

**SECTION 20 Agreement & CONSENT form for Statutory Health Assessments, Medical Records and Sharing and Collecting Information by Children and Families Services (Revised October 2020)**

[Double click here to enter details](#)

**CHILD/YP NAME:**

**DOB:**



**Children Act 1989 – Section 20 Agreement**

**For parents or person with parental responsibility: Please read the below carefully, before agreeing with a signature.**

This is a Section 20 voluntary agreement between you and the London Borough of Waltham Forest allowing the children named in this agreement to remain in the care of the Local Authority. This is not a legally binding agreement and it aims to support the continued wellbeing of the children named herein.

Section 20 of the Children Act 1989, allows you to retain the full Parental Responsibility with no court proceedings involved at this stage. **You can withdraw your consent to your child/ren living elsewhere under Section 20 at any time.**

You are advised to seek legal or other independent advice about this agreement as soon as possible. Your social worker can provide you with a list of local solicitors with whom you can consult about this agreement.

You are encouraged to address any concerns you may have in respect of this agreement with the allocated social worker/team manager. However, if you wish to make a complaint your social worker will provide you with a copy of the council's complaints procedure or alternatively you can find further information about making a complaint on the council's website.

**This is a Section 20 Agreement regarding:**

Name of Child/ren	Date of Birth

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It has been explained to me/us that a section 20 agreement involves me/us agreeing that our child/ren are being placed in an alternative home where they will be cared by foster parents or residential staff. I understand that I/we have the following rights:

- To say no to this proposal
- To change our mind at a later date and bring this agreement to an end at any time
- To obtain legal advice about this agreement
- For the agreement to be kept under review at regular intervals

I/we confirm that I/we have read this document and fully understand its contents and agree to its terms. I/We agree to my/our child/ren, to live in an alternative home provided by the London Borough of Waltham Forest.

**Agreement between:**

<b>Mother</b>		<b>Date:</b>	<b>Signed:</b>
<b>Father</b>		<b>Date:</b>	<b>Signed:</b>
<b>Carer/person with parental responsibility</b>		<b>Date:</b>	<b>Signed:</b>

**And:**

<b>Name of Local Authority</b>	The London Borough of Waltham Forest
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This period of accommodation is being used to:

*(this can be used to write up a written agreement with the parent/carer, if required OR kept blank)*

This agreement will be reviewed on

*(please provide a review date)*

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**Children Act 1989 – Section 20 Agreement Checklist for Social Work Practitioners**

This checklist must be completed by a social worker when obtaining consent for accommodating a child under Section 20

1. I am satisfied that the parent/carer signing this document has the capacity to do so
2. I am satisfied that the parent having capacity that their consent is an informed consent, considering I believe:
  - the parent fully understands the consequences of giving such consent
  - the parent fully appreciates the range of choices available and the consequences of refusal as well as giving consent
  - the parent is in possession of all the facts and issues material to the giving of the consent
3. I am satisfied it is necessary and proportionate for the child/ren to be accommodated by the local authority. In reaching this decision, I have considered:
  - the current physical and psychological state of the parent
  - that the parent has been encouraged to seek legal advice or other independent advice from family or friends
  - that it is necessary for the safety and welfare of the child to live in an alternative home
  - whether it would be fairer for this matter to be the subject of a court order rather than an agreement

AND after considering all the above matters, I am satisfied that the voluntary accommodation of the child/ren is necessary. My analysis of these matters is recorded on the child/ren’s information on mosaic.

4. I have considered whether the parent is sufficiently fluent in English to understand this agreement and have decided that:
  - The parent is fluent and does not require an interpreter OR
  - That this written document should be translated into parent’s own language and the parents should sign the foreign language text, adding, in the parent’s language, words to the effect that “I have read this document and agree to its terms”.

**Name of Social Work Professional**

**Date:**

**Signed:**

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**Consent form for Statutory Health Assessments, Medical Records and Collecting information**

All children and young people looked after by local authorities are required to have a health assessment at regular intervals (under 5-year olds 6 monthly, over 5-year olds yearly), as long as they are looked after<sup>1</sup>.

[Promoting the Health and wellbeing of Looked after Children](#)

As parent(s), if no Care Order is in place, you are responsible for giving consent for your child to receive any medical treatment, including preventative treatment, such as immunisations, whilst your child is looked after by the Council. The Local Authority will be responsible for giving consent in cases where the child has a Care Order or where a child is accommodated under section 20 and consent has already been given in these documents by parents, or parents are absent.

A copy of the health plan will be provided to the child/young person as appropriate and the social worker as well as the child's/young person's carer, general practitioner, school nurse/doctor and other health professionals involved in his/her healthcare.

**You are being asked to give your signed consent in order for the local authority to arrange health assessments for your child, and to arrange for your child to receive routine medical and dental treatment.**

I consent to LB Waltham Forest:

1. To arranging routine medical and dental treatment as well as emergency treatment where it is necessary for my child's wellbeing
2. I agree to my child/the child having Statutory Health Assessments which may include a medical examination, as long as they are in care of the LA
3. I agree that this consent may be used for referrals to other services if in the best interest of my child/the child (for example, audiology, educational psychologists or CAMHS)
4. I agree to allow access to my child's/the child's personal health information
5. I agree to allow access to my personal health information where it is important to the child's wellbeing (delete if not appropriate)
6. Sharing Information with relevant agencies in order that other agencies can provide accurate and relevant information as appropriate.

