



## **PARENTAL RESPONSIBILITIES AND RIGHTS**

### **What are they and who has them?**

#### **Parental Responsibilities**

1. to safeguard and promote a child's health, development and welfare
2. to provide, in an age-and-stage appropriate way, direction and guidance
3. if not living together, to maintain personal relations and direct contact with the child
4. to act as the child's legal representative.

These last until the child is 16 years old, except the responsibility to guide which lasts to 18 years.

#### **Parental Rights**

These exist only to enable a parent to fulfil their responsibilities.

1. to live with the child or to regulate the child's residence
2. to direct or guide, in an age-and-stage appropriate way, the child's development and upbringing
3. if not living together, to maintain personal relations and direct contact with the child
4. to act as the child's legal representative.

These last until the child is 16 years old.

#### **Who has Parental Responsibilities and Rights?**

- Mum
- Dad, if he was married to Mum at conception or subsequently
- Dad, if his name appears on the child's birth certificate registered after 4 May 2006 (not retrospective)
- Dad, if he has a formal agreement with Mum registered in Books of Council and Session
- Any person, where the person with PR&R has arranged for that person to fulfil some or all of their PR&R. This delegation can be made formally or informally.
- Any person, where there is a court order giving them some or all PR&R
- The local authority, where there is a permanence order in relation to the child
- Any person, who, after a parent's death, has accepted appointment of guardian conferred in a parent's will. The parent requires to have had the PR&R to act as the child's legal representative.
- Any person, where an adoption order has been made. Unless otherwise provided by the court, this will extinguish PR&R held by others.