even more important to them after you separate.

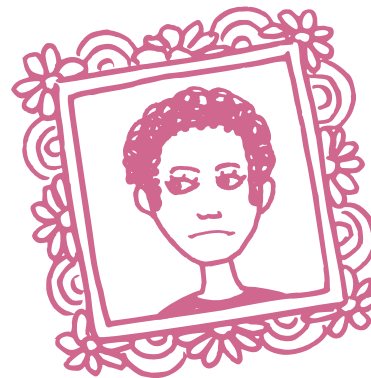
In practice, both of you probably won't be able to attend everything. Try to work together to ensure one of you – or a valued relative such as a grandparent – can be there to support them.

To avoid your children feeling let down or disappointed, make sure your children know ahead of time if you're not going to be there and explain why.

# School matters – things to consider



- How will the school be informed about the changes in your family – will you meet with school guidance staff for example?
- How will you ensure that each of you gets school reports and other details of your children's progress?
- How will you ensure you both receive information about school events?
- How will you share information if you know the other parent isn't aware of something to do with your children's education?
- How will you handle parent evenings or consultations? How will you explain it to your children if one or both of you is absent?
- How will you agree who will attend special school events (for example if there are limited tickets)? Who will explain if one of you can't make it?
- How will you make decisions about which school children will go to?
- How will you help them make decisions about choices of subject and career options?
- If a child is ill or there's an emergency, who will the school contact?
- If a child is having problems at school, who will the school contact?
- How will you keep the school informed about who will be picking up your children?
- Who will school contact for consent for school trips and other activities?
- Trips abroad need the permission of both parents – how will you arrange for paperwork to be signed?
- How will trips and other activities be paid for?
- How will school uniforms and other school expenses be paid for?



# School matters – what we've agreed

Handwriting practice area consisting of multiple horizontal dotted lines.

 We've talked about and explained these arrangements to our children.



# Holidays and other special days

## – guidance

Agreeing in advance how you'll arrange childcare during the holidays and discussing any planned trips away will help avoid any mix-ups or ill feelings.

### Leave plenty time

There are lots of things to consider, including how you and your child's other parent will each arrange enough leave from work or other commitments and, if you're going away, travel and accommodation bookings.

Make sure you start discussions well in advance to avoid disappointments and the added pressure that comes with having to make last minute arrangements.

Bear in mind that you will probably need to re-visit your plans for school holidays on an annual basis, if not more frequently.

### What do your children want?

Finding out how your children would like to spend their holidays is a good starting point, even if you can't manage to arrange things exactly as they'd like.

They may want to spend time with other family members too, such as grandparents, or at a friend's house.

### Who, when and where?

You'll need to agree on a detailed plan of by whom, when and where your children will be cared for during the school holidays.

As with your discussions about living arrangements, try to be flexible and respect each other's needs, as well as your children's wishes.

### A time for bonding

By taking your holidays at different times, you can both enjoy longer periods with your children, having fun and strengthening your relationship with them.

Longer school holidays can also be a time to rekindle relationships with family members they may not have had many chances to see since you separated.

Consider how much time they'll get to spend with each of you.

Don't leave it too late to discuss arrangements. To avoid any arguments or ill feelings, talk things through with your child's other parent before making any firm bookings.

### Going away

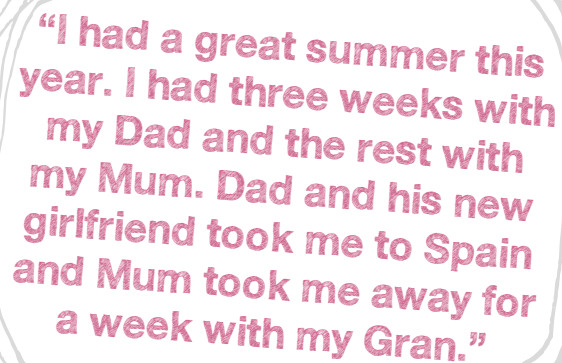
How do you feel about your child's other parent taking the children away on holiday, perhaps abroad (see legal information on next page)? How will they feel if you take your children away somewhere?

It's important to recognise that either or both of you may feel very uneasy about this, especially if it comes as 'a surprise'. You can still make it a surprise holiday for the children, but your child's other parent needs to know what's going to happen, not least to stop plans clashing.

