

Education and Childrens Services

SOCIAL CARE AND EARLY HELP

Section 20 Threshold Criteria

Practice Guidance

2017

OUR VISION:

‘Children, young people and families, as well as people of all ages who have additional needs, are safe, independent, ambitious for themselves and can live the best life they want, with support when they need it’

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?