



*Dream, Believe, Persevere, Achieve*

# GUIDANCE NOTE ON PARENTAL RESPONSIBILITY

Please ensure that all persons with Parental Responsibility tick the box in Section C of the Admission Form (Family/Home section). If there are any persons who have Parental Responsibility who are not part of the student's main household, please ensure that their details are completed in Section C.

The following guidance from the Department of Education may assist you in completing Section C of the Cape Cornwall School Admission form.

## **Definition of parent**

Section 576 of the Education Act 1996 defines 'parent' as:

- all natural parents, whether they are married or not
- any person who, although not a natural parent, has parental responsibility for a child or young person
- Any person who, although not a natural parent, has care of a child or young person (having care of a child or young person means that a person with whom the child lives and who looks after the child, irrespective of their relationship with the child, is considered to be a parent in education law).

## **Definition of Parental Responsibility**

Having Parental Responsibility means assuming all the rights, duties, powers, responsibilities and authority that a parent of a child has by law. People other than a child's natural parents will only have Parental Responsibility if:-

- they have been granted a Residence Order
- they have been appointed as a Legal Guardian
- they have been named in an Emergency Protection Order (although Parental Responsibility in such a case is limited to taking reasonable steps to safeguard or promote the child's welfare)
- they have adopted a child
- (in the case of step-parents) there is an agreement with the child's mother (and other parent if that person also has Parental Responsibility for the child) or a Court Order has been made.

Where a child's parents are not married to each other, the child's father can gain parental responsibility by:

- registering the child's birth jointly with the mother
- through a 'Parental Responsibility agreement' between him and the child's mother
- as the result of a Court Order

In addition, a Local Authority can acquire Parental Responsibility if it is named in the Care Order for a child.

Everyone who is a parent, as defined above (whether they are a resident or non-resident parent) has a right to participate in decisions about a child's education and receive

information about the child (even though, for day-to-day purposes, the school's main contact is likely to be a parent with whom the child lives on school days).

The school and Local Authority staff will treat all parents equally, unless there is a Court Order limiting an individual's exercise of Parental Responsibility.

### **Obtaining consent**

Where we as a school need parental consent for outings and activities, we will seek the consent from the resident parent unless the decision is likely to have a long-term and significant impact on the child or the non-resident parent has requested to be asked for consent in all such cases.

Further details can be obtained from the Department of Education website:  
[www.education.gov.uk](http://www.education.gov.uk).