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TO

Require the Secretary of State to make provision to extend the system of parental responsibility agreements to enable a kinship carer to obtain parental responsibility for a child they are raising without having to bring a case to court; and for connected purposes.

BE IT ENACTED by the Queen’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Application of provisions

- (1) The Children Act 1989 is amended as follows.
- (2) After section 4A insert—

“4B Acquisition of parental responsibility by relative

- (1) A relative shall acquire parental responsibility for a child if the relative and the parent or parents who have parental responsibility for the child make an agreement providing for him or her to have parental responsibility for the child. 5
- (2) An agreement under subsection (1) is also a “parental responsibility agreement”, and section 4(2) applies in relation to such agreements as it applies in relation to parental responsibility agreements under section 4. 10
- (3) A parental responsibility agreement under subsection (1) may only be brought to an end by an order of the court made on the application—
 - (a) of any person who has parental responsibility for the child; or 15
 - (b) with the leave of the court, of the child himself.
- (4) The court may only grant leave under subsection (3)(b) if it is satisfied that the child has sufficient understanding to make the proposed application.”

2 Short title and commencement

- (1) This Act may be cited as the Kinship Carers (Parental Responsibility Agreement) Act 2011.
- (2) This Act comes into force on the day on which it is passed.

Kinship Carers (Parental Responsibility Agreements) Bill

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*Ordered to be brought in by Kerry McCarthy,
Mr David Blunkett, Paul Goggins,
Mrs Helen Grant, Kate Green,
Andrew Gwynne, Mrs Sharon Hodgson,
Alan Johnson, Mr David Lammy,
Lisa Nandy, Priti Patel
and Mr Jamie Reed.*

*Ordered, by The House of Commons,
to be Printed, 7 June 2011.*

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