THE STONEHENGE SCHOOL

Parental Responsibility Guidance 2026

(Please keep this for reference)

What is parental responsibility?

Parental responsibility (PR) refers to the legal rights, duties, powers and responsibilities that a parent has in relation to a child.

If you have parental responsibility, you are responsible for:

- Making decisions about the child's upbringing, including education
- Naming the child and agreeing to any change of name
- Providing guidance, care and discipline
- Managing the child's property

All parents are responsible for ensuring their child is financially supported, whether or not they hold parental responsibility.

Who has parental responsibility?

A mother automatically has parental responsibility from birth.

A father usually has parental responsibility if he:

- Is married to the child's mother, or
- Is listed on the birth certificate (for births registered in England and Wales from 1 December 2003)

In addition, parental responsibility may be held by:

- A person with a **child arrangements order** (previously known as a residence order)
- A legally appointed guardian or adoptive parent
- A local authority where the child is subject to a care order

Parental responsibility can also be obtained by:

- A parental responsibility agreement
- A court order

Unmarried parents

An unmarried father can gain parental responsibility by:

- Being named on the birth certificate (after 1 December 2003)

- Entering into a parental responsibility agreement with the mother
- Obtaining a parental responsibility order from the court

Civil partners and same-sex parents

Both partners will have parental responsibility if they were:

- Civil partners at the time of fertility treatment, or
- Jointly registered as parents at birth

Who is a 'parent' in education law?

Under Section 576 of the Education Act 1996, the definition of a 'parent' is broader than in family law.

For the purposes of education, a parent includes:

- All biological parents (whether married or not)
- Anyone with parental responsibility
- Anyone who has care of the child (i.e. the child lives with them, even part-time)

This means schools may be required to share information with, and engage with, individuals who do not hold parental responsibility but have care of the child.

Parental responsibility in Education

Communication and involvement

The school will communicate with and share information with all those recognised as parents in education law, unless there is a court order or legal restriction in place that limits this.

Where there are disputes between parents, the school will remain neutral and will not take sides. Parents will be expected to resolve disputes between themselves or through the courts.

Collecting children

- Where only one parent has parental responsibility, they can determine collection arrangements.
- Where more than one person has parental responsibility, the school will follow the arrangements in place unless a court order states otherwise.
- If there is a dispute, parents will be advised to seek legal resolution. The school will prioritise the child's safety at all times.

Trips and visits

- For routine educational visits, the school will usually seek consent from the parent with whom the child normally resides.
- Where a non-resident parent has expressed a wish to be consulted, or where the decision is significant (e.g. residential trips), the school will take reasonable steps to involve all those with parental responsibility.
- Any adult with care of the child may take reasonable steps in the child's best interests in line with the Children Act 1989.

Parents' evenings and meetings

We recognise that all parents play an important role in a child's education.

- The school will make reasonable efforts to ensure that all those recognised as parents can be kept informed about their child's progress.
- Where parents are separated, we encourage them to attend meetings together or agree who will attend.
- In circumstances where this is not possible or appropriate, the school will consider alternative arrangements where reasonably practicable.
- Separate appointments may be offered where there is a clear need, such as:
    - A court order or legal restriction
    - Safeguarding concerns
    - Evidence that a joint meeting would not be appropriate

Due to capacity, the format of meetings may vary, but the school will endeavour to ensure that all parents have access to key information about their child.

Safeguarding and legal considerations

Where a court order is in place (e.g. child arrangements order, prohibited steps order), the school will follow the terms of that order.

If there are safeguarding concerns, the school will act in the best interests of the child and may seek advice from relevant agencies.

Useful resources

- https://www.gov.uk/parental-rights-responsibilities
- https://www.familylives.org.uk/advice/divorce-and-separation/shared-parenting-and-contact/parental-responsibility
- https://www.gov.uk/government/publications/dealing-with-issues-relating-to-parental-responsibility/understanding-and-dealing-with-issues-relating-to-parental-responsibility