## What does it mean if I ask, or agree for my child, to be looked after by Wandsworth Council under Section 20 of the Children Act 1989?

You have asked us or we have asked for your agreement to look after your child under s.20 Children Act 1989.

This is sometimes called ‘accommodating’ your child or ‘providing accommodation’ for your child on a voluntary basis.

If your child is 16 years old they can ask us for accommodation themselves.

If it is the best interests of your child to be looked after by the Council it is important that you fully understand what it means and we need your signed consent.

* Your social worker will explain why we need your signed consent and talk through this information with you.
* If you need an interpreter to assist this will be provided by us, so that you have a clear understanding of what you are agreeing to and your parental responsibility.
* The social worker will ask you to sign a form agreeing to the Council accommodating your child and who can make decisions about medical treatment for your child if it is needed.
* Section 20 accommodation is very different to your child being removed from your care.
* You still make decisions about your child and we will consult you about your child’s care.
* Wandsworth Council does NOT share parental responsibility for your child just because you have agreed that your child should be in accommodated under a section 20 agreement.
* Any person who has parental responsibility can take the child from Wandsworth Council 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 (what used to be called a ‘Residence Order’), a Special Guardianship Order or has care of the child by a special order of the High Court. [[1]](#footnote-1)
* Wandsworth Council can provide accommodation for any child in their area, even if the child has a parent who is able to provide care, if the Council thinks that they need to do this to keep the child safe[[2]](#footnote-2) but not if there is someone with parental responsibility who doesn’t want their child to be looked after and who is capable of providing safe care.
* If you sign consent for Wandsworth Council to accommodate your child we will usually set out a written agreement about what you can expect about seeing your child and work we will do with you so that your child can return safely to your care.

**What if you do not agree?**

* If you do not agree to Wandsworth Council looking after your child we cannot do so unless the police use their special powers to remove the child or if Wandsworth Council applies to court and gets permission to look after your child.

**What if you decide to remove your child from Wandsworth Council accommodation without proper planning?**

* If we do not agree that it is safe for the child to return to live with you Wandsworth Council will ask for legal advice to decide whether we need to go to court to get permission to look after your child.
* You will be encouraged to get some independent legal advice to ensure you can respond in time to any actions or recommendations that we may make.
* Your social worker will give you a list of local solicitors.

1. Under s.20 (8) Children Act 1989 [↑](#footnote-ref-1)
2. Under s.20 (4) Children Act 1989 [↑](#footnote-ref-2)