



Ryhope Infant School Academy

Parental Responsibility Declaration

Childs Name:	
<p style="text-align: center;">The following information is being collected under our legal duty to teach your child and is statutory.</p> <p style="text-align: center;">This information is shared with the DfE, Local Authority and Together for Children (who act on behalf of the Local Authority), where we have a legal duty to do so.</p>	
<p><u>Parental Responsibility Information:</u></p> <p>Parental Responsibility means all the rights, duties, powers, responsibilities and authority which by law a parent of a child has in relation to the child and his property. (Children Act, 1989, Section 3 (1))</p> <p>This includes a duty to provide food, shelter, and safety and to maintain the child financially. But it also includes education, religion, discipline, medical treatment, the name by which a child is known and even where a child should live.</p> <p>Who has Parental Responsibility?</p> <ul style="list-style-type: none"> A mother automatically has Parental Responsibility. A (biological) father will have Parental Responsibility if:- he was married to the child's mother at the time of the birth or married her subsequently <i>or</i> is named on the child's birth certificate (when registered <i>after</i> 01/12/2003) <i>or</i> has the benefit of a PR Agreement or Court Order granting him Parental Responsibility Same-sex partners who were civil partners at the time of the treatment will both have parental responsibility. Any adult can have Parental Responsibility for a child if they were appointed legal guardian of the child in the will of a parent with Parental Responsibility and that parent is deceased. In certain circumstances, Parental Responsibility may be shared with a Local Authority (usually when the child has been the subject of Care Proceedings S38 or S31 of the Children's Act). 	
Name: Address: Postcode: Home: Work: Mobile: Email:	Name: Address: Postcode: Home: Work: Mobile: Email:
Relationship to child:	Relationship to child:
Declaration:	
<p>I understand why the information contained on this form is being collected and how it will be used and/or shared with other agencies, where specified.</p>	
Signed:	Date:
Relationship to child:	



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PARENTAL RESPONSIBILITY INFORMATION SHEET (Defined by 1989 Children Act)

Parental responsibility is used to sum up the collection of duties, rights and authority which the parent has in respect of his/her child. The choice of words emphasises that the duty to care for the child and to raise him/her to moral, physical and emotional health is the fundamental task of parenthood.

Step Parents and Parental Responsibility

Step parents cannot acquire parental responsibility for a child simply by marrying the child's biological parent.

A step-parent can acquire parental responsibility for a child in very specific circumstances including:

- When the court makes a Child Arrangements Order that the child lives with the step-parent either on their own or with another person. However these types of 'step parent' orders are uncommon.
- When the step-parent adopts a child which puts him/her in the same position as a birth parent.
- Through the signing of a Parental Responsibility Agreement to which all other people with Parental Responsibility consent. (see below)
- When the court has made a Parental Responsibility Order following an application by the step-parent. On acquiring parental responsibility, a step-parent has the same duties and responsibilities as a natural parent.

Same sex partners in a registered civil partnership or marriage can also acquire parental responsibility by agreement or a court order.

Obtaining a Step Parent Parental Responsibility Agreement

There are two simple conditions to obtaining PR by agreement:-

- you **must** be married to the biological parent with whom the child lives
- you must have the signed consent of **every** person with parental responsibility for the child

This means that if the other parent of the child is living and has Parental Responsibility, they must agree to you acquiring Parental Responsibility and they must cooperate in the agreement being approved by the Court, not just the parent to whom you are married.

You must also be able to provide your marriage certificate showing you are married to the child's parent; the child's parent must provide the child's full birth certificate; where there is another parent with parental responsibility, proof that they have parental responsibility must be provided; and all parties to the agreement must provide photographic evidence of identity (eg. passport or driving licence).

If the other parent's agreement is not forthcoming and you and your spouse remain of the view that you having Parental Responsibility is in the child's best interests, then you can apply to the Court to make an Order giving you Parental Responsibility.

Gaining a Parental Responsibility Order means:

- It doesn't remove Parental Responsibility from the absent biological parent
- It doesn't give you a greater say than the absent parent in the child's upbringing (but it does give you an equal say)
- It doesn't make you liable to pay maintenance for the child
- If you separate from the child's parent/move out, it doesn't give you an automatic right to see the child

What it **does** do is give you the same legal rights and obligations in relation to raising the child as the biological parent or parents.

Duties in respect of Parental Responsibility

This includes a duty to provide food, shelter, and safety and to maintain the child financially. But it also includes education, religion, discipline, medical treatment, the name by which a child is known and even where a child should live.

Those who hold parental responsibility are entitled to:

- Receive annual educational reports
- Be invited to attend open evenings/parents evenings
- Vote in elections for parent governor or in ballots concerning the school's status
- Be involved in any meeting that is set up by the school or other agency to discuss concerns/issues about their child's education or welfare



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PARENTAL RESPONSIBILITY INFORMATION SHEET **(Defined by 1989 Children Act)**

Who is a parent? – a definition (Education law, section 576 of the Education Act 1996)

It is important that schools and local authorities are aware that parents may be recognised differently under education law than under family law.

For the purposes of education law, section 576 of the Education Act 1996 defines a 'parent' as:

- all natural (biological) parents, whether they are married or not;
- any person who, although not a natural parent, has parental responsibility for a child or young person (this could be a step-parent, guardian or other relative);
- any person who, although not a natural parent, has care of a child or young person.

A person has care of a child or young person if they are the person with whom the child lives and who looks after the child, irrespective of what their relationship is with the child.

Responsibilities

All parents also have legal obligations; for example: to ensure that a child of compulsory school age receives a suitable full-time education.

Where a parent's action, or proposed action, conflicts with the school's ability to act in the child's best interests, the school should try to resolve the problem with that parent but avoid becoming involved in conflict.

However, there may be occasions when a school needs to decline requests for action from one or more parents.

Important Points to Remember

Headteachers are asked to:

- ask parents or guardians for contact details, including names and addresses, of all parents when they register a pupil;
- ensure that names and addresses of all parents, where known, are included in the admission register and also in pupil records and are available to the pupil's teachers;
- ensure that the school has details of who to contact in the case of an accident or medical emergency;
- ensure that contact details, including names and addresses, of all parents are forwarded to any school to which the pupil moves;
- ensure that details of Court orders are noted in a pupil's record.

PLEASE DETACH THIS FORM AND KEEP FOR YOUR RECORDS