

## Separation Policy

### **Aim**

ICP Nurseries Limited recognises that while the parents/carers of some children may be divorced or estranged, both have a right to be informed of and involved in their child's educational process. ICP recognises that parents/carers who are estranged or divorced may disagree regarding the education of their child, and/or may attempt to limit one another's access to their child. Despite such estrangement, both parents/carers are welcomed and encouraged to participate in the child's education.

### **Parental Responsibility**

Parents/carers are presumed to have joint custody of the child, absent a court order or written agreement between the parents/carers denying or limiting custody for either parent/carer. The parent/carer with whom the child resides is presumed to be the responsible parent/carer of the child or children. If estranged or divorced parents/carers both claim to be the custodial parent/carer, asserting that the child is residing with both parents/carers, application registration records will be examined. The parent/carer who enrolled the child will be presumed to be the responsible parent/carer until a court order or written agreement between the parties, identifying the responsible parent/carer, is provided to the nursery. A parent/carer will only be prevented from participating in his/her child's learning or development if a court order (e.g., divorce decree, custody order, or restraining order) specifically denies visitation or contact rights.

### **Development Summaries and Children's Records**

Both parents/carers have the right to receive development summaries and review the child's My Memory Book and records of their child. If the parents/carers are separated or divorced, development summaries will be sent to the parent/carer with the responsibility, with the expectation that he/she will share the report with the non-custodial parent/carer.

The nursery will send copies of the learning and development summary progress report to the non-custodial parent/carer only if that parent/carer submits a written

request that it do so. Both parents/carers have the right to review their minor child's records.

### **Participation in Parent Evenings or Events**

Both parents/carers are welcome, and encouraged, to participate in parent evenings. If the parents/carers are separated or divorced, the responsible parent/carer is expected to share scheduling information with the non-custodial parent/carer. The nursery will provide scheduling information to the non-custodial parent/carer only if it receives a written request to do so.

### **Educational Decisions**

In the event the parents/carers are unable to agree with one another on decisions regarding their child's learning and development, including, but not limited to, participation in extra-curricular activities that may include trips, etc., the responsible parent's/carer's decision will be binding on both parents/carers unless a court order states otherwise.

### **Visitation During Nursery Hours**

Generally, both parents/carers have the right to attend nursery events/concerts/plays, etc., or otherwise be in the nursery. The parent's/carer's right is not negated solely by the fact that he/she is the responsible parent/carer. Such visitation will be limited only if the nursery has received a copy of a court order specifically restricting the parent's/carer's access to the child by:

- 1) denying the parent's/carer's visitation rights; or
- 2) requiring supervision of the parent's/carer's visitation with the child.

The nursery does not have the responsibility to supervise visitation between a parent/carer and his/her child and, thus, will not allow parent/carer access in the nursery.

When visiting the nursery, all parents/carers are required to comply with all nursery policies and not take any action which disrupts the nursery operating procedures. If a parent/carer takes any action which the nursery considers to be inappropriate or

disruptive to the day to day nursery processes, he/she may be requested to leave and prohibited from returning.

If a parent/carer wants to visit with his/her child privately, the nursery shall have the authority to grant or deny the request, and, if granted, to determine the place and time of such visit to ensure minimal disruption to the child's participation in nursery.

### **Change of Circumstances**

We recognise at ICP Nurseries Limited that a family's circumstances can change.

- We encourage parents/carers to tell us at an early stage if there is a change in family circumstances.
- Whenever possible, staff will be informed of such changes so that suitable support can be offered.
- The nursery will, however, recognise the sensitivity of some situations and maintain the level of confidentiality requested by parents/carers as far as possible.

### **Receiving a Court Order or Injunction**

- A court order or injunction is an official declaration by a judge (or panel of judges) that defines the legal relationships between certain parties at a hearing or a trial. Such ruling requires or authorises the carrying out of certain steps by one or more parties at a case.
- On receipt of a Court Order, the most senior person of the nursery must inform the Company Safeguarding Lead (CSL) or CEO of ICP Nurseries Limited.
- A Risk Assessment will then be carried and will be based on the ruling of the Court Order.
- A nursery memo will be released which will include an element of confidentiality to inform staff of the ruling, ensuring the child is protected at all times.
- It is vital staff do not involve themselves in the families' circumstances or discuss the matter with anyone apart from the Nursery Manager.
- Should one parent/carer seek to remove the child from the nursery in contravention of the notified arrangements, and the parent/carer who the child would normally be released to has not consented, the nursery must contact the parent/carer who has the child's parental responsibility.
- The Nursery Manager or most senior person in charge seeks to contact the CSL or CEO of the company. The Police will also be contacted.