

Children's Wellbeing Directorate

DELEGATED AUTHORITY – Children's Safeguarding and Family Support Division

This document is intended to bring clarity as to levels of authority / accountability and responsibility for appropriate decision making, which is delegated to the assistant director safeguarding and family support from Part 3 – The Functions Scheme Appendix 1 'Chief Executives' scheme of delegation to officers' of the constitution. The assistant director safeguarding and family support may withdraw this delegation as necessary.

	Decision	Comments	Delegated Officer	Notification / Constraints
1	LOOKED AFTER CHILDREN			
1.1	Decision to Accommodate a child S20 1989 Act	On basis of clear placement/care plan from SW/CSWM/	Head of Service LAC is Chair of ToC Panel.	<p>The Threshold of Care Panel will determine whether a child can become looked after. The Chair of the panel will be able respond to emergency requests outside of panel meetings but then ensure that a retrospective written request is made. The panel will also agree any search for a placement.</p> <p>Decision to authorise a search prior to decision to place also rests with HoS (LAC). This would only be done in an emergency.</p>

	Decision	Comments	Delegated Officer	Notification / Constraints
1.2	Approval to apply for Emergency Protection Order	On recommendation of Head of Service	Head of Service responsible for the service making the application.	<p>The Head of Service will confirm legal advice on evidential quality and necessity for such an application.</p> <p>An application to Threshold of Care Panel for approval to accommodate will be made retrospectively.</p>
1.3	Decision to Instigate Care Proceedings under the 1989 Act	<p>Through Legal Gateway Meeting</p> <p>Should the review pre-proceedings meeting determine that an application to the court for a care order is appropriate, a Legal Gateway Meeting will be convened to ensure that the Head of Service is satisfied that the grounds exist and also that the relevant documentation to support an application exists.</p>	Head of Service Child In Need.	<p>Head of Service Child In Need is the usual chair for LGMs. Alternate Head of Service can authorise if chairing Legal Gateway Meeting.</p> <p>Any request to accommodate will have to be presented to Threshold of Care Panel for approval.</p> <p>Agreement to instigate proceedings does not mean that the decision to accommodate has also been made. Proceedings can lead to accommodation but can also have other outcomes.</p>
1.4	Decision to instigate public law outline processes	Through Legal Gateway Meeting	Head of Service Child In Need as LGM chair.	<p>Head of Service Fieldwork is the usual chair for LGMs. Alternate Head of Service if chairing Legal Gateway Meeting in the absence of the usual chair can approve.</p> <p>A request to accommodate a child will require the approval of the Threshold of Care Panel.</p> <p>A decision to enter the Public Law Outline pre-proceedings process does not constitute approval to accommodate a child. Pre-proceedings can have a number of outcomes, all of which would require appropriate, separate approval.</p>

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1.5	Approval of Care Plans in Care Proceedings and Care Plan Amendments	Following oversight of Children's Social Work Manager and LAC Review recommendation.	Head of Service for team that has case management responsibility.	<p>The children's social work manager will meet with their head of service to discuss the case and agree the content of the care plan. The head of service will ensure that the advice of our legal team has been fully considered and the Safeguarding & Review Unit are supportive of the plan. A qualified social worker must sign off the social work evidence.</p> <p>The social worker and children's social work manager must not sign off the care plan prior to relevant Head of Service approving the plan on behalf of the local authority.</p>
1.6	Approval of Permanency/Adoption Plans to presented to ADM for decision	On recommendation of Children's Social Work Manager and LAC Review.	Head of Service	All plans for a looked after child must be approved by the relevant IRO as meeting the child's needs before progressing to the ADM.
1.7	Endorsement of Statutory Child Care Review recommendations	Proposed by social worker at LAC Review after discussion with children's social work manager.	Independent Reviewing Officer	The relevant IRO is responsible for approving the child's care plan (e.g. adoption, etc).
1.8	Approval for Looked after Child subject to care order to be placed with parents.	Following completion of Placement with Parent Regulations and approval of Head of Service.	Assistant Director	The placement with parents should have been discussed and agreed at a LAC Review with the approval of the IRO. The placement should be part of a plan to revoke the care order.

