

**What does ‘section 20′ mean? Your rights as a parent.**

Section 20 is about the Local Authority’s duty to provide a child with somewhere safe to live because the child doesn’t currently have a home, or a safe home. This may be because:

·         There isn’t anyone who has parental responsibility

·         The child has been lost or abandoned

·         The person who has been caring for the child can’t provide them with a suitable home,

whatever the reason for this

If you sign a section 20 agreement you are consenting to your child living somewhere else, usually in Local Authority foster care. Section 20 is based on working with the Local Authority.

**It is very important that you understand what the section 20 agreement means before you agree to sign it.** **You have the right to seek legal advice if you wish.**

Section 20 accommodation is very different to your child being removed from your care against your will under a care order. The Local Authority **do not** share parental responsibility for your child if you have agreed that your child should be in foster care under a section 20 agreement. You retain all your legal rights if your child is accommodated under s 20.

Under section 20(8) any person who has parental responsibility is entitled to withdraw their consent to the S.20 agreement at any time. This means you can remove your child from Local Authority accommodation at any time unless there are objections to this by someone who has a child arrangements order to say the child lives with him/her, a special guardianship order or has care of the child by a special order of the High Court. If the Local Authority does not agree with your decision to remove your child from care they may feel they need to take emergency action to safeguard the child by involving the police or applying for an emergency protection order from the court. This does not affect your right to withdraw your consent to the S.20 agreement.

If your child is 16 or 17 years old your child is able to consent to being accommodated by the Local Authority without your permission. Your child will also be able to leave the accommodation without your consent.

If you would like further information which is independent of Children’s Services go to: <http://www.frg.org.uk/need-help-or-advice/advice-sheets> or call the Family Rights Group on 0808 801 0366.

This document can be made available in a range of languages, large print, Braille, on tape, electronic and accessible formats.

Pete Campbell

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July 2019