

# Education and Childrens Services

## SOCIAL CARE AND EARLY HELP

### Section 20 Threshold Criteria

Practice Guidance

2017

#### OUR MISSION:

*'To improve children and young people's lives by working in partnership to raise aspirations, build achievement, and protect the most vulnerable'*

## **Section 20 – Children Act 1989: Child/Young Person provided with accommodation**

*This can be on the initiative of the local authority with the agreement of the parents and/or those with parental responsibilities, or at the request of the parents. Any person with parental responsibility can at any time remove the child from the accommodation.*

The child/young person is a Child in Need who requires accommodation as a result of:

- Having no person with parental responsibility for him/her; or
- Being lost or abandoned; or
- The person who has been caring for him/her being prevented (whether or not permanently, and for whatever reason) from providing him/her with suitable accommodation or care; or
- Having reached the age of 16, his/her welfare is likely to be seriously prejudiced if he/she is not provided with accommodation; or
- Accommodating the child/young person would safeguard or promote his/her welfare (even though a person who has parental responsibility for him/her is able to provide him/her with accommodation), provided that that person does not object.

Before providing accommodation, the following must occur:

- If this is a planned accommodation
  - Evidence of interventions/assessment must be demonstrated
  - Detailed chronology
  - Proposed care plan for child/young person and family
  - Agreement of Service Manager before presentation to Head of Service
  - Head of Service agreement for case to be presented to Edge of Care Panel
  - Edge of Care Panel makes decision for accommodation
- If decision is being requested in an emergency
  - Information to be presented to Service Manager for agreement
  - Head of Service agreement for accommodation
  - Case is to be presented at next LPM or extra-ordinary LPM to be scheduled
- Head of Service agreement for accommodation and placement
  - This should be in writing – email/LL
  - Agreement for child/young person being care is subject to LARP/LPM decisions
- Head of Service can only give provisional approval (time-limited) until the next LARP and/or LPM

- **A child/young person cannot be accommodated without Head of Service agreement**

You must, so far as is reasonably practicable and consistent with the child's welfare:

- Ascertain, and give due consideration to the child/young person's wishes and feelings (having regard to his/her age and understanding); and
- Ascertain who has parental responsibility for the child/young person and all persons with parental responsibility must be considered
- Ascertain whether the parents/person(s) with parental responsibility have given valid consent:
  - Does the parent have the mental capacity to consent?
  - Is the consent fully informed?
  - Is it fair and proportionate for the child/young person to be accommodated?