

## Use of Section 20 Accommodation

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### What is Section 20 Accommodation?

The legislative basis for a Local Authority accommodating a child or young person is specified in the Children's Act 1989 S20. It is in part III of the Act which is concerned with "provision of services for children and their families" Section 20 accommodation can only be used when *informed* consent is given by someone with parental responsibility (PR), or when there is no one who has PR. Section 20 is therefore a voluntary arrangement between the person with PR and the local authority. Section 20 does not give the local authority PR. A court order is not required.

### Why use Section 20 Accommodation?

It is particularly useful as a *short term* measure as part of a child's plan to support families through particular times of difficulty e.g. illness / hospital stay / parent(s) feeling they can't cope or older children where more work/time may be necessary.

It allows the Local Authority to work together in real partnership with the parent(s) of a child(ren) to make decisions together about the long term future of their family and where it is best and safest for a child to live. It gives flexibility to work within children and families timeframes to bring about the changes necessary for a return home before considering other or compulsory measures

### How to use Section 20 Accommodation appropriately

- It can be used as a short term measure to meet immediate family needs.
- It can be used for providing short break care for disabled children when hours criteria is met
- Ensure that consent is properly informed and fairly obtained. The person with PR must have "capacity" to consent. If there is any doubt then legal advice must be sought and a mental capacity assessment undertaken where indicated. Record parent(s) consent in writing, with their signature and the date it was given.
- Ensure the Child's Plan is clear about how the period of accommodation is going to progress outcomes for the child and their family and proactively pursue this plan with the family. There should be no drift or delay in issuing proceedings where the threshold is met and no progress is being made.
- Each child or young person's needs are unique and plans to secure permanency for them must be progressed in a timely manner for that child or young person's age, development and understanding.
- It is *not* an alternative to issuing care proceedings and providing compulsory care when the threshold of significant harm is clearly met.

### Action Required

- Social workers and Managers should always record the rationale for decisions about the use of section 20 accommodation adhering to this Practice Matter
- All IROs should ensure that Section 20 remains the right legal status for a child in care - a plan for permanence should be in place for all children in care at the second review.