

Delegated Authority: What decisions can I make as a foster carer?

STANDARDS AND REGULATIONS

Training, Support and Development Standards for Foster Care:

- [Standard 2 - Understand your role as a foster carer.](#)
- [Standard 3 - Understand health and safety, and healthy care.](#)

See also:

- [General Medical Council guidance on consent for children.](#)

Introduction

This quick guide aims to explain the concept of delegated authority for young people in foster care. Please also see the section about the Placement Plan for further information.

What is Delegated Authority?

Delegated authority refers to the authority given by local authorities or individuals with parental responsibility to carers, allowing them to make day-to-day decisions about a young person's care. These decisions can include activities like getting a haircut or sleeping over at a friend's house.

If a young person is in foster care with the agreement of their birth parent(s), rather than through a court care order, the parents must decide which decisions can be delegated to the carer(s). In such cases, the social worker should assist the parents in making the best decision regarding delegated authority.

If a young person is in care due to a court care order, the local authority can decide which decisions are delegated to the carer(s). However, they should still consult with the parents whenever possible and take into account the views of the young person.

Types of Decisions

Decisions regarding a young person's care generally fall into three broad categories:

Day-to-Day Parenting: Routine decisions about health, education, and leisure activities are typically made by the carer(s). As the young person grows older, they may gradually take on more decision-making responsibility.

Routine but Longer-Term Decisions: Decisions such as choosing a school can involve various individuals responsible for the young person's care, including the social worker, carer(s), and parents, if they are still involved.

Significant Events: Serious decisions, like the need for surgery, are usually made by a person with parental responsibility, which may be the local authority and/or the parents. However, the views and feelings of the young person and their carer(s) should be taken into account.

Delegated Authority Policies

Every local authority is required to have a delegated authority policy since July 1st, 2013. This policy ensures that young people in their care can experience as normal a childhood and family life as possible. The policy should be reviewed annually, with consultation involving the children in care and their carers.

Determining Decision-Makers

The government states that each young person should have a placement plan (PP) that specifies who has the authority to make decisions concerning different aspects of their life. The designated decision-makers may vary among different individuals. If there is any confusion about decision-making authority, the young person can consult their social worker.

Addressing Common Misconceptions

Here are some misconceptions about decision-making clarified:

Myth: My carer said she can't decide whether I can sleep over at a friend's house.

Fact: Generally, decisions about overnight stays should be made by the carer(s) and not the social worker or local authority. Exceptions may arise if there are concerns for the young person's safety. Please also see the section about overnight stays for further information.

Myth: If I want to sleep over at my friend's house, their parents need to undergo DBS checks.

Fact: There is no legal requirement for DBS checks on the parents of a friend if a child wants to stay at their house. The decision should be made by the carer(s) based on what a responsible parent would do, without the need for a DBS check.

Myth: I have to ask my social worker for permission to get a haircut.

Fact: Haircuts form an important part of one's identity and as such these are decisions that birth parents would often like to be involved in even though foster carers can typically be delegated authority for haircuts. As the young person grows older, they can have the autonomy to make such decisions. If the social worker expects involvement in haircut decisions, the reasons should be clearly stated in the placement plan.

Myth: I can't go on holidays without my social worker's permission.

Fact: If authority has been delegated to the carer(s), they can decide to take you on a holiday within the UK. However, your social worker, the child's social worker and where appropriate their parents need to be notified. BFfC's IFA will also complete a holiday risk assessment so it is important that your social worker is informed of any holiday plans in advance. For holidays abroad, permission from those with parental responsibility is necessary and you will receive a letter confirming permission for you to take the child abroad.

Myth: My carer cannot sign for me to get a new passport.

Fact: It's true that a passport can only be signed by a person with parental responsibility, which could be a parent or an officer of the local authority. Your social worker can provide guidance in this regard.