



Lollipops

Every Child Matters

## Legal Contact

Reviewed Jan 2019

Lollipops Preschool need to know who has 'Legal Contact' for each child in our care. This is to ensure that we have all relevant information such as who is and who is not allowed contact with your child, how often, and on what terms. It will also enable us to safeguard and promote the welfare of your child and accommodate individual family circumstances.

### What is a Contact Order?

A Contact order is made where there is conflict between the parties and they can not reach agreement, for example, about whom a child should see, and how often. The court must **only** make an order where they consider it would be better for the child to do so rather than making no order at all.

A Contact Order under section 8 of the Children Act 1989 requires the person with whom the child lives with to allow the child to have contact with the person named in the order. (This was formerly known as "Access".)

It is possible that there may be more than one Contact Order made in respect of your child and if this is the case then we need to have the details of all Orders in place.

### Who is entitled to contact?

It is not just parents who can have contact. Grandparents, aunts and uncles, siblings, a step-parent who has treated the child as 'a child of the family' can all apply for an Order. In fact anyone who has had a close relationship with a child, has been significant in the child or young person's life or has had the child live with them for at least three years can apply, even a family friend.



### **Type of contact**

Contact can be 'direct', in other words face-to-face contact, or it may be 'indirect', such as telephone conversations, emails and letters, presents or exchange of cards. There could also be 'supervised' contact, where another person is always present or 'staying' contact, where the child will stay overnight.

The court may also make a contact order directing that there should be no contact between a child and a named person.

### **Contact arrangements**

Some orders will be very specific as to times, dates and arrangements for contact; other orders will be more open with detailed arrangements to be made between the parties by agreement.

### **How long does the Order last?**

The order will last until the child / young person reaches the age of 16, or until the Court decides the order is no longer necessary

### **What the setting requires**

If your child is the subject of a Contact Order, we will need to see the original order to make sure we have all relevant and accurate information.

As already stated, there may be occasions when a court order is made preventing a person from having access to any information on your child, or contact with them. If this is the case, we must see a copy of the order and a solicitor's letter will not be sufficient.



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If we do not have a copy of any orders in place then the setting once it has been clarified that the person is who they say there are, can not prevent any one with parental responsibility from collecting the child unless Children Social Services and/or the Police state otherwise.

**What the setting is not able to do**

Neither the setting nor the staff are able to accommodate any contact arrangements and will not get drawn into any parental disputes. The child's welfare is our paramount concern and the setting will remain a neutral space.

This Policy was adopted by Lollipops Preschool in accordance with guidance from Kent County Council Safeguarding Unit and the Early Years Foundation Stage 2014.

Reviewed annually

Signed by

Date

Role of signatory

Witnessed by

Date

Role of signatory