

Parental Responsibility

Separation and divorce can be difficult and, if handled without care and a sense of parental duty, have an unnecessary effect on a child's welfare. As a parent, knowing your rights and responsibility over your children is essential from the start.



What are Parental Responsibility Agreements?

Married mums and dads have Parental Responsibility, which covers decisions about the child's day-to-day welfare and education. Each parent can apply individual parental responsibility to most situations without approval from the other parent. However, some situations will require discussion and agreement, such as the decision of which school the child will attend, and taking the child abroad for either a short holiday or a longer period.

If there is no Child Arrangements Order with a residence element in place, removing a child from the jurisdiction cannot be done without the consent of the other parent or anyone else with parental responsibility. If necessary, Banner Jones can help make the relevant emergency application through the Court for the return of the child or children.

The rights of unmarried parents

The above circumstances do not apply to unmarried parents. An unmarried mother has parental responsibility for their child. An unmarried father whose name is on the birth certificate and the child was born after 1st December 2003 also has it. However, an unmarried father for a child born before 1st December 2003 does not, but can, acquire parental responsibility by either:

- Entering into a parental responsibility agreement with the mother.
- Obtaining a Parental Responsibility order of the Court.
- Marrying the mother of his child.
- Obtaining a Child Arrangements Order that includes a living with element or contact element.

The child's welfare

The minimisation of the effect your separation has on your children must always be the main concern. Even when there is a good reason to part, the situation can affect the child's mental health, dietary habits, sleeping patterns, education and social life, so understanding and due care are required of both parties at all times.

We understand

At Banner Jones we realise that no two cases are alike, so we deliver a personalised service from start to end. We do everything within our power to help your domestic lives remain unchanged, keeping disruption to a minimum by listening to your individual requirements. Separation and divorce can be difficult, but by applying experience, expertise and empathy, we make it as stress-free as possible.

Why Choose Banner Jones?



Ranked in the Legal 500 for services to Family Law



Over 135 years of experience



5 Regional offices



Variety of specialist lawyers



Resolution accredited



We have an independent mediation service

96%

96% of our clients would recommend us to a friend

If you are considering getting a divorce contact one of our expert solicitors who will give you specialist advice on the divorce process:

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