

**The Children Act 1989. Section 20 Agreement**

I/We, ……………………………………, am/are the [parents/mother/father/other to be inserted] of:

|  |  |  |
| --- | --- | --- |
| First name | Surname | Date and place of birth |
|  |  |  |
|  |  |  |

I/We understand that I/we have legal parental responsibility for the child/ren

because………………………………………………………………………………………..

I/we agree to ………………………………………………………………………………… being looked after by North Somerset Council.

It has been explained to me/us that a section 20 agreement involves me/us agreeing that our child/ren being placed in foster care and this might be with a relative or connected person who will be assessed as a foster carer. It has been explained that I/we have the following rights:-

1. To say ‘no’ to this proposal.
2. To know where my/ our child will be living and who will be caring for them.
3. To change our mind at a later date and bring the agreement to an end AT ANY TIME.
4. To obtain legal advice about this agreement.
5. For the agreement to be kept under review and specifically to be considered by an Independent Reviewing Officer at each Looked After Child Review.

While my child / children are accommodated by North Somerset Children’s Services, I understand that the carers will be responsible for the day to day care of my child/ren but I will be able to agree what decisions I am happy for the carers to make at the Placement Planning Meeting which will be held within five days of my child/ren becoming looked after. However, in an emergency and if I was uncontactable, I consent to my child/ren named below to receive urgent medical attention if this was advised by a health professional.

I HAVE READ THIS AGREEMENT AND I UNDERSTAND AND AGREE TO ITS TERMS.

Mother’s name …………………………………………

Mother’s signature …………………………………………

Date …………………………………………

Father’s name …………………………………………

Father’s signature …………………………………………

Date …………………………………………

NB: If the young person is 16 or 17 years old, they do not need the consent of those with parental responsibility in order to be accommodated by the local authority.

**Section 20 of the Children Act 1989**

**A GUIDANCE NOTE FOR PARENTS & PROFESSIONALS**

The social worker should sign below to confirm the following:-

1. A senior manager has agreed that s.20 accommodation is appropriate in this case.
2. That they have ascertained the wishes and feelings of the child to be accommodated (taking into account child’s age and development).
3. That they are satisfied that the parent signing this document has the capacity to do so.
4. That having that capacity, the consent is informed consent, considering;
5. Does the parent fully understand the consequences of giving such a consent?
6. Does the parent fully appreciate the range of choice available and the consequences of refusal as well as giving consent?
7. Is the parent in possession of all the facts and issues material to the giving of consent?
8. Even where the parent is consenting, the social worker must consider whether it is necessary and proportionate for the child to be in foster care and should have considered particularly:
9. What is the current physical and psychological state of the parent?
10. If they have a solicitor, have they been encouraged to seek legal advice and/or advice from family or friends?
11. Is it necessary for the safety of the child for them to be removed at this time?
12. Would it be fairer in this case for this matter to be the subject of a court order rather than an agreement?
13. And that considering all of these matters, they consider that the voluntary accommodation of the child is necessary. [Their analysis of these matters should be recorded on the child’s file]
14. If the parent is not fluent in English, this written document should be translated into the parent's own language and the parent should sign the foreign language text, adding, in the parent's language, words to the effect that 'I have read this document and I agree to its terms.'
15. I have provided the parents with the s.20 Parents’ Information Leaflet

Signed…………………………………………

(social worker)

Dated………………………………………….