

If one parent is absent and cannot be found, consent from one parent will allow Section 20 consent to be used. All efforts should be made to engage all those with parental responsibility for a child.

Can you withdraw your consent?

Yes, at any time. If you wish your child to be returned to your care, this needs to be communicated to Herefordshire Children's Services. Herefordshire Children's Services cannot ignore your request as you retain parental responsibility for your child. However, as above if concerns remain that your child will not be safe in your care Herefordshire Children's Services may seek to safeguard your child by making an application to the Courts.



Useful contacts:

Family Rights Group Support—A national charity that advises parents, grandparents, relatives and friends about their rights and options when social workers or Court make decisions about their children's welfare. Telephone: 08088010366 or Email office@frg.org.uk

Civil Legal Advice—Free and confidential advice service run on behalf of the government, providing information directly to the public on a range of common legal issues, helps people to find out if they are eligible for free legal advice from a solicitor and helps them to find a solicitor. <https://www.gov.uk/civil-legal-advice/>

Citizens Advice—Independent organisation providing free, confidential and impartial advice. <https://www.citizensadvice.org.uk>

Section 20 information for parents and carers



What is section 20 accommodation?

Section 20 accommodation is a means of support for children and families within the Children Act 1989. Section 20 accommodation places a duty on Local Authorities to provide a child with somewhere alternative to live if they cannot live with parent/s (someone with parental responsibility) as these are not deemed safe options.

This duty also covers children who may be lost or abandoned or have nowhere to live.

What does s20 mean for you and your family?

Section 20 accommodation is not a court order; this is a voluntary agreement between you as the parent (person with parental responsibility) and Herefordshire Children's Services. A judge is not involved in this process.

You have a choice in this decision and are encouraged to seek your own independent legal advice from a specialist childcare solicitor (A list of local solicitors will be provided to you by your child's social worker).



Your child's social worker will explain the options to you in respect of your child and the implications of this; this is part of you providing your consent to section 20 accommodation. It is important that you are fully involved in these discussions as it is very important that everyone understands what is happening and why.

There should be a clear plan for your child, in respect of the duration and purpose of accommodation, reviews of the s20 accommodation and ongoing involvement of you, as parent/s in your child's life, including the time you spend with them, making decisions, being provided updates etc.

Giving consent to S20 accommodation does not remove your parental responsibility. You retain this and will actively be involved in ongoing decisions and choices for your child. Consent to Section 20 accommodation delegates some of your parental responsibility to allow a carer/ foster carer/ staff member to take care of your child and meet their daily needs.

There is paperwork involved in this agreement. It is important that you read all this thoroughly with your child's social worker, (advocate and solicitor) to ensure that you understand and agree before you sign.



The agreement and you

If you as the parent (or someone with parental responsibility for the child) agree to section 20 accommodation, you will be asked to sign section 20 consent paperwork, delegating some parental responsibility to be undertaken by carers on behalf of the Local Authority.

S20 consent agreements are for an agreed period of time and will be regularly reviewed in line with the Child Looked After Process and in respect of the child's age.

During the period whilst your child is looked after, Herefordshire Children's Services may ask you to:

- Undertake further assessments
- Undertake further exploration of concerns with you
- Put in place additional support such as Specialist Family Support to support positive change
- To engage in treatment or specialised support i.e. drug and alcohol support
- Make an application to the Courts

All the above is a means to continue working with you and your family to support your child returning home safely.

Types of accommodation

Friends and family

Herefordshire Children's Services may place your child with friends and family. Your friends/ family will need to be assessed to see if this can happen.

Foster care

Herefordshire Children's Services may place your child with foster carers. They may live alongside the foster carer's own child or with other children who are children looked after by Herefordshire Children's Services.

Residential care

Herefordshire Children's Services may place your child in a residential setting with other children/ young people who are cared for by staff and allocated their own key worker.



s.20 and your child

When a child is accommodated under Section 20, they become a child looked after by Herefordshire Children's Services. They will have an allocated Independent Reviewing Officer (IRO) to monitor their individual care plan, review this and ensure that the needs of the child are being met and prioritised.

Your child will also be entitled to a Child Looked After Medical to ensure that all health needs are known and met whilst your child is accommodated.

Your child's wishes

Herefordshire Children's Services will always seek to work openly and honestly with your child and engage your child in wishes and feelings work to ensure that their voice is heard. When discussions around Section 20 accommodation are taking place, your child's wishes and views are an important consideration and will be sought. Under the age of 16 years old, you as the child's parent can refuse Section 20 accommodation.

When your child reaches age 16 years and above (up until they turn 18 years old) a child can themselves consent to Section 20 accommodation and a parent has no right to object to this.

If you do not agree s20?

Section 20 accommodation is a choice and cannot be enforced upon you by Herefordshire Children's Services. If you choose not to provide this consent and concerns remain about your child's safety Herefordshire Children's Services may need to consider taking other steps to keep your child safe.

This could include making an application to the Courts. The Police may also use their powers of protection if they deem this necessary which allows them to accommodate your child for up to 72 hours.

What happens if both parents do not agree Section 20 accommodation?

Sometimes one parent does not agree section 20 accommodation whilst the other parent does. In these situations, Herefordshire Children's Services cannot provide accommodation to the child. In these instances, Herefordshire Children's Services would need to consider alternative means to safeguard your child, as outlined above.

Please note that only those with parental responsibility (PR) for the child can give consent. Those who automatically have PR include a mother, a father named on the birth certificate, or a couple married prior to the child's birth. This may also include special guardians or others named in child arrangement Orders.