

# Top tips for stress-free school holidays for separated parents and their children

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This year the school summer holiday period is likely to be a more stressful time than usual for parents.

Cancellation of planned holidays, lack of clarity on childcare options, and the potential of returning to work will all affect a family's enjoyment of the holiday period, not to mention the uncertainty of children's return to school in August.

For [separated parents](#), or those currently going through a separation, this uncertainty is likely to be exacerbated as they try to divide the time with their children between the two parents.

However, in these difficult times, it is better for everyone if you can agree on how the school holidays should be divided up.

## Top tips

Here are our top tips to help separated parents reach a civil agreement and avoid the potential stress of court.

1. Plan ahead as far as possible. Most arrangements can be

accommodated if plenty of notice is given. It also means you have time to act if agreement is not possible and a court hearing is necessary.

2. If you have limited or restricted time in the holidays, due to work or other commitments, discuss this with your ex-partner in plenty of time. If you have a good reason for seeking specific dates make this clear while keeping discussions as friendly as possible.
3. Consider the travel time involved in moving the children between your homes and be realistic in what you can expect the children to cope with. This will vary depending on the age of your children.
4. Avoid discussing exciting plans with the children prior to discussing them with your ex-partner. This can cause animosity and could result in very disappointed or conflicted children.
5. Keep a record of what has been agreed e.g. keep texts or emails where consensus is reached.
6. Consider whether there are any strong traditions that the other parent has. For example if the other parent is religious, certain religious festivals might be especially important to them. Concessions on these times will likely be met with gratitude and will enable smoother communications.
7. Do not make bookings or other financial commitments until you have secured agreement or a court order.

## **Reaching agreement**

Making arrangements that both you and your ex-partner can agree on may be difficult. See this [Gibson Kerr blog on dispute resolution methods](#) for ways to reach agreement as amicably as possible without going to court.

If agreement is impossible you will have no option but to ask the court to make an order. If you have already engaged in the court process to deal with contact or residence difficulties, you may be able to recall that action to deal

with this specific issue.

However, if you have until now managed to reach agreement between you, you will need to raise a fresh court action. This can be expensive and does take some time. Actions can be raised urgently but courts are busy and cannot always accommodate an urgent hearing. So it is better to establish early whether you will have to resort to court action.

In normal circumstances, you should raise a court action about six months before the holiday contact you wish the order to be granted for. This gives the court sufficient time to adequately consider the issues surrounding each parent's position. The court may have to take the views of the children into consideration and this cannot be rushed.

You should bear in mind that due to coronavirus restrictions, courts have only been dealing with urgent cases. When activity resumes more fully there is likely to be a significant backlog to work through, so things may not move as quickly as you hope.

If you would like any advice on child arrangements, the experienced [family law team](#) at Gibson Kerr will be happy to help. Please [contact them](#) or call 0131 202 7516.

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Fiona is Head of Family Law, the Property team is headed by Scott, while Partner Lindsay, who joined the firm in 2007, is Head of Personal Law.

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