



Welcoming | Involving | Evolving

Oxhey Early Years Centre

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## Parental rights and responsibilities

### **Parent Information**

Our centre is expected to make information available to all parents who have parental responsibility for their child. If a parent does not have day to day contact with us and does not live in the same household as your child, we would be happy to send weekly newsletters, school reports and dates of parent consultation evenings separately to you. Please telephone the Admin Office to give us your contact details. **(You will be asked to provide evidence of parental responsibility as stated below.)** Should a parent not have parental responsibility we will be unable to give out any information regarding the child particularly with regards to their attendance at school.

### **However, there is some clarification required as to who has parental rights and responsibilities.**

Unlike mothers, fathers do not always have 'parental responsibility' for their children. With more than one in three children now born outside of marriage, some parents may be unclear about who has legal parental responsibility for their children.

### **Who has parental responsibility?**

In England and Wales, if the parents of a child are married to each other at the time of the birth, or if they have jointly adopted a child, then they both have parental responsibility. Parents do not lose parental responsibility if they divorce, and this applies to both the resident and the non-resident parent.

### **This is not automatically the case for unmarried parents.**

According to current law, a mother always has parental responsibility for her child. A father, however, has this responsibility only if he is married to the mother when the child is born or has acquired legal responsibility for his child through one of these three routes:

- (from 1<sup>st</sup> December 2003) by jointly registering the birth of the child with the mother
- By a parental responsibility agreement with the mother
- By a parental responsibility order, made by a court

**Please note that by living with the mother, even for a long time, does not give a father parental responsibility** and if the parents are not married, parental responsibility does not always pass to the natural father if the mother dies.

All parents (including adoptive parents) have a legal duty to financially support their child, whether they have parental responsibility or not.

### **Applying to the courts for parental responsibility**

A father can apply to the court to gain parental responsibility. In considering an application from a father, the court will take into account the degree of commitment shown by the father to his child, the degree of attachment between father and child and the father's reasons for applying for the order.

The court will then decide to accept or reject the application based on what it believes is in the child's best interest.

### **What is parental responsibility?**

While the law does not define in detail what parental responsibility is, the following list sets out the key roles:

- Providing a home for the child
- Having contact with and living with the child
- Protecting and maintaining the child
- Disciplining the child
- Choosing and providing for the child's education
- Determining the religion of the child
- Agreeing to the child's medical treatment
- Naming the child and agreeing to any change of the child's name
- Accompanying the child outside the UK and agreeing to the child's emigration, should the issue arise
- Being responsible for the child's property
- Appointing a guardian for the child, if necessary
- Allowing confidential information about the child to be disclosed.