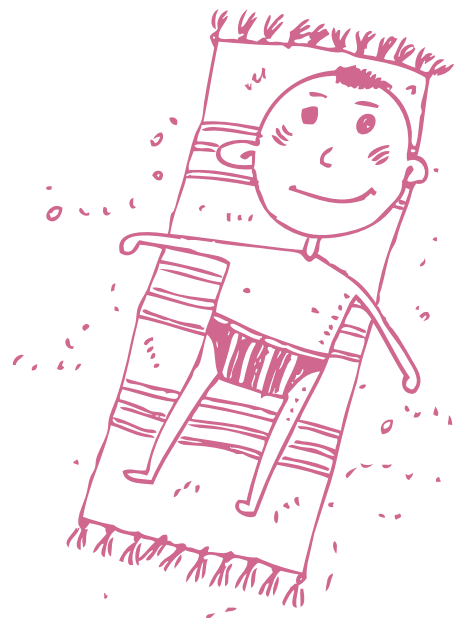
Talk things through well in advance to leave plenty of time to reach an agreement you're both happy with.



*"Makes me wonder how we ever managed before without a proper plan for the school holidays."*



**"I had a great summer this year. I had three weeks with my Dad and the rest with my Mum. Dad and his new girlfriend took me to Spain and Mum took me away for a week with my Gran."**



### **Going abroad – the legal position**

Where both parents have parental responsibilities and rights (PRRs), the consent of both parents (or guardians) is needed before a child can be taken out of the UK.

If a parent refuses (or refuses to release a child's passport if they have it), then a court order can be applied for. The court will consider what is in the best interests of the child. For more information on PRRs and who has them, see page 35.

### **Other 'special' days**

Where and with whom your children will celebrate birthdays, Christmas, New Year, Mother's and Father's day and other religious or cultural festivals can become a source of friction. Discussing arrangements beforehand will help avoid disappointments and disputes.

Christmas and other major religious holidays in particular can become big issues. Some parents agree to alternate years when they spend these times with their children and have a special celebration on another day in those years where they don't.

Again, a good place to start is to ask your children what they would like to happen.

### **Gifts**

Parents who live together often talk through gift ideas for their children so they don't receive things they already have, don't need, won't want, or that someone else is getting for them – and so that children don't play parents off against one another!

For the same reasons, it's a good idea if parents who live apart can do the same.

## **Holidays and other special days – things to consider**

- Have you talked to your children about what they'd like to happen during school holidays?
- How much time would they like to spend with each of you during school holidays?
- Who else will look after them, such as grandparents or trusted friends, during longer school holidays?
- Who will look after them when school is closed for single days or half-term holidays?
- Who will explain the arrangements you've agreed upon to your children?
- Can either of you take the children away on holidays, in the UK or abroad?
- How will trips away and holidays be paid for?
- Have you talked to your children about how they'd like to celebrate 'special' days like birthdays?
- What arrangements have you agreed about special days?
- Have you explained the arrangements you've agreed to your children and asked what they think about them?

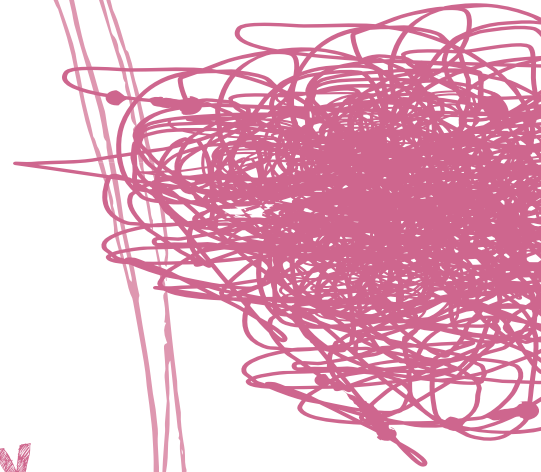
# Holidays and other special days - what we've agreed

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We've talked about and explained these arrangements to our children.

**“Every Christmas it’s the same. First my Dad insists that I have a huge turkey lunch at his house, then a few hours later my Mum makes me eat the same thing for my dinner...I don’t even like turkey!”**





# Health – guidance

Decisions about a child’s health are a matter for both parents.

## Routine check-ups and appointments

If a child lives mostly with one of you, it’s practical for that parent to ensure appointments for regular dental check-ups, early years health assessments and immunisations are kept. The other parent should always be kept informed.

## Ongoing health issues

If your child has a long-term health problem such as asthma, make sure that both of you know the full details of any medication or treatment they need and what to do if things get worse.

## Sharing information

Keep each other up-to-date about all matters to do with the children’s health. This includes general health issues, like colds or recurring headaches, and any difficulties with their mental health or mood.

## Involving children

Depending on their ability to understand such things, children should always be involved in decisions about their treatment. Knowing their parents share information about their health will reassure your children you’re both fully committed to their wellbeing.

