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| **Parental Rights & Responsibilities Policy** |
| Version 2.0 |
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| **Turner Martin (Mr)**  **28 September 2020** |
| **A. Confidentiality Notice** |

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C. Document Details

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| **Classification:** | Policy |
| **Author and Role:** | Mr Martin Turner, Practice Manager |
| **Organisation:** | Staveleigh Medical Centre |
| **Document Reference:** | Parental Rights & Responsibilities Policy\_V.2.0 |
| **Current Version Number:** | 2.0 |
| **Current Document Approved By:** |  |
| **Date Approved:** | 28 September 2020 |

D. Document Revision & Approval History

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| **Version** | **Date** | **Version Created By** | **Version Approved By** | **Comments** |
| 1.0 | March 14 | Mrs D Teasdale | Dr S Ul-Haq |  |
| 1.1 | April 18 | Mrs D Teasdale | Dr J Shilhan |  |
| 2.0 | Sept 20 | Mr M Turner |  | Formatting |
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E. Definitions

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| “The Practice”, “We” | On behalf of The Partners of Staveleigh Medical Centre |
| “CCG” | Clinical Commissioning Group for Tameside and Glossop |
| “Office”, “Officers” | Responsible persons for policy |

F. Persons Whom Policy Applies to

Staff, faculties, visitors, stakeholders and other persons or bodies affected by or for whom this policy applies to:

* All Clinical staff.
* Patients.
* 3rd Party Staff.
* All Stakeholders.

G. Responsible Office

Office or officers charged with developing, updating, communicating, training, ensuring compliance with, and providing resources to promote adherence to this issued policy:

* Practice Manager.
* All Practice Staff.
* Practice Partners.

H. Introduction

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 their property’.

I. Practice Statement

Staveleigh Medical Centre is committed to ensuring accurate parental responsibility is accounted for when obtaining consent for medical procedures and releasing patient information.

J. Operational Implementation and Procedures

Unlike mothers, fathers do not always have 'parental responsibility' for their children.

The objective of this document is to clarify the situation, so Practice Staff have the correct information to hand, when it is required

## What is parental responsibility?

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 their property’.

That means, if you have parental responsibility, you are recognised in the eyes of the law as having all the legal powers to make appropriate decisions in relation to the upbringing of your child.

### The following list sets out the key roles of parental responsibility:

* Providing a home for the child
* Having contact with and living with the child
* Protecting and maintaining the child
* Disciplining the child
* Choosing and providing for the child's education
* Determining the religion of the child
* Agreeing to the child's medical treatment
* Naming the child and agreeing to any change of the child's name
* Accompanying the child outside the uk and agreeing to the child's emigration, should the issue arise
* Being responsible for the child's property
* Appointing a guardian for the child, if necessary
* Allowing confidential information about the child to be disclosed

## Who has parental responsibility?

A mother automatically has parental responsibility for her child from birth. However, the conditions for fathers gaining parental responsibility vary throughout the UK.

## For births registered in England and Wales

In England and Wales, if the parents of a child are married to each other at the time of the birth, or if they have jointly adopted a child, then they both have parental responsibility.

Parents do not lose parental responsibility if they divorce, and this applies to both the resident and the non-resident parent.

This is not automatically the case for unmarried parents.

According to current law, a mother always has parental responsibility for her child.

A father, however, has this responsibility only if he is married to the mother when the child is born or has acquired legal responsibility for his child through one of these three routes:

* By jointly registering the birth of the child with the mother (from 1 December 2003)
* By a parental responsibility agreement with the mother
* By a parental responsibility order, made by a court

Living with the mother, even for a long time, does not give a father parental responsibility and if the parents are not married, parental responsibility does not always pass to the natural father if the mother dies.

All parents (including adoptive parents) have a legal duty to financially support their child, whether they have parental responsibility or not.

## For births registered outside the UK

If a child is born overseas and then comes to live in the UK, the parental responsibility rules apply for the UK country in which they live.

## Applying to the courts for parental responsibility

A father can apply to the court to gain parental responsibility. In considering an application from a father, the court will take the following into account:

* The degree of commitment shown by the father to his child
* The degree of attachment between father and child
* The father's reasons for applying for the order

The court will then decide to accept or reject the application based on what it believes is in the child's best interest.

K. Statement Publication

Staveleigh Medical Centre will endeavour to update and publish their policy and statement as soon as possible and appropriate. The policy and statement should be reviewed not more than 12 months of the version date.

The statement needs to be approved and signed by an appropriate senior person in the business to ensure senior level accountability.

A copy of the statement is to be provided to anyone who requests one in writing. The copy must be provided to the requestor within 30 days of the receipt of the request.

L. Additional Information

None recorded.

M. References & Further Resources

None recorded.

N. Appendices

None recorded.

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| End of Document. |
| Staveleigh Medical Centre  King Street  Stalybridge  SK15 2AE  t: 0161 304 8009  w: www.staveleighmedicalcentre.co.uk  e: tgccg.staveleighmedicalcentre@nhs.net  c: P89007 |