Agreement to a child or young person being looked after by the Local Authority (LA)

1. Section 20 of the Children Act 1989 is about a LA providing somewhere for a child to live if he needs it. Anyone with parental responsibility has to agree to their child living somewhere else if the LA wishes to do this under section 20; if they don’t agree, the only way the LA can take their child away is by starting care proceedings and getting a court order or asking the police to exercise their powers to remove a child for a maximum of 72 hours. You have parental responsibility if you are the mother, a father on the birth certificate or if you have certain types of court order.
2. The only way that a LA can remove a child against the wishes someone with parental responsibility apart from this 72 hours is by asking the court to make an order, usually a “care order” which gives the LA shared Parental Responsibility and the right to remove the child (if the risk of harm to the child is considered particularly serious).
3. The LA does not share Parental Responsibility when a child is accommodated under section 20, which means that anyone with parental responsibility keeps all their legal rights concerning their child. This means that they can choose to allow some of these decisions to be made by the child's foster carers but they keep the right to make all of the decisions - including where their child lives.
4. Whilst it might be easier for us if you give us notice, you do not have to and you can remove the children from local authority accommodation at any time.
5. If you agree to your child being looked after, we will regularly review and renew your agreement at each Child in Care review.

The people who have parental responsibility are:

(*Insert details below*)

**Agreement**

I agree to ………………………………………… being looked after under section 20, the Children Act 1989. I have been informed that I may ask for their return home at any time.

Parent 1

I have had the meaning of section 20 explained to me and I agree to my child,

………………………………….. being cared for by Kent County Council.

Signed by: Date:

Parent 2

I have had the meaning of section 20 explained to me and I agree to my child,

………………………………….. being cared for by Kent County Council.

Signed by: Date:

**On behalf of Kent County Council**

I am a qualified social worker employed by Kent County Council. I have explained the meaning of section 20 of the CA 1989 and I am satisfied that the abovenamed child’s parent/s have the understanding and capacity to give their agreement to their child being looked after, that their consent is properly informed and that removal to accommodation at this stage is fair, proportionate and in the immediate best interests of the child In reaching that view, I have considered the current guidance available from Kent County Council to social workers in relation to the taking of a section 20 consent

Signed…………………………… ……………….. Date:

FOR USE WHERE THE DOCUMENT HAS BEEN TRANSLATED

I have read this document and I agree to its terms

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