

Patient information

Parental Responsibility

Trust Wide Information – Royal Liverpool Hospital Sites

This leaflet aims to provide you with information about parental responsibility, who has it and how it can be obtained.

Parental responsibility is defined as:

“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 s.3(1)

What is parental responsibility?

All mothers and most fathers have legal rights and responsibilities as a parent - known as ‘parental responsibility’.

If you have parental responsibility, your most important roles are to:

- provide a home for the child.
- protect and maintain the child.

If you have parental responsibility for a child you don’t live with, you don’t necessarily have a right to contact with them - but the other parent still needs to keep you updated about their well-being and progress.

You’re also responsible for:

- disciplining the child.
- choosing and providing for the child’s education.
- agreeing to the child’s medical treatment.
- naming the child and agreeing to any change of name.
- looking after the child’s property.

Parents have to ensure that their child is supported financially, whether they have parental responsibility or not.

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.
- 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 one of three ways:

- Jointly registering the birth of the child with the mother (from 1st December 2003).
- Getting a parental responsibility agreement with the mother.
- 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, e.g. donor insemination or fertility treatment.

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.

Who does not have parental responsibility and how can someone obtain parental responsibility?

Apply 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, e.g. as their father, step-parent or 2nd female parent.
- More than two people can have parental responsibility for the same child.
- Scotland has its own set of rules, covered under 'ordinary cause procedures'.
- Sign a parental responsibility agreement
- If you're a father who wants parental responsibility and the mother agrees, fill in a parental responsibility agreement.
- There's a different agreement form for step parents.
- Take the agreement to your local county court or family proceedings court where it can be signed and witnessed.
- Also take the child's birth certificate and proof of your identity, like a passport or driving licence.
- Send two copies of the form to the address below:

Principal Registry of the Family Division
First Avenue House
42-49 High Holborn
London
WC1V 6NP

- Apply for a court order

If you want parental responsibility but can't agree on arrangements with the mother, you can apply for a court order.

A court order costs £215.

Further Information

Contact a solicitor for further information and advice on legal aspects of parental responsibility, this leaflet only gives general information. Do not rely on this leaflet alone for information about parental responsibility.

Author: Adapted from the Government website: Having a Child, Parenting and Adoption – Parental rights and responsibilities – November 1st 2017.

Review date: January 2024

All Trust approved information is available on request in alternative formats, including other languages, easy read, large print, audio, Braille, moon and electronically.

يمكن توفير جميع المعلومات المتعلقة بالمرضى الموافق عليهم من قبل ائتمان المستشفى عند الطلب بصيغ أخرى، بما في ذلك لغات أخرى وبطرق تسهل قراءتها وبالحروف الطباعية الكبيرة وبالصوت وبطريقة برايل للمكفوفين وبطريقة مون والكترونيا.

所有經信托基金批准的患者資訊均可以其它格式提供，包括其它語言、易讀閱讀軟件、大字

體、音頻、盲文、穆恩體 (Moon) 盲文和電子格式，敬請索取。

در صورت تمایل میتوانيد کلیه اطلاعات تصویب شده توسط اتحادیه در رابطه با بیماران را به اشکال مختلف در دسترس داشته باشید، از جمله به زبانهای دیگر، به زبان ساده، چاپ درشت، صوت، خط مخصوص گوران، مون و بصورت روی خطی موجود است.

زانباری پتوهندیدار یو نمخوشانهی له لایس تراستهوه پمساند کراون، نهمر داوا بکرنیت له فورمانهکانی تردا بریتی له زمانهکانی تر، نیزی رید (هاسان خویندهوه)، چاپی گموره، شریتی دهنگ، هیلای موون و نلیکترونیکی همیه.

所有经信托基金批准的患者信息均可以其它格式提供，包括其它语言、易读阅读软件、大字体、音频、盲文、穆恩体 (Moon) 盲文和电子格式，敬请索取。

Dhammaan warbixinta bukaanleyda ee Ururka ee la oggol yahay waxaa marka la codsado lagu heli karaa nuskhado kale, sida luqado kale, akhris fudud, far waaweyn, dhegeysi, farta braille ee dadka indhaha la', Moon iyo nidaam eletaroonig ah.