

## Parental Responsibility Information

Definition of parent/parent responsibility: Having care of a child or young person means that a person with whom the child lives and who looks after the child, irrespective of what their relationship is with the child, is considered to be a parent in education law. Having parental responsibility means assuming all the rights, duties, powers, responsibilities and authority that a parent of a child has by law (DfEE guidance: Schools 'Parents and Parental Responsibility' 2000).

The Children Act 1989 acknowledges the fact that parents do not always live at the same address as their children.

The Act says that it is best for children if they are brought up by their family. 'Family' includes the people the child lives with, as well as people with parental responsibility who live elsewhere.

The school recognises that all people with parental responsibility must be treated equally. This means that they are all entitled to request reports, invitations to parents' meetings, parent/governor elections, meetings regarding the child's education, etc. Schools must, therefore, keep up to date records of all people with parental responsibility, as well as any court orders relating to the child (i.e. old custody orders or Children Act 1989 orders).

Divorce or separation does not affect parental responsibility unless the court makes an order. The court will not make an order unless it is better for the child to do so than not to do so.

Parental responsibility can only be lost by a court order or by the adoption process.

The following people have parental responsibility:-

### Married Parents

Automatically

### Mothers

Automatically

### Fathers of non marital children

By court order on his application

By formal written agreement with the mother

By being appointed guardian

After December 2004, unmarried fathers who attend to register the birth of the child and have their name of the birth certificate, have parental responsibility. (Adoption & Children Act 2004, s.111)

### Guardian

By court order

By appointment in writing or by will

### Adoptive Parents

Automatically with adoption

### Parents of children in care

Share parental responsibility with local authority

### Other person with whom the child lives

By court order