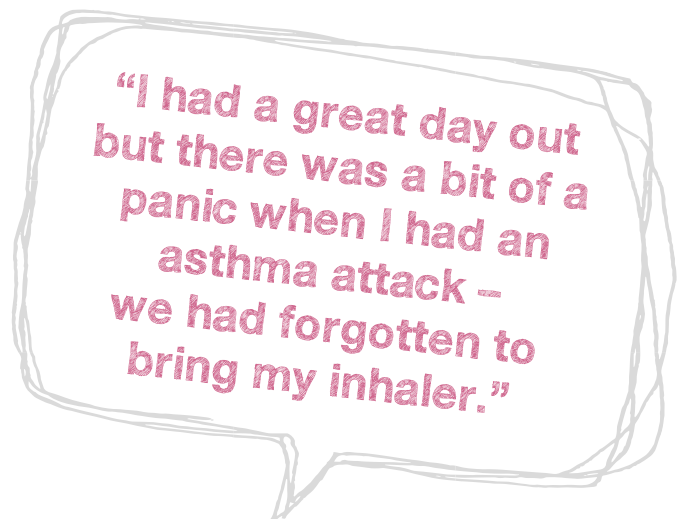
## Accidents

Mishaps will happen from time to time and some may be when your child is with their other parent. Try to be understanding and remember that children having accidents is all part of growing up.

Whatever the circumstances, it’s important that the parent who is responsible for the child at the time of the accident contacts the other parent personally just as soon as they can and lets them know what’s happened.

## Things to consider

- How will you ensure routine medical and dental appointments are kept?
- Have you told your children’s GP practice about:
  - the fact that you’ve separated?
  - your children’s new living arrangements, addresses etc.?
  - the fact you both want to stay involved in their medical care?
- How will you share details of any medication they need?
- How will you agree to give consent to any treatments they need?
- How will you involve your children in decisions about their health?



# Health – what we've agreed

Handwriting practice area with horizontal dotted lines.

 We've talked about and explained these arrangements to our children.

# Money matters – guidance

You may already have a settlement covering money matters in place. If not, planning how you'll cover child-raising costs is essential.

## Think of your children first

Both parents have financial responsibilities towards their children. Honouring whatever financial arrangements you make is essential to their welfare, now and in the future.

## Disagreements needn't be inevitable – try to understand each other's position

Be aware that, after separation, one or both of you may have additional household costs to cover, as well as needing to pay for day-to-day expenses such as school uniforms, fees for trips and activities, shoes, hobbies and pocket money.

## Current and future needs

Discuss how you'll pay for what the children need now but also what costs lie ahead, so that both of you can plan your finances and agree what each of you can afford.

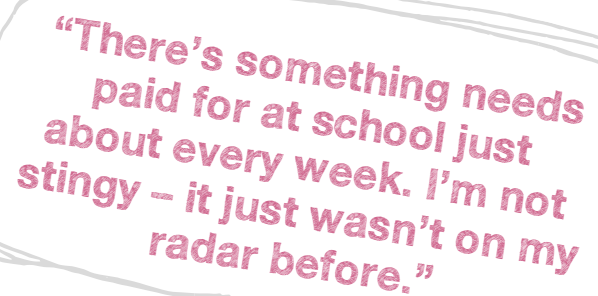
## Help with financial matters

The family support agencies listed on page 38 may be able to assist you with money matters.

*Child Maintenance Options*, a free, impartial service operated on behalf of the Department for Work and Pensions, gives information and support to help parents make decisions about their child maintenance arrangements – see page 38 for contact details. Alternatively you could seek legal advice from a family law solicitor.

## Things to consider

- What are the likely costs of bringing up your children?
- How will you make sure you're both aware of these costs?
- What regular payments are being made by each of you?
- How will things like children's shoes and clothes be paid for?
- How will more expensive items (e.g. school trips, bikes, phones or computers) be paid for?
- How will you reach agreement on appropriate birthday and Christmas gifts for the children?
- How might you make longer-term provisions for their future needs, like paying for further education?



**“There’s something needs paid for at school just about every week. I’m not stingy – it just wasn’t on my radar before.”**

# Money matters – what we've agreed

Handwriting practice area consisting of 20 horizontal dotted lines.

 We've talked about and explained these arrangements to our children.





# Adapting your Plan in future – guidance

For your Plan to be effective both of you need to be prepared to adapt it to changing family circumstances – and to take account of your children’s changing needs and wishes.

## Changing rules

The boundaries you set for your children will naturally alter as they grow up, like how late can they stay up or stay out, and will need to be discussed with your children and their other parent.

## New partners

As you both move on, there may be new partners in your lives. It can help to talk now about how you’ll handle introducing them to your children and to each other.

## Managing change

Some change can be planned for in advance, like the transition from primary to secondary school. Others arrive unexpectedly, like changes in health status or bereavements.

You may wish to agree regular review points for your Plan and list some circumstances where you’d automatically come together to review what you’ve agreed in your Plan.

