

There are also organisations which help families involved with Specialist Services. These include:

### **Family Rights Group**

The Print House, 18 Ashwin Street, London E8 3DL.  
**Freephone** 0808 8010366 **Email** - [advice@frg.org.uk](mailto:advice@frg.org.uk)

### **How to make a complaint**

You can ask to speak to the local manager and explain why you are not satisfied. You can also write to:

The Complaints Manager  
Department of Children & Learning  
Southend Borough Council  
Civic Centre  
Victoria Avenue  
Southend-on-Sea  
SS2 6ER  
Phone: 01702 215007  
Email: [childrenscomplaints@southend.gov.uk](mailto:childrenscomplaints@southend.gov.uk)

A summary of this leaflet can be translated into alternative languages and can be provided in other formats. Please phone Specialist Services on 01702 215007

This document is published by Southend Borough Council [www.southend.gov.uk](http://www.southend.gov.uk)  
October 2010



# Parental Responsibility



## What is Parental Responsibility?

A person with parental responsibility is responsible for the care and well-being of their child. Unless a court order says something different that person can make important decisions about the child's life, for example:

- ◆ providing a home for the child
- ◆ choosing where they go to school
- ◆ deciding the child's religion
- ◆ protecting and caring for the child
- ◆ agreeing to medical/dental treatment for the child
- ◆ being responsible for the child's property
- ◆ going with the child outside the UK (e.g. on holiday) and agreeing to the child's emigration, should the issue arise. (As long as nobody has a Residence Order, in which case everyone with parental responsibility has to agree, or get a Court Order.)

## Who has Parental Responsibility?

- ◆ the mother, from the moment the child is born
- ◆ the father:
  - if he was married to the mother when the child was born or later marries her
  - from 1 December 2003 if he jointly registers the birth of the child with the mother

## What we expect of you

We encourage all those with parental responsibility to use it and we will tell you how you can contribute to decisions in your child's life. There are only two times when we will not do this:

1. If your child is old enough to understand what is happening and to have a view and asks for your involvement to be limited. We will take this into account when we make any decisions.
2. We hope you will be able to work together with us to make the best decisions for your child. However we can not allow you to cause problems for your child's care. If this happens we will tell you.

We understand that having a child looked after by someone else can be very difficult for parents and other family members. It can also be very difficult for children who may want to be cared for within their family. We will work with you for the best for your child, and we ask that you do the same.

## Can you see the information we hold about you?

The law says you are entitled to see information which we hold on you, under the Data Protection Act. There is more information about this on our website [www.southend.gov.uk](http://www.southend.gov.uk) or you can write to the Information Management Officer, PO Box 2, Civic Centre, Victoria Avenue, Southend, SS2 6ER. You can sometimes see information we hold on your child, provided we are satisfied this is in their best interests.

## Where can you get more information?

You should ask social workers, particularly the key worker, for any information you need. The Southend Essex and Thurrock child protection procedures are available on the Local Safeguarding Board web pages of our website, [www.southend.gov.uk](http://www.southend.gov.uk).

## What you can expect of us

We will be clear about the plan for your child, our reasons for that plan and the law which allows us to make decisions for your child.

If we get parental responsibilities through an Emergency or Care Order, we will be clear with you about how we will make decisions as a parent. We will tell you when we want you to talk to us about what you should do, and we will tell you when you must ask us permission to make decisions for your child. We will ask you your views before we make any decision about your child.

If the plan for your child is to return home, we will be clear about what you have to do and tell you when you have to do it.

The plan for your child will be reviewed regularly. The law tells us how often we have to do this. You will be involved in the review of your child's care unless there are important reasons why you are not. If you are not invited to all of the review meeting, we will tell you why.. If you are not invited to any part of the review, you will be asked for your views separately.

We will make day-to-day arrangements for the care of children in the child placement meeting. We must hold this within 7 days of us arranging for your child to live somewhere new. What we decide at this meeting must fit in with the care plan. Details of and arrangements for contact will be decided at this meeting; arrangements for any cultural or religious requirements; personal care (e.g. hair care), day-to-day routines of your child and arrangements.

-by a Parental Responsibility Agreement with the mother

-by a Parental Responsibility Order, made by a court

- ◆ People who have adopted a child or people planning to adopt a child who are already looking after the children in their home.
- ◆ People who have a Residence Order or a Special Guardianship Order (as long as they are in force) or an Adoption Order.
- ◆ A step-parent can gain parental responsibility for their husband or wife or partner's child if both birth parents or anyone one else with parental responsibility agree. This can be done with a Step-Parent Parental responsibility agreement. (However you can only do this if you are married to, or the civil partner of, your husband or wife or partner.)
- ◆ A step-parent can also apply to the court for a court order granting parental responsibility.
- ◆ A step-parent can also get parental responsibility by adoption. However this takes parental responsibility away from the absent birth parent. It means the child is no longer legally part of their original family.

Parents do not lose parental responsibility if they divorce.

## **Do I still have Parental Responsibility if my child is accommodated by Southend Borough Council?**

**If your child is accommodated\* with your agreement** then Southend Borough Council do not gain parental responsibility for your child. The day to day upbringing of your child will be our responsibility but you will take all the decisions about your child's life.

**If your child is placed for adoption**, the people who are hoping to adopt your child will have parental responsibility as well as you, and Southend Adoption Agency will decide to what extent each of you can make decisions for the child. If the plan for your child is adoption then your contact with your child and the amount you can make decisions as a parent is likely to gradually reduce until the time your child is adopted.

**If your child is accommodated under a Care Order or Emergency Protection Order**, you keep parental responsibility but Southend Borough Council also get it. We can override your decisions as a parent while the Order is in force. How much we do this will depend on decisions about the safety of the child and also what the child's permanence plan<sup>※</sup> is. We cannot change the name of your child or take them out of the country for more than a month without the consent of all people with Parental Responsibility, or by getting a court order.

**If your child has a Care Order and the plan is for the child to return to your care** then you will be told how and when your contact with your child will increase. You will then be told when it is the right time go back to court to have the care order removed. The reasons for the timescales and plans will be part of the care plan.

**If the permanence plan is for long term foster care or residential care** then at the looked after child reviews we will discuss how much contact you will have with your child. You may have regular contact with your child or very little but you still keep parental responsibility for your child. Unless it is considered harmful to your child, or sometimes if your child does not want this to happen, you will receive information about e.g. your child's education and wellbeing so you can tell us whether you think what we have arranged is suitable for your child. If we do not tell you things we will tell you the reason why.

**If the plan is for your child to return to your care as part of a parallel plan**, this means that more than one possible permanent plan is being thought of for your child. Your child's social worker has the job of deciding whether it would be best for your child to return to you and whether you can properly care for your child. If the child's social worker decides you are able to look after your child properly then how much contact you have with your child will increase as well as how many and what decisions we let you make as a parent. We will tell you what we expect you to do to show us whether you can be a good and reliable parent.

The second plan will be for the child to have a home with other people if the child's social worker decides you are not able to care for your child. This could be adoption, living with another member of your family or staying with one foster carer until they are 18 years old.

\* *"Accommodated" - when we provide a home for your child, usually with foster carers*

※ *A permanence plan - a plan for where your child will live permanently, with security and stability until they are 18.*