

Parental Responsibility – The Children Act

The Children Act 1989 became law in October 1991. One of its main aims is to help children be brought up within their family by their parents. To do this the Act makes clear who has parental responsibility for children, depending on their home circumstances.

Parental responsibility covers all of the rights, duties, powers, responsibilities and authority which by law a parent has with respect to their child. The following have parental responsibility:

- 1 Both the **Mother** and the **Father** if married to each other at the time of the child's birth or if they marry each other subsequently. This also includes those who have since separated or divorced. Both parents have an equal right to information about their child's school and progress.
- 2 The **Mother** only, of a child whose parents were not married to each other at the time of the child's birth and no steps have been taken by the Father to obtain Parental Responsibility.
- 3 The **Father**, if he was not married to the Mother at the time of the child's birth but has subsequently obtained Parental Responsibility either by:-
 1. A Parental Agreement with the Child's Mother (this has to be a legally written document)
 2. A Court Order
 3. By later re-marrying the Mother
 - With effect from **1st December 2003** the **Father** acquires parental responsibility if he is named on the birth certificate.
 - The Father can acquire Parental Responsibility by applying to the Court if the mother refuses to make a Parental Agreement.
 - Step-parents can acquire parental responsibility only through a residence order or if appointed guardian upon the death of the parents, or by adoption.

We need to be sure of each adult who does have parental

responsibility so that we can keep them informed of their child's education as required by the Children Act.