## If something’s not working...

Agreeing how you’ll raise issues that come up can help avoid anyone feeling ‘got at’. However you decide to do it, don’t use your children to communicate with each other about problems.

## Keeping things positive

When you do come together to review your Plan, it can help to remind each other of the things that are working well before tackling any difficulties. The very fact that you’ve agreed and kept up a Plan to this point is something to celebrate.

## Do you need help?

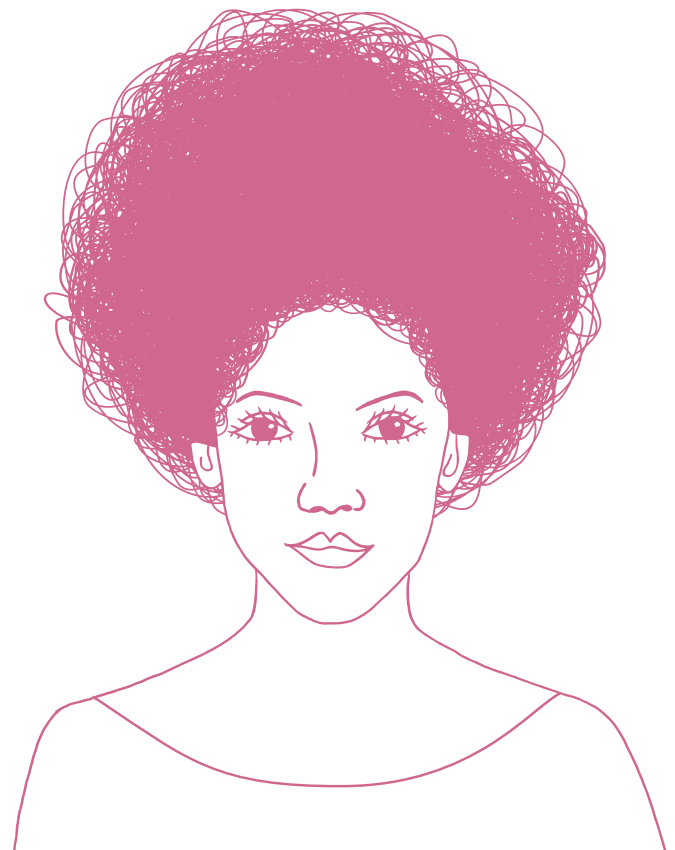
If you’re finding it difficult to reach agreement, or your Plan is becoming a source of arguments, consider getting help to negotiate the changes you need to make, for example from a family mediation service. Sources of further help and information are listed on pages 36-40.

# Adapting your Plan in future – things to consider

*“I can’t stand Dad’s new girlfriend”*

*“I like Dad’s new girlfriend. She’s good fun. When I told Mum she went ballistic! I just keep quiet about it now.”*

- How and how often will you check with your children that they feel your Parenting Plan is working okay for them?
- At what points in the future will you agree to review the arrangements in your Plan? Monthly? Bi-annually? Every Year?
- How will you keep each other informed of upcoming changes that could affect your arrangements?
- What events do you agree will mean you should get in touch to review your Plan (e.g. house moves, new partners, new schools, job changes, bereavements, major illnesses)?
- If one of you feels something in your Plan isn’t working, how will you raise this with your child’s other parent?
- What help will you call on to negotiate changes to your arrangements if you can’t reach agreement yourselves?



# Adapting our Plan in future - what we've agreed

Handwriting practice area consisting of multiple horizontal dotted lines.

 We've talked about and explained these arrangements to our children.



# JOINT AGREEMENT

Now that you have recorded your decisions about the future care and welfare of your children, you should make a copy of *Your Parenting Plan* so that each of you can have one.

If you wish, you can each sign a copy of this page in the space below to confirm your joint commitment to what you have agreed.

**“As parents of the child named in this Plan, we jointly accept responsibility for their future welfare, stability, development and happiness. We have discussed and agreed the arrangements laid out in this Plan and commit ourselves to these arrangements. We have also discussed these arrangements with our children.”**

**“We will jointly re-visit these arrangements in future, as necessary. In this way we will take account of changing circumstances and ensure that our children’s best interests come first.”**

<b>Name</b> .....	<b>Name</b> .....
<b>Signature</b> .....	<b>Signature</b> .....
<b>Date</b> .....	<b>Date</b> .....

Please remember that *Your Parenting Plan* is not a legal contract. By signing above, you are simply confirming that you have jointly agreed to the arrangements you’ve written into the Plan. There is no legal commitment in doing so.

**As with all parts of this document, you don’t have to complete this section if you don’t want to.**

If you do want to make a formal legal commitment to reflect the agreements you have reached, you can ask a solicitor to help you draw up and register a Minute of Agreement.

