

Parents and parental responsibility

Thank you for bringing your child for specialist orthodontic treatment. In order to carry out the treatment we need to gain your consent. To make sure you are legally entitled to give consent, please read the information below. If you are not able to give consent for the child you have with you, you must inform Mr Gale. Treatment must not be started without legal consent from a parent with legal parental responsibility.

References to “Parents” mean people with parental responsibility and other people who care for or look after children or young people. This might include other family members or adults who live in the same household.

A “person with parental responsibility” means someone with the rights and responsibilities that parents have in law for their child, including the right to consent to medical treatment for them, up to the age of 18 years in England, Wales and Northern Ireland, and up to 16 years in Scotland.

Mothers and married fathers have parental responsibility, and so do unmarried fathers of children registered since 15th April 2002 in Northern Ireland, since 1st December 2003 in England and Wales and since 4th May 2006 in Scotland, as long as the father is named on the child’s birth certificate.

An unmarried father whose child’s birth was registered before these dates, or afterwards, if they are not named on the child’s birth certificate, does not automatically have parental responsibility. He can gain parental responsibility by re-registering the birth, by entering into a parental responsibility agreement with the child’s mother or by getting a parental responsibility order from the courts. Married step-parents and registered civil partners can gain parental responsibility in the same ways.

Parents do not lose parental responsibility if they divorce. If a child is taken into local authority care under a care order, their parents share parental responsibility with the local authority. If the child is in voluntary care, the local authority has no parental responsibility. Parents lose parental responsibility if a child is adopted. Parental responsibility can be restricted by a court order.

Adoptive parents have parental responsibility as does a person appointed as a child’s testamentary guardian or special guardian, or a person given a residency order. Local authorities have parental responsibility if there is a care order relating to a child.

Please do not be offended if we have to ask questions regarding consent. It may help prevent any uncomfortable feelings if relevant paperwork is brought to the initial appointment or whenever consent is requested.

It will be presumed that an adult signing consent for a child has taken full responsibility and complies with the above guidelines.