

Parents' guide to Section 20, Voluntary Accommodation

When a Local Authority is worried that there is a risk to your child that means that your child cannot be cared for safely at home, they may ask you to give permission for your child or children to become Looked After under Section 20 of the Children Act 1989. Section 20 provides Durham County Council with the power to provide a different place for children to live without a court order.

Section 20 is a shared agreement between you as a parent or someone who holds parental responsibility for a child with Durham County Council. Importantly, you will continue to have parental responsibility and a S20 agreement does not give Durham County Council parental responsibility for your child. As a parent or someone with parental responsibility you will still make decisions for your child, including education, medical and health treatments. An exception would be if emergency treatment is required.

When you agree for your child or children to become looked after, your child's social worker will ask you to sign a consent form. As a parent or someone with parental responsibility, arrangements will be made for you to see your child or children. We aim to make decisions together about how often and where, this will happen. It maybe that someone else needs to be there when you are seeing your child. A family time plan will be agreed with yourself before your child is cared for by Durham County Council.

It is important that you have the opportunity to talk to a solicitor before you make a decision to agree for your child or children to become looked after. If you don't agree with any part of the proposed plan, for example the amount of time you will spend with your child, this cannot be a section 20 agreement. Your child's social worker and manager will then need to consider whether to apply to court to seek a legal order for your child to become looked after.

Review of your child's plan

A child in care review will take place within 20 working days following your child becoming looked after. A child in care review is an opportunity to review your child's care plan, discuss the progress and make plans for the future. A further child in care review must take place within 3 months of the first review. Following this, which reviews will take place at every six months.

Child in care reviews are chaired by an Independent Reviewing Officer (IRO). An IRO is responsible for making sure that your child is being cared for appropriately and that the plan in place for your child is making a difference for them. The IRO will also ensure that your child's views and wishes are listened to and acted upon.

Your child's social worker will also arrange care team meetings every 4-6 weeks. The care team meeting includes professionals involved with your child, any important family members of the network and those who share parental responsibility. Your child may attend their care team meeting. This will be depend on their age. The purpose of the care team meeting is to share information and make sure that the plan is working. This could include making changes to plan if some parts aren't working.

Right to withdraw consent

As a parent you have the right to withdraw your consent to a section 20 agreement, and if you do so your child will be returned to your care immediately. If the social worker still has worries about the safety of your child if they return to your care, there will be a legal meeting to look at whether we need to apply to court for their agreement for your child to remain in Durham County Council's care.