# Parental Responsibilities and Rights (PRRs)

The Law in Scotland sets out the things that parents must do for their children (responsibilities) and the rights that parents have in relation to their children.

Scottish Law also dictates when a parent will have PRRs and who else, other than a parent, can be given them.

## What are PRRs for?

As a parent, you have the responsibility to:

- Safeguard and promote your child's health, development and welfare
- Give your child direction and guidance suited to his or her stage of development
- Keep up your personal relationship and contact with your child – even if you do not normally live with him or her
- Act as your child's legal representative.

All this is insofar as this is practicable and in the best interests of the child.

Parents with these responsibilities also have related rights so that they can carry out their responsibilities.

For example, one parental responsibility is to provide a home for the child; a related right is to say where the child is going to live. When taking decisions about a child, parents should listen to the child's views, taking account of the child's age and maturity.

A person with PRRs for a child must also, when reaching a major decision about a child, listen to the views of anyone else with PRRs for the child.

## Who has PRRs?

All mothers have these responsibilities and rights – only an order by a court can take any of them away.

A father also has these responsibilities and rights, but only if:

- He was married to the child's mother at the time of their child's conception or at any time after that

### OR

- He and the mother jointly registered their child's birth on or after 4 May 2006

### OR

- He has made and registered, together with the mother, a Parental Responsibilities and Parental Rights Agreement (PRPRA)

### OR

- He has been given them by a court order.

In addition, where a woman has a child following assisted conception (e.g. fertility treatment) she is treated as the mother and automatically has PRRs.

If the mother is married or in a civil partnership, her spouse or civil partner automatically has PRRs, unless it is shown that the spouse or civil partner didn't consent to the treatment.

In other cases, the father or the second female parent can obtain PRRs by jointly registering the birth or by registering a PRPRA (Parental Responsibilities and Parental Rights Agreement).

PRRs can also be granted by way of a court order. For example, another family member can ask the court for PRRs. A court can give PRRs to a couple who enter into a surrogacy arrangement. Where parents are unable to look after their child, the court may give PRRs to others, such as another family member, an adoptive parent, a foster carer or the local authority.

# Sources of support, advice and information

## FAMILY MEDIATION

This is a service for parents to help them to agree their own arrangements for their children through meetings with a family mediator. The family mediator helps parents to talk things through and to focus on what their children need. Parents can gain skills to manage conflict, communicate effectively and move forward positively. Grandparents and other family members can use family mediation to address issues between them about their children.

Parents and other family members can find out about how **child contact centres** can help to maintain relationships when it would otherwise prove very difficult.

To find a family mediator, family mediation service or child contact centre near you, contact:

### Relationships Scotland

18 York Place  
Edinburgh  
EH1 3EP

Tel: 0345 119 2020  
[www.relationships-scotland.org.uk](http://www.relationships-scotland.org.uk)

**CALM Scotland** – Family mediators who are also practising lawyers.

Tel: 0141 889 6244  
[www.calmscotland.co.uk](http://www.calmscotland.co.uk)

**Scottish Mediation** – Information on mediation services across Scotland.

18 York Place  
Edinburgh  
EH1 3EP

Helpline: 0131 556 8118  
Tel: 0131 556 1221  
[www.scottishmediation.org.uk](http://www.scottishmediation.org.uk)

## RELATIONSHIP COUNSELLING

When going through a separation or divorce, relationship counselling can help. Counsellors work with people to help them understand other points of view, to enable them to see their situation more clearly and to work through particular issues which impact on their relationships. Understanding emotions and feelings can help to improve communication and clear the way for a more positive route forward.

The following specialist organisations offer relationship counselling in Scotland:

**Relationships Scotland** – *Contact details listed under “Family Mediation”*

### The Spark

72 Waterloo Street  
Glasgow  
G2 7DA

Counselling enquiries: 0808 802 0050  
Relationship helpline: 0808 802 2088  
[www.thespark.org.uk](http://www.thespark.org.uk)

## PARENTING APART SESSIONS

Parenting Apart Sessions are for parents who are separating or living apart to find out how to handle the challenges of living apart in a way that’s best for everyone. They provide information and insights on what to consider when making arrangements for your children, as well as an opportunity to talk. Sessions are usually for a group of mums and dads, but individual sessions may also be available.

To book a session, contact Relationships Scotland (*contact details listed under “Family Mediation”*).

## **FAMILY GROUP CONFERENCES**

The family group conference process is led by a trained co-ordinator. It involves members of the extended family and others who can contribute to planning for the future wellbeing, care and protection of a child.

Some local authorities offer family group conferencing (find their contact details online or in The Phone Book).

The charity Children 1st will also be able to give you information on Family Group Conferences (see 'support for Families' overleaf for details).