<sup>1</sup> Promoting the Health of Looked After Children" (Department of Health and Department for Children, Schools & Families 2009

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Consent is given on the understanding that all information will be treated as confidential and only shared with other professionals as appropriate and that my consent should be considered valid unless I have withdrawn it at a future date.

**\*ONE FORM FOR EACH CHILD MUST BE SIGNED**

Sharing Information with relevant agencies:

<b>Role/ Name</b>	<b>Agree Please ✓</b>	<b>If Disagree- Why?</b>
GP		
Health Visitor/ Midwife		
School/ Nursery		
Community Mental Health Team		
Child and Adolescent Mental Health Service (CAMHS)		
Other health professionals /specialists		

<b>Signature of Parent/CPS (Local Authority Representative):</b>	
<b>Print Name:</b>	
<b>Signature of Child(ren) (If appropriate)</b>	
<b>Date:</b>	

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**Section 20 – Guidance Notes for Parents (to be left with parents)**

**What does “Section 20” mean?**

Section 20 (S.20) of the Children Act 1989, is about a local authority (social services/children’s services) providing an alternative home for children who do not have somewhere suitable to live. It is sometimes called ‘voluntary care’ or ‘voluntary accommodation’ because usually parents must give agreement to the child being provided an alternative home.

Children with nowhere to live include those who have no one to look after them, for example, refugees who have travelled to the UK on their own (Unaccompanied Asylum-Seeking Children). They may also include those whose parents can’t look after them for a period of time, due to illness or other difficulties.

S.20 ‘accommodation’ is not just housing. It is taking a child into the care system by agreement of a parent with parental responsibility, rather than by court order. The local authority is responsible for holistically providing for that child while they are under S.20.

This guidance note is general guidance only and must not be treated as legal advice. Parents are strongly encouraged to seek legal or other independent advice in this matter.

S.20 relates to the local authority’s (LA’s) duty to provide a child with somewhere to live because they child does not currently have:

- A home
- A home environment that is deemed as safe;
- There is not anyone who has parental responsibility for him/her (for e.g. an asylum-seeking child);
- The child has been lost or abandoned;
- The person who has been caring for the child cannot provide him/her with a safe and suitable home.

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The LA will ask parents to sign a 'section 20 agreement'. This means that the parents are agreeing to let their child/children being cared for by the LA, usually in an alternative home of a foster parent, whilst the LA carries out further assessments and/or the parent/s get more time to resolve the concerns.

The child is therefore provided somewhere else to live in an alternative home by the LA, with the parent's consent, without the need for going to court.

### What are the consequences of signing a S.20 agreement?

- S.20 does NOT allow the LA to share parental responsibility (PR) with the parent/s, who can remove their child/ren from S.20 alternative home at any time. ('Parental responsibility' is a legal term which includes the right to make decisions).
- As a parent with PR, you retain the right to make decisions about your child/ren's care and upbringing
- A LA cannot provide alternative home for a child if a parent or someone with parental responsibility for the child objects to the Section 20 agreement.

### Who has parental responsibility for a child?

- A mother/married father/father whose name is on the birth certificate of the child post 1<sup>st</sup> December 2003/parental responsibility order/parental responsibility agreement/child arrangements order giving a father residence of a child
- Any other person who has a Residence Order or a Child Arrangements Order granting them residence of the child/ren or a person who has a special guardianship order in their favour
- A person caring for a child under a guardianship arrangement
- Someone who has care of the child by a special order of the High Court (wardship – this is rare)

### What happens if I do not sign S.20 agreement?

- If the you do not agree for your child/ren to live somewhere else under a S.20 agreement, the local authority may take other routes to safeguard your child/ren. The LA may seek a court order to

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ensure your child/ren's safety or in an emergency, may ask the police to exercise their powers to safeguard your child/ren, for a short period of time.



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### What is the Local Authority's responsibility under S.20?

The LA should ensure that:

- The parent/s are clearly informed of the LA's concerns and how the LA will support through assessments and intervention
- The parent/s fully understand the contents of the S.20 agreement and are allowed sufficient time and space to ask any questions that they have.
- An interpreter is used, if a parent does not understand English, or doesn't speak it well
- Consent must be given freely by a parent – that means that it must NOT be given because the LA says that if this is not provided, they will issue care proceedings. There must be no duress or pressure placed upon the parent at any point
- Appropriate arrangements are made to ensure there is family time (contact) between the child and parent/s
- The parent/s understand that **consent to S.20 can be withdrawn at any time.**
- The section 20 arrangement is reviewed regularly, including looked after children's review meetings chaired by an independent reviewing officer
- Family or friends' put forward by you as alternative carers are assessed
- Your child's birth certificate is sighted by the social worker to determine who has parental responsibility

If you have any family members or friends that you want your child to stay with rather than going to an alternative home with a foster parent, then you should provide their names and contact details to your child's social worker.

In addition to the above, you should seek legal advice from a family solicitor. A list of solicitors will be provided to you by your child's social worker.