

Understanding Section 20 of the Children's Act 1998

Key Points

<p>WHAT AND WHY</p>	<p>Section 20 of the Children's Act 1989 is a pivotal piece of legislation that outlines the duty of local authorities to provide accommodation for children in need in their area.</p> <p>A Section 20 agreement is a way for parents and social services to work together to decide that a child will live somewhere else temporarily.</p> <p>Family Issues: Sometimes, families face problems like health issues, housing problems, or other difficulties that make it hard for parents to take care of their children properly.</p> <p>Short-Term Solution: It's meant to be a short-term solution until the parents can get back on their feet and take care of their child again.</p>
<p>HOW?</p>	<p>Voluntary Agreement: This means that parents agree to let social services look after their child for a while. It's not a court order; it's something parents agree to.</p> <p>Temporary Care: The child might stay with relatives, in foster care, or in a children's home. The idea is to make sure the child is safe and well-cared for during this time.</p> <p>No Court Involvement: Because it's an agreement, there's no need for a court to get involved initially. It's a way to keep things more straightforward and cooperative between the parents and children's services.</p>
<p>COMPLICATIONS</p>	<p>Lack of Legal Representation: Parents might not always understand their rights fully and may not have a lawyer to help them. This can sometimes lead to misunderstandings or feeling pressured to agree.</p> <p>Indefinite Time: Although it's supposed to be temporary, sometimes children stay in care longer than expected, which can be confusing and upsetting for everyone involved.</p> <p>Withdrawal of Consent: Parents have the right to change their mind and ask for their child to come back home, but this can sometimes be a complicated process, especially if children's services think the child might not be safe yet.</p> <p>Misunderstandings: Sometimes, parents might not fully understand that they can say no or that they can set conditions on the agreement. This can lead to feeling like they've lost control over the situation.</p>
<p>WHO</p>	<p>Section 20 is an agreement between parents/carers and the local authority. It is usually completed with the child's social worker. Parents must sign and understand the Section 20 agreement for it to take effect. If there are concerns with a parents capacity to understand Section 20 agreement should not be used. Parents retain their Parental Responsibility and the local authority does not obtain any with a Section 20, therefore parents continue to make all decisions for their child/ren.</p>