## **LEGAL ADVICE**

Going to see a solicitor does not mean going to court but you will be able to access information about how best to resolve the difficulties in your family.

Family Law Association solicitors will be able to assist in giving advice in relation to child related matters where this is required, and deal with families in all forms of disputes and are sensitive to the problems they face. Some Family Law Association solicitors will be accredited by the Law Society as specialists. Others may be trained in different forms of alternative dispute resolution such as family mediation, collaborative practice and arbitration.

To find a family law solicitor, please visit the Family Law Association website – [www.familylawassociation.org](http://www.familylawassociation.org)

To find a family law solicitor trained in family mediation, you can consult the CALM Scotland website – [www.calmScotland.co.uk](http://www.calmScotland.co.uk)

To find a family law solicitor trained in Collaborative Practice, you can consult the Consensus Scotland website – [www.consensus-scotland.com](http://www.consensus-scotland.com)

The process of Collaborative Family Law can be used where agreements are reached by round-table discussions with all parties and their solicitors working together.

To find a family law solicitor trained in arbitration, visit the FLAGS website – [www.flagsarb.com](http://www.flagsarb.com)

The Law Society of Scotland website can also provide details of solicitors in your area, visit – [www.lawscot.org.uk](http://www.lawscot.org.uk)

**The Scottish Legal Aid Board** – Advice on getting help with the cost of any legal proceedings.

Thistle House  
91 Haymarket Terrace  
Edinburgh  
EH12 5HE

0131 226 7061  
[www.slab.org.uk](http://www.slab.org.uk)

**Scottish Child Law Centre** – Free legal advice for and about children and young people.

54 East Crosscauseway  
Edinburgh  
EH8 9HD

Tel: 0131 667 6333  
[www.sclc.org.uk](http://www.sclc.org.uk)

## **CITIZENS ADVICE SCOTLAND**

Your local Citizens Advice Bureau offers free, impartial advice, support and information on all matters to do with the law and your rights, including family issues.

You can find details of your local office by visiting the Citizens Advices Scotland website – [www.cas.org.uk](http://www.cas.org.uk) – or by calling 0808 800 9060

## **CHILD MAINTENANCE**

**Child Maintenance Options** – A free service that provides impartial information and support to help separated parents make decisions about their child maintenance arrangements. Operated on behalf of the Department for Work and Pensions.

Visit: [www.cmoptions.org](http://www.cmoptions.org)  
Helpline: 0800 988 0988

Advice may also be sought from a solicitor. See 'Legal Advice' section above for contacts.

## **SUPPORT FOR FAMILIES**

**Parentline** – Scotland's national advice and support helpline for anyone caring for or concerned about a child. Available 365 days a year.

Tel: 0800 028 2233

**Kinship Care** – Support and advice for grandparents, aunts, uncles, brothers, sisters and other relatives who look after children no longer living with their parents.

*Call Parentline – see above for details*

**Children 1<sup>st</sup>** – Help with parenting skills, information and advice.

83 Whitehouse Loan  
Edinburgh  
EH9 1AT

Tel: 0131 446 2300  
[www.children1st.org.uk](http://www.children1st.org.uk)

**Relationships Scotland** – See details listed under "Family Mediation".

**Parenting Across Scotland** – Advice and information for families, parents, carers and professionals working with families in Scotland.

Level 1  
Rosebery House  
9 Haymarket Terrace  
Edinburgh  
EH12 5EZ

Tel: 0131 313 8816  
[www.parentingacrossscotland.org](http://www.parentingacrossscotland.org)

**Barnardo's Scotland** – Support for families with young children.

111 Oxfgangs Road North  
Edinburgh  
EH14 1ED

Tel: 0131 446 7000  
[www.barnardos.org.uk](http://www.barnardos.org.uk)



**One Parent Families Scotland** – Support, information and advice for lone parents.

13 Gayfield Square  
Edinburgh  
EH1 3NX

Tel. 0131 556 3899  
Helpline: 0808 801 0323  
[www.opfs.org.uk](http://www.opfs.org.uk)

**Equality Network** – Parenting information for Lesbian, Gay, Bisexual and Trans people.

30 Bernard Street  
Edinburgh  
EH6 6PR

Tel: 0131 467 6039  
[www.equality-network.org](http://www.equality-network.org)

**Families Need Fathers Scotland** – Support for parents, children and other close family members of families dealing with the effects of divorce or separation.

10 Palmerston Place  
Edinburgh  
EH12 5AA

Tel: 0131 557 2440  
National Helpline: 0300 0300 363  
[www.fnfscotland.org.uk](http://www.fnfscotland.org.uk)

**Fathers Network Scotland** – A charity with a focus on dads who believe that the family and society as a whole benefit when fathers are involved in the life of their children.

