

Children- Parental Responsibility

What is parental responsibility?

Parental responsibility for children means the legal rights, duties, powers, responsibility and authority a parent has for a child and a child's property.

A person with parental responsibility for a child has the right to make decisions about their care and upbringing. They are entitled to be given information regarding a child's education and any medical matters.

There is no need to consult with the other parent regarding day-to-day decisions. However, if you wish to change a child's name or permanently remove them from the jurisdiction of England and Wales, there is a requirement to consult with the other parent and if no agreement is reached, an application to the Court will be necessary.

Who has parental responsibility?

Married parents

If the parents of a child are married they both automatically have parental responsibility.

They both retain parental responsibility if they later separate or divorce.

Unmarried parents

An unmarried mother automatically has parental responsibility for her child.

An unmarried father has parental responsibility if he is named on the child's birth certificate (after December 2015).

He can acquire parental responsibility by:-

- entering into a parental responsibility agreement with the mother
- getting a parental responsibility order from the Court
- marrying the mother

Step parents and civil partners

A person with parental responsibility can give parental responsibility to his or her spouse or civil partner, who is not the child's parent. The consent of all others with parental responsibility is needed.

- Parental responsibility can be given by entering into an agreement or by Court order.