

PARENTAL RESPONSIBILITY

Reference Points

- Education Act 1996 (Section 576)
- Adoption and Children Act 2002 (Section 111)
- Children Act 1989
- *Understanding and dealing with issues relating to parental responsibility*
Departmental advice for maintained schools, maintained nursery schools, academies, free schools, local authorities and dioceses- DfE January 2016
<https://www.gov.uk/government/publications/dealing-with-issues-relating-to-parental-responsibility>
- See also in this Handbook:
 - Section A05 – Pupil Records
 - Section A06 – Disclosure of Information to Parents and Others
 - Section B06 – Data Protection Matters – DPA Model Policy

Contact Points

Schools Liaison Officer 01522 554884
Legal Services 01522 552581

Introduction

Schools are required by law to have a wide range of dealings with pupils' parents and can find themselves caught up in disputes between a number of adults, each claiming to have parental responsibility for a particular child.

To assist schools in navigating these difficulties, the DfE have produced a guidance document entitled, '*Understanding and dealing with issues relating to parental responsibility: Departmental advice for maintained schools, maintained nursery schools, academies, free schools, local authorities and dioceses*' – accessible from the link above.

This document provides general guidance on a range of possible issues, and schools are strongly advised to familiarise themselves with its contents. However, there may well be situations where schools will want to take their own independent legal advice about any particular individual set of circumstances. For those schools which buy into Legal Services Lincolnshire, you are strongly encouraged to seek legal advice where you are unsure how to proceed.

Action Points

Schools should ensure all staff are aware of the guidance and act in line with its principles.

A key point that schools should note is the differing definitions of 'parent' according to education law, as opposed to family law. Please see pages 4 & 5 of the guide for further information.

Schools should seek independent legal advice where necessary.