The Melting Pot  
5 Rose Street  
Edinburgh EH2 2PR

Tel: 0131 510 0445  
[www.fathersnetwork.org.uk](http://www.fathersnetwork.org.uk)

## **CHILDREN AND YOUNG PEOPLE**

**Childline** – Confidential chat, support and advice for children up to the age of 19 on any issue.

Call **0800 1111 at any time** or visit [www.childline.org](http://www.childline.org) to email a counsellor, ask a question, or chat 1-2-1 online.

**Scotland's Commissioner for Children and Young People (SCCYP)** – Information, advice and a campaigning voice on children and young people's rights in Scotland.

Rosebery House  
9 Haymarket Terrace  
Edinburgh  
EH12 5EZ

Young People's Freephone: 0800 019 1179  
Text: 0770 233 5720  
[www.sccyp.org.uk](http://www.sccyp.org.uk)

**Scottish Child Law Centre** – Free legal advice for and about children and young people.

54 East Crosscauseway  
Edinburgh  
EH8 9HD

Tel: 0131 667 6333  
Helpline: 0800 328 8970 (for young people)  
[www.sclc.org.uk](http://www.sclc.org.uk)

**Young Scot** – Information & opportunities for young people in Scotland.

Rosebery House  
9 Haymarket Terrace  
Edinburgh  
EH12 5EZ

Infoline: 0808 801 0338  
<https://young.scot>

## **HOUSING**

**Shelter Scotland** – Advice on all issues connected with housing and homelessness.

Scotiabank House  
Edinburgh  
EH2 4AW

Helpline: 0808 800 4444  
Website: [scotland.shelter.org.uk](http://scotland.shelter.org.uk)

## **DOMESTIC ABUSE**

**Scottish Women's Aid** – Is the lead organisation in Scotland working towards the prevention of domestic abuse.

To find your local Women's Aid service please visit –  
<http://womensaid.scot>

**National Domestic Abuse and Forced Marriage Helpline Scotland:** 0800 027 1234 (any time)


**Shakti Women's Aid** – Help for black minority ethnic (BME) women, children and young people who are experiencing, or who have experienced, domestic abuse.

57 Albion Road  
Edinburgh  
EH7 5QY

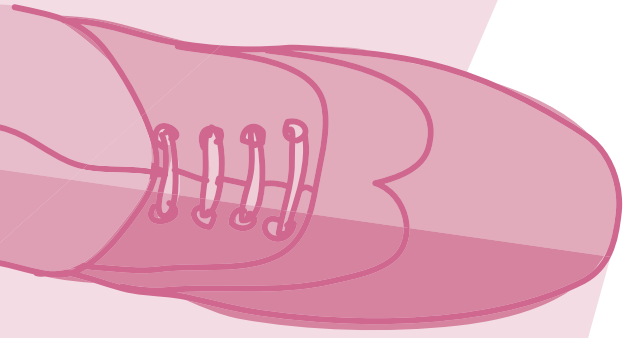
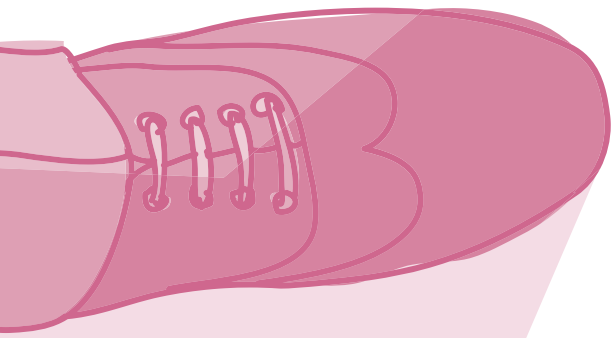

Tel.: 0131 475 2399  
[www.shaktiedinburgh.co.uk](http://www.shaktiedinburgh.co.uk)

**LGBT Helpline Scotland** – Information and emotional support for LGBT people, their families, friends and supporters, including those who have experienced domestic abuse.

Helpline: **0300 123 2523**  
[www.lgbt-helpline-scotland.org.uk](http://www.lgbt-helpline-scotland.org.uk)



**“I was terrified they’d make this big happy family and that’d be me forgotten about. When my ex said we should look at the Plan now they were living together I thought this is it.”**



**“We changed some things but mostly it made me realise there was still a huge place for me. They are happy together, but that’s good! It doesn’t bother me so much – I’m still her dad.”**

# Books for Parents:

## **Breaking Up Without Falling Apart: The Essential Guide to Separation and Divorce in Scotland**

by *Anne Hall Dick, 2011.*

Available online at [www.mhdlaw.co.uk/images/therightkindofdivorcebook.pdf](http://www.mhdlaw.co.uk/images/therightkindofdivorcebook.pdf)

A really useful, readable guide about the process of separating in Scotland.

