

## **Who is eligible to stand as a parent governor or vote in a parent governor election?**

The definition of “parent” includes:

- all natural parents, whether they are married or not: and
- any person who, although not a natural parent, has parental responsibility for a child or young person; and
- “Parent” is defined for the purposes of the Constitution Regulations as including “any individual who has or has had parental responsibility for, or cares or has cared for, a child or young person under the age of 18”. It includes a person who the child lives with and who looks after the child, irrespective of what their relationship is with the child. The reference in the definition must be to someone involved in the full-time care of the child on a settled basis.

### **Parental Responsibility**

More than one person may have parental responsibility for the same child at the same time, and a person does not cease to have such responsibility solely because some other person subsequently also acquires it. Both parents have parental responsibility if they were married to each other at the time of the child’s birth, although they may have since separated or divorced. If the child’s parents were not married at the time of the birth, the mother has parental responsibility for the child and the father is able to acquire parental responsibility for the child if he:

- marries the mother of the child;
- enters into a parental responsibility agreement with the mother;
- registers the child’s birth jointly with the mother (effective from 1 December 2003, but not retrospective);
- Applies to the court for a parental responsibility order.

Parental responsibility passes to the adopter when an adoption order is made. Although a care order confers parental responsibility on the local authority, the local authority will not be treated as a parent for certain purposes under the Education Acts.

In the case of maintained nursery schools, any parent (or carer) of a child who is making use of the service provided by the nursery is eligible to stand for election for parent governorship at the school.

Any parent who is an elected member of a local authority or is paid to work at the school for more than 500 hours in the academic year, is ineligible to stand for election as parent governor at the school. However, they may vote in an election.