

Parental Responsibility

Who is considered to be a Parent in law?

The term parent is given the following meaning under Section 576 of the Education Act 1996:

- The natural parents of a child; irrespective of whether they are married.
- A person who is not the natural parent of the child, but who lives with and who looks after the child.
- A person who is not the natural parent but has 'parental responsibility' as defined by the Children Act 1989.

What does 'parental responsibility' mean?

An individual who has all of the rights, duties, powers, responsibilities and authority which by law a parent has in relation to a child and his property.

Parent's rights about a child's education

An individual who is defined as being a "parent" under the Education Act 1996 has a right to receive the following information about the child:

- To be informed about meetings involving the child, e.g. meetings involving the child being excluded or suspended from school.
- To be asked for their consent regarding school trips.
- To receive information such as school reports.
- To be invited to parents evenings and other functions.

Acquiring Parental Responsibility "PR"

The following provides ways in which individuals can acquire parental responsibility, without being the child's natural parent:

- Formally being appointed as the child's guardian.
- Adopting a child.
- Being named within an Emergency Protection Order. (Please note that in such cases parental responsibility will be limited to safeguarding and/or promotion of the child's welfare).
- As the result of a Court Order granting parental responsibility.
- In addition, the Local Authority can acquire parental responsibility if it is named in the Care Order for a child.
- By step parents with the agreement of the child's mother or other parent with parental responsibility. (The school should ask to see documentary proof of PR if in any doubt).

Ways a person can acquire Parental Responsibility

- By entering into a "parental responsibility agreement" between him/herself and the child's mother.
- Through an Order of the Court.
- Registering the child's birth along with the mother of the child.

Briefing Note

Does the Court have powers to limit an individual's parental responsibility?

The Court does have power to limit an individual's parental responsibility via a Section 8 Court Order under the Children's Act 1989.