

## Best interests of the child

When you make decisions about your children, you must consider how they will have a meaningful relationship with each of you, and ensure that they are protected from harm, including any exposure to family conflict and violence. Other things to think about are the views of your children, their developmental, psychological, emotional and cultural needs, and the capacity of each person involved in the children's care to provide for their developmental, psychological, emotional and cultural needs. You should consider the relationship the children have with each parent and other important people in their lives, and the practicalities of each parent's involvement in their day to day lives.

## Making decisions about your children

New laws encourage parents who do not have court orders to consult with each other about major long-term issues in relation to the children, and make decisions in the children's best interests. Major longer-term issues might be healthcare, education and religion, for example. You are not encouraged to consult with your former partner if it isn't safe to do so.

## Spending time with children

Decisions about how much time a child spends with each parent depends on what is in the best interests of the individual child. It is not the case under Australian law that parents are entitled to spend equal time with their child(ren).

## NEED FURTHER INFORMATION?

You can get more information about developing a parenting plan from:

- Family Relationship Advice Line  
**1800 050 321**
- Family Relationship Centres and other family dispute resolution services  
(call **1800 050 321** to find out what services are near you)
- Family Relationships Online at [www.familyrelationships.gov.au](http://www.familyrelationships.gov.au)

1800RESPECT is a confidential information, counselling and support service, available for free, 24 hours a day, 7 days a week to support people impacted by domestic, family or sexual violence.  
**Call 1800 737 732, text 0458 737 732**  
[www.1800respect.org.au](http://www.1800respect.org.au)

## Southern Mediation Services

FAMILY DISPUTE RESOLUTION

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# Southern Mediation Services

Family Dispute Resolution

## PARENTING PLANS

### What is a parenting plan?

A parenting plan is a written agreement between separated parents about how their children will be cared for and supported, what the responsibilities are of each parent, how you will communicate regarding the children and all other practical aspects of parenting your children now and into the future.

### Who can make a parenting plan?

A parenting plan must be made and signed by both parents, but other people such as grandparents or step-parents can be included in the plan.

### Is it legally binding?

No, a parenting plan is not legally enforceable. To be considered a parenting plan under the law, it must be in writing, signed and dated by both parties. If both of you agree, you can apply to the Court for Consent Orders. You do not need to attend Court for this, but you will need to consult with your lawyer.

A parenting plan is a written agreement between parents that puts the best interests of the children first and covers all the practical aspects of your parental responsibility and your child's life. It is important for you to be prepared when you come to Family Dispute Resolution, so we have created a checklist to help you consider the areas of parenting that may be discussed during your mediation. You may wish to include other things too. We always recommend you seek appropriate legal advice about your situation.

### Living With & Time Spent Arrangements

- ☐ Who will our children live with and where?
- ☐ How will each of us spend time with our children?
- ☐ How will the children's week be structured?
- ☐ How will changeover occur?
- ☐ How will other family members spend time with our children, eg. grandparents?
- ☐ How will the school holidays and other holidays be planned?
- ☐ What arrangements need to be considered for other special days and occasions, eg. Christmas, birthdays, Mother's/Father's Day, special events?
- ☐ Who would care for our children if we were unavailable to do so, eg. relative?

### Communication

- ☐ How will we communicate about parenting matters?
- ☐ How will our children communicate with each parent when spending time with the other, eg. phone/video calls, email, text? How often?
- ☐ How will our children communicate with significant other family members, eg. grandparents? How often?
- ☐ How do we communicate with our children about each other?
- ☐ What communication needs to occur if there is an emergency?
- ☐ How will we talk to our children about important changes/events in their lives?
- ☐ How will we resolve future disputes?

### Care, Welfare & Development

- ☐ How will we discuss and make decisions about the care, welfare and development of the children?
- ☐ How will we share our parental responsibilities?
- ☐ What parenting matters do we need to jointly discuss?
- ☐ What other care arrangements are needed for the children?
- ☐ What routines across both houses do we agree on for the children, eg. bed time, homework?
- ☐ What are the differences in our values and parenting styles?
- ☐ How will we discipline the children consistently and fairly?
- ☐ How will we introduce new partners to the children?

### Health & Medical Emergencies

- ☐ Who will be responsible for the overall health of the children, eg. vaccinations, check-ups, medical records?
- ☐ How will we share medical information with each other?
- ☐ What will we do if there is a medical emergency involving one of the children?
- ☐ Do the children have any special needs in relation to their health and wellbeing, eg. specialist treatment? What needs to be done and by whom?
- ☐ Who will pay for medical costs for the children?

### Education

- ☐ Where will the children go to school?
- ☐ What are the children's present and future educational needs?
- ☐ How will we discuss and resolve problems regarding our children's education?
- ☐ How will we share/access information about our children's education, eg. reports, notes?
- ☐ Who will attend parent/teacher interviews and school activities and events?
- ☐ How will we contribute to educational expenses?

### Children's Activities

- ☐ How will we support our children's involvement in sporting and other activities, eg. music, dancing?
- ☐ How will we transport children to and from their activities?
- ☐ How will we pay for the children's activities?

### Religious & Cultural Practices

- ☐ What religious or cultural practices are observed by your family?
- ☐ What are the expectations for the children's involvement?
- ☐ Who will be responsible for managing any religious or cultural activities involving the children? Who will cover costs?

### Housekeeping

- ☐ What clothing and belongings will be shared between households?
- ☐ Washing, mending, buying new clothes?