



Early Learning and Childcare Centre

PARENTAL REPOSNSIBILITY POLICY

The Care Inspectorate's Health and Social Care Standards inform the standard of practice expected of Ferryfield's staff, when following this policy they are adhering to:

Standard 2: I am fully involved in all decisions about my care and support.

2.16 – If I am fostered, my foster family is supported to fully include me in family life.

Standard 3: I have confidence in the people who support and care for me.

Responsive care and support

3.14 – I have confidence in people because they are trained, competent and skilled, are able to reflect on their practice and follow their professional and organisational codes.

Wellbeing

3.20 – I am protected from harm, neglect, abuse, bullying, and exploitation by people who have a clear understanding of their responsibilities.

Standard 4: I have confidence in the organisation providing my care and support

Dignity and respected

4.1 – My human rights are central to the organisations that support and care for me.

Wellbeing

4.23 – I use a service and organisation that are well led and managed.

Who has parental responsibility of a child

Parental responsibility lies with:

- the biological mother (unless removed by court order).
- the biological father (provided he was married to the child's mother at the time of conception, or birth, or the father has acquired parental responsibility via a court order or parental responsibility agreement, or the parents have subsequently married (unless removed by court order)).
- the Family Law (Scotland) Act 2006, which came into force on 4 May 2006, confers parental responsibility and parental rights on unmarried fathers where the father is registered as the child's father. However, it only applies to unmarried fathers who are registered as the father after 4 May 2006.
- Same-sex partners will both have parental responsibility if they were civil partners at the time of the treatment, eg donor insemination or fertility treatment.
- the child's legally appointed guardian.

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- a person to whom the court has awarded a residence order relating to the child.
- a local authority designated in a care order for the child (but not where the child is being accommodated or in voluntary care).
- any person or organisation holding an emergency protection order for a child.

It cannot be assumed that foster parents, step parents or grandparents automatically have parental responsibility. A person with parental responsibility may however arrange for some of their responsibility to be discharged by others either routinely or on a temporary basis. This means that when care services are given consent they might not know if the person actually has parental responsibility.

When a child is registered at Ferryfield, it is assumed the registering mother has parental responsibility for the child. If the child is registered by the father, this relationship is checked when the parent is asked to provide a birth certificate for the child.

If there is ambiguity regarding who has parental responsibility, further clarification maybe requested and support maybe requested from a suitable authority.

Adopted by the Committee

Date

August 2019