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1.9	<p>Approval for Overnight Stays of Looked after Child at friends/relatives etc.</p> <p>Formal respite care with foster carers friends or relatives</p>	<p>On basis of agreement in LAC Care Plan.</p> <p>For all types of placements it will be important for social workers and managers to monitor patterns of overnight stays and ensure they do not become a regular respite arrangement by default.</p> <p>If an arrangement becomes part of the care package then a formal assessment of the respite carers should take place. The respite carers should then become subject to review and monitoring as for any approved foster carer.</p>	<p>Foster Carer</p> <p>Head of Service LAC.</p>	Delegated authority should permit pragmatic decision making by carers.
1.10	Approval of Kinship Carers beyond overnight stays	Through Fostering Panel on completion of full assessment.	ADM – Head of LAC & Adoption	

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1.11	Approval of regulation 24 placements	On recommendation of Head of Service responsible for the team making the request.	ADM – Head of LAC & Adoption	The team's Head of Service must be fully briefed by the team manager to ensure that our statutory obligations are fully understood and met.
1.12.	Approval for Looked after Child to have : <ul style="list-style-type: none"> • Routine medical • Emergency treatment • Surgery 	Parental consent should always be sought through LAC Placement documentation and reviews. Parents should be informed in all circumstances.	<p>If s20: parents and children's social work manager if emergency and parents not available.</p> <p>If Care Order: Foster Carer/children's social work manager depending on circumstances.</p> <p>Routine- Foster Carer through delegated authority.</p>	<p>Emergency Treatment and Surgery should be approved by the team's manager if it is not possible/appropriate to liaise with parents first. The IRO must be informed.</p> <p>Routine treatment should be addressed via delegated authority in care plan.</p>

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1.13	Approval of enhancements to foster placement costs for: <ul style="list-style-type: none"> • Holiday payments • Additional Needs/Interest • Clothing Grant 	The additional needs should be identified explicitly and discussed by operational social worker and fostering link worker.	Head of Service LAC. Fostering Children's Social Work Manager	An explicit request in writing should be presented.
1.14	Looked after Child taking part in group social or sporting activities eg Scouts/Guides/swimming	Parental consent to be obtained wherever possible / appropriate. Activities should also be included in LAC Care Plan and discussed at reviews.	Foster Carer	Delegated Authority is designed to address this.
1.15	Looked after Child taking part in activities with element of risk eg climbing/skiing	Parental consent to be obtained wherever possible / appropriate, and Risk Assessment to be undertaken in advance by the child's Social Worker	Head of Service managing team.	
1.16	Looked after Child going on holiday: <ul style="list-style-type: none"> • In UK • Abroad • Passport 	Parental consent to be obtained wherever possible / appropriate (compulsory if s20). To be discussed and agreed with IRO in LAC Review.	In the UK: Foster Carer or Children's Social Work Manager. Abroad and Passport applications: Head of Service	In many instances a child's foster carer will have the delegated authority to decide on holidays in the UK. These plans should be discussed with the child's social worker. If the authority has not been delegated to the foster carer, or if the young person is not in a foster placement, the relevant Children's Social Work Manager is the delegated officer.

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			responsible for the case managing team.	
1.17	Looked after Child changing appearance eg ear piercing	Parental consent to be obtained wherever possible / appropriate. To be discussed with IRO beforehand and considered in LAC Review.	Head of Service responsible for the case managing team	Where there is Court authority/parental consent to place for adoption , it is not appropriate to seek the consent of those with PR.
1.18	Change of name for a Looked after Child	Consent of those with PR to be obtained where possible/appropriate. To be discussed with IRO beforehand and considered in LAC review	Head of Service responsible for the case managing team.	
1.19	Looked after Child obtaining contraceptive advice/provision	Parental consent to be obtained wherever possible / appropriate. To be discussed with IRO beforehand and considered in LAC Review.	Foster Carer/Children's Social Work Manager	Foster carer if specifically referred to within delegated authority.

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1.19	Application for LAC to be placed in secure accommodation	Follows Statutory Review and subsequent Legal Gateway Meeting.	Assistant Director Director for Children's Wellbeing	The criteria are explicit and the report to the Assistant Director will provide evidence to support the application.
1.20	Approval of Section 34 Contact Expenses	To be discussed with IRO beforehand and considered in LAC Review.	Head of Service responsible for the case managing team	On presentation of written request with clear evidence of beneficial impact of contact for child rather than parents.
1.21	Completion of Looked after Child Care Plan	Presented to LAC Review by social worker following recorded discussion with children's social work manager.	IRO	The Care Plan must be approved by the IRO following discussion in a LAC Review.
1.22	Application to Criminal Injuries Compensation Scheme for Looked after Child		Social Worker, Senior Practitioner, Children's Social Work Manager	In consultation with Legal Services
1.21	External residential placements where more than one agency cannot meet the needs of the young person.	Via CNS / Resources Panel.	Assistant Director who chairs CNