Who has Parental Responsibility (PR)?

If in doubt or Parental Responsibility (PR) is unclear: ask to see copies of birth certificate or any legal consent documents / court orders, and take advice from Legal Services / MDU / MPS if required.

Child or Young Person (CYP) has been assessed* and is NOT believed competent to give their own consent at this time

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**No legal orders** in place irrespective of where CYP is currently / regularly residing

- **Same-sex partners**
  - If civil partners at time of treatment (e.g. fertility), jointly register birth, or parental responsibility agreement / order

- **Birth mother**
  - IF married to birth mother, named on birth certificate after 1 Dec 2003 (UK), or parental responsibility agreement / order

- **Birth father**
  - Adult(s) with SGO have PR (along with birth parents, but SGO holder can override birth parents)

Special Guardianship Order (SGO)

- **Section 20 (Voluntary Placement)**

- **Child In Care / Looked After** (e.g. foster care, residential unit, placed with relative, detained, UASC-Unaccompanied Asylum Seeking Child)
  - **Interim Care Order (ICO)** or **Full Care Order (FCO)**

- **Placement Order**

**Child In Care / Looked After**

- **Interim Care Order (ICO)** or **Full Care Order (FCO)**

**Placement Order**

**SHARED** between birth family and Social Care, but if on FCO then Social Care can limit parental PR or override parents if in CYP's welfare

- **Social Care, ideally Senior Manager e.g. Service Manager or not foster carer, residential home worker etc.)**

- **Birth father** (see list at left of diagram for caveats)

- **Birth mother** (see list at left of diagram for caveats)

Emergency Situations (including out of hours)

Overriding duty remains to give life-saving emergency treatment in the CYP’s best interests

- **Police Protection Order (PPO):** <72hr and no change to who holds PR
- **Emergency Protection Order (EPO):** 8d (max 15d) PR is **SHARED** between birth family and Social Care, court can grant Social Care ability to limit parental PR or override parents if in CYP’s welfare
- Emergency situations where the decision of a competent CYP/person with PR means CYP is at risk of significant harm (e.g. refusal of essential treatment) take urgent advice from your organisation’s Legal Services / MDU / MPS and contact Social Care – an emergency Court Order may be required.

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Dr Nadya James – Consultant Community Paediatrician, Designated Doctor
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*Assessment as per GMC publication 0-18 years: guidance for all doctors

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**Foster Carers** may be authorised for routine health reviews and to access emergency healthcare, but NOT a CSA or NAI exam / Immunisations / Blood Borne Infection (BBI) screening / Genetic testing etc.