

Play & Creative Arts Therapy Guidance on working with separated parents

In Play & Creative Arts Therapy, we always ensure that the child's best interests are at the core of everything that we do. In some cases, this involves working with separated parents. Clear Sky has guidance on how we will proceed when a child who has been referred to Play & Creative Arts Therapy has separated parents.

Parental Responsibility Definition

- All mothers automatically have Parental Responsibility
- If a child's parents were married at the time of the birth, both parents automatically have Parental Responsibility
- For children born from the 1st December 2003 where the father's name is on the birth certificate, the father and mother will both have Parental Responsibility
- In all other cases, fathers are required to officially obtain Parental Responsibility
- Parental Responsibility cannot be lost, except by legal adoption, although it does not guarantee contact

Difficulties can arise when one parent wishes to leave the other parent out of the decision to allow their child to receive Play & Creative Arts Therapy.

Rights of those with parental responsibility

The DfE's guidance on parental responsibilities relating to Play & Creative Arts Therapy explains that individuals who have parental responsibility for a child have the right to:

- Receive information, e.g. the intention of the school to refer the child for Play & Creative Arts Therapy
- Participate in activities, e.g. attending an initial meeting with the Play or Creative Arts Therapist
- Be informed about meetings involving the child, e.g. be informed about the nature of Play & Creative Arts Therapy

Ethical Context

Play & Creative Arts Therapists adhere to a strict ethical code to ensure that their practice is safe and effective. Our ethical principles that support this policy are as follows:

- **Beneficence** – the commitment to promoting the client's wellbeing
 - We believe that involving both parents in the Play & Creative Arts Therapy process puts the child's needs at the heart of the intervention. It allows both parents the opportunity to be a supporting role in their child's life.
- **Non-maleficence** – a commitment to avoiding harm to the client
 - By not informing one parent of the referral to Play & Creative Arts Therapy we could be risking some psychological harm to the child, who may not understand the lack of clarity and boundaries within their primary relationships
- **Justice** – the fair and impartial treatment of all clients and the provision of adequate services
 - We are committed to treating both parents with fair and impartial treatment. We offer both parents equal opportunities to take an active role in the Play & Creative Arts Therapy intervention involving their child. It is up to the individual parents whether they wish to take this up or not

- **Self-respect** - Fostering the practitioner's self-knowledge and care for self
 - For our therapists to practice safely there is a need for clear boundaries around the Play & Creative Arts Therapy intervention, including the understanding of the environmental circumstances involving the child

General principles for Play and Creative Arts Therapy

Clear Sky therapists must treat all parents equally, unless there is a Court order limiting an individual's exercise of parental responsibility. Everyone who is a parent, as defined under education law (whether they are the resident parent or not, with or without parental responsibility) has a right to participate in decisions about a child's education and receive information about the child (even though, for day-to-day purposes, the therapists main contact is likely to be a parent with whom the child lives on school days).

Where a parent's action, or proposed action, conflicts with the school and the therapist's ability to act in the child's best interests, the therapist should try to resolve the problem with that parent with the support of their school, but avoid becoming involved in conflict. However, there may be occasions when a school needs to decline requests for action from one or more parents. In cases where schools cannot resolve the conflict between separated parents, they should advise the aggrieved parent to pursue the matter through the Family Court.

In cases where the therapist and school does not know the whereabouts of a non-resident parent, the school should make the resident parent aware that the other parent is entitled to be involved in their child's education and request that information about the Play & Creative Arts Therapy intervention is passed on. The resident parent signs a consent form to agree that it is their responsibility to pass this information on to the absent parent.

Obtaining consent

In Play & Creative Arts Therapy with a child who has separated parents, it is best for the school and therapist to assume that parental consent has not been given unless both parents have given consent. Such an approach ensures that the school and therapist has treated the views of each parent equally and will also help to safeguard the position of the school and Clear Sky in terms of exposure to any potential civil liability.

Schools might want to suggest that where parents cannot agree they seek independent legal advice about obtaining a Court order setting out exactly what decisions each parent can make in respect of the child (a Specific-Issue or Prohibited Steps Order as appropriate).

Where parents disagree

If parents cannot agree to both give consent for the child's Play & Creative Arts Therapy intervention to go ahead then we will not be able to work with this child until an agreement has been reached between the parents. Clear Sky would expect that the school would manage this agreement with the parents and put the child forward for re-referral to Play & Creative Arts Therapy when all parties are agreeable.

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