

## **Parental Responsibility Guidance**



**Parental Responsibility** is a legal term that means having all the **legal rights, duties, powers and responsibilities** for a child (a child is a person under the age of 18).

The following is advice from GOV.UK website. Please read this information and ensure that the parental responsibility information on the enclosed Data Collection sheet are correct.

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

A mother automatically has parental responsibility for her child from birth. A father usually has parental responsibility if he's either:

- married to the child's mother or
- listed on the birth certificate (after a certain date, depending on which part of the UK the child was born in)

You can apply for parental responsibility if you don't automatically have it.

### **Births registered in England and Wales**

If the parents of a child are married when the child is born, or if they've jointly adopted a child, both have parental responsibility. They both keep parental responsibility if they later divorce.

### **Unmarried parents**

An unmarried father can get parental responsibility for his child in 1 of 3 ways:

1. jointly registering the birth of the child with the mother (from 1 December 2003)
2. getting a parental responsibility agreement with the mother
3. getting a parental responsibility order from a court

### **Births registered in Scotland**

A father has parental responsibility if he's married to the mother when the child is conceived, or marries her at any point afterwards.

An unmarried father has parental responsibility if he's named on the child's birth certificate (from 4 May 2006).

### **Births registered in Northern Ireland**

A father has parental responsibility if he's married to the mother at the time of the child's birth.

If a father marries the mother after the child's birth, he has parental responsibility if he lives in Northern Ireland at the time of the marriage.

An unmarried father has parental responsibility if he's named, or becomes named, on the child's birth certificate (from 15 April 2002).

**Births registered outside the UK**

If a child is born overseas and comes to live in the UK, parental responsibility depends on the UK country they're now living in.

**Same-sex parents - Civil partners**

Same-sex partners will both have parental responsibility if they were civil partners at the time of the treatment, eg donor insemination or fertility treatment.

**Same-sex parents - Non-civil partners**

For same-sex partners who aren't civil partners, the 2nd parent can get parental responsibility by either:

- applying for parental responsibility if a parental agreement was made
- becoming a civil partner of the other parent and making a parental responsibility agreement or jointly registering the birth

**Applying for parental responsibility.**

If you're not the mother, you can apply to court to get parental responsibility.

You need to be connected to the child, eg as their father, step-parent or 2nd female parent.

More than 2 people can have parental responsibility for the same child.

For more advice please visit <https://www.gov.uk/parental-rights-responsibilities>