## **Getting Your Children Through Divorce: A Parent's Guide to Separation**

by *Anne Hooper, 2005.*

A classic UK book offering advice, explanations, strategies and insights.

## **Helping Children Cope with Divorce**

by *Teyber, 2001*

Advice for separating parents on what they can do to help their children adjust successfully to separation.

## **How to Talk so Kids will Listen and Listen so Kids will Talk**

by *Faber & Mazlish, 2001*

How to build successful relationships with children within families, and how to manage family conflicts effectively.

## **Mom's House, Dad's House**

by *Isolina Ricci, 1997*

This book focuses on the experience of parents going through the divorce process, using helpful exercises and self-assessments.

## **Parenting Apart: How Separated and Divorced Parents can raise Happy and Secure Kids**

by *Christina McGhee, 2011.*

Practical advice on how to help children adjust and thrive during and after separation and divorce, by a renowned US Divorce coach.

## **The Guide for Separated Parents: Putting Children First**

by *Karen & Nick Woodall, 2009*

A practical and reassuring guide for separating parents on how to work towards co-operative parenting, written by UK authors.

## **The Truth about Children and Divorce**

by *Robert Emery, 2006*

This book combines research and practical experience to help parents to work through the practicalities and feelings that arise through separation.

# Books for Children:

## **It's Not Your Fault, Koko Bear**

by Vicki Lansky, 1998

This is a 'read together' book for parents and young children aged 3 to 7 years during divorce that helps to explain words and feelings.

## **Dinosaur's Divorce**

by Marc Brown and Laurie Krasny Brown, 1988

For children aged 4 to 8 years, this book uses cartoon dinosaur characters to cover topics such as 'why parents divorce', 'what will happen to me?', 'Living in two homes'.

## **The Huge Bag of Worries**

by Ironside and Rodgers, 2011

A popular story book for younger children about a little girl who finds she is carrying an ever growing 'bag of worries'. She finds there are lots of different ways of dealing with or sharing worries.

## **Two of Everything**

by Babette Cole, 2000

This is a 'funny' book for children, from 6 to 12 years, that tells the story of parents being 'unmarried'.

## **When Mom and Dad Separate**

by Marge Heegaard, 1991

A workbook for children (5 to 12 years) to work out their feelings about separation and divorce.

## **The Suitcase Kid**

by Jacqueline Wilson, 2006

This is a well told story about a girl and her rabbit adjusting to life being a kid with divorced parents. For ages 8 to teens.

## **It's an Aardvark eat Turtle World**

by Paula Danzinger, 2007

An entertaining read about two teenagers who were best friends and become sisters after their parents fall in love, for children 10 to 12 years.

## **Mom's House, Dad's House for Kids**

by Isolina Ricci, 2006

Designed for children 10 years and older, this book helps children to learn about how their family is changing and develop important life skills.

## **It's Not the End of the World**

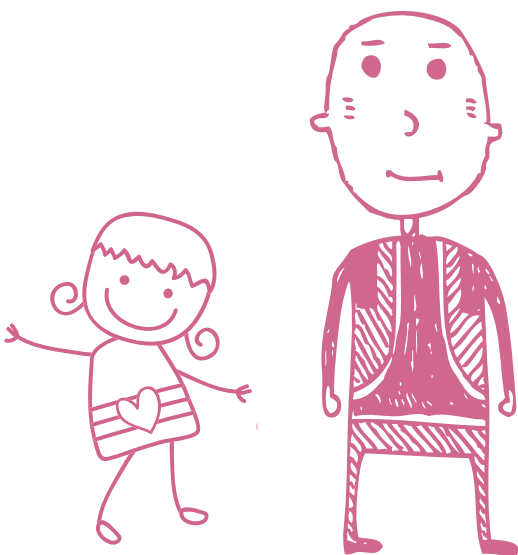
by Judy Blume, 2011

This is a story about divorce and its' impact on family life, from a teenage perspective. Written with insight, sensitivity and honesty for ages 10 to teens.

## **What in the World Do You Do When Your Parents Divorce?: A Survival Guide for Kids**

by Kent Winchester and Roberta Beyer, 2002.

Written to and for kids, in a simple question-and-answer format, this book is a valuable tool for helping children cope with separation.





**“Makes me wonder how we ever managed without a proper plan for the school holidays.”**

**“It wasn’t so bad. It reminded me we used to talk a lot about all kinds of things. It’s easier now when we do see each other.”**

**“I liked that mum and dad both asked me what I think.”**

The comments from parents and young people used throughout this document are based on material gathered from a variety of sources and reflect common situations and opinions.