

Co-Parenting

What is co-parenting?

Co-parenting is an arrangement where two (or sometimes more) people take on parenting roles for a child. Co-parents are not romantically involved with each other.

Co-parenting can happen during and after the separation or divorce of parents. This agreement can also be between elective parents (individuals not romantically involved), parents looking after their biological or adoptive children or other guardians.

How can you do it?

Co-parenting agreements are made informally or through court orders.

Parents should communicate with each other to reach a plan that works for their child. Another option is to use third parties to reach an agreement (see number 2 and 3 below).

The court should be the **last option**. This is because the court process can be expensive, time-consuming and stressful, especially if you experience relationship issues with the child's other parent/guardian.



Please try the following before you consider taking a legal action through court orders:

1. Discuss arrangements (verbally or in writing)

Some things you may want to discuss with the other partner are:

Living arrangements	<ul style="list-style-type: none"> • Where and who will the child stay with? • Where will they spend the holidays?
Visitation	<ul style="list-style-type: none"> • When, where, for how long, and how often will the other parent see the child? • How will they speak if they cannot visit (telephone, video calls)?
Education	<ul style="list-style-type: none"> • Which school will they attend? • Who and will pick/drop the child to/from school? When will this happen? • Will the child be signed up to any extra-curricular activities/clubs?
Health & medical care	<ul style="list-style-type: none"> • Does the child have any health issues (including allergies)? • Does the child need to take medicine or have any treatments? If so, what medicine/treatment? How is the child to receive it? How often is the child to receive it? • Have the details of medical professionals been shared?
Financial responsibilities	<ul style="list-style-type: none"> • How much financial support will the other parent give to the child? • Have payment schedules and backup plans been considered?
Emergency	<ul style="list-style-type: none"> • Who will look after the child in an emergency situation or if anything does not go according to the agreement?

Please see our guide on parenting agreements to help you draft your own.

2. Letters through Legal Representatives

You can propose arrangements for your child in a letter drafted by your legal representative and send it to your partner. Communicating through your legal



representative can help if it is difficult to reach an agreement directly with the child's other parent/guardian.

Seeking legal advice may be a better option when you feel that you are not able to reach an agreement by yourself with the child's other parent/guardian.

3. Mediation

This process involves a 'mediator' acting as a neutral third party to help parents/guardians to communicate and reach agreements for the child. The mediator will not tell you what to decide – they will help you make decisions together with the other partner/guardian.

Usually, **you must attempt mediation before applying to court**. You can find your local mediator [here](#).

Court

There will be situations that need to be solved by the court and formally agreed in an order. The following are decisions that require you to go through this process:

Consent order

A parenting agreement can be **legally binding**. This means that the court will enforce the agreements if the other parent does not respect them.

Your legal representative will draft a 'consent order' based on the parenting agreement. Both parents will sign this.

Your legal representative can help you fill a form, known as **Form C100** and attach the consent order to it. As the order is based on what you and the other parent have agreed on, you do not need to show you have attended mediation.

Form C100 can be completed online [here](#). You usually do not need to attend court.

If the court does not approve of the consent order, they can change it or make a different order for the child's benefit. If they approve the consent order, it becomes **legally binding**, meaning you will be able to seek the court's help if the other parent does not follow through with the agreements.

Section 8 orders

The type of order you apply for will depend on what you could not agree with the child's other parent/guardian. **You must show you tried mediation before this.**

The court can pass the following orders:

a) Child arrangements order

The court will decide where the child will live, see the other parent and communicate with them. These things are an important part of a parenting agreement so they must be agreed.

b) Prohibited Steps Order



The court can stop the other parent/guardian from making certain decisions for the child. For example, they can pass an order to prevent the other parent from taking the child outside of the UK for a holiday.

c) Specific Issue Order

This order will allow the one applying to make decisions for the child without the need to agree with the other parent/guardian. For example, this can include the child attending religious schools or to having a particular medical treatment/surgery.

If you need free one-off legal advice, you can fill in this form by Free Legal Advice Centre (FLAC) of Toynbee Hall:

<https://www.toynbeehall.org.uk/free-advice/legal-advice/#online-flac-ia-form>

or you can email FLAC here: flac@toynbeehall.org.uk

Please know that we do not offer representation or do case work. We provide advice on housing, employment, immigration, consumer, civil matters and more.

If you want to find other free legal clinics or you need representation, please look at LawWorks here: <https://www.lawworks.org.uk/legal-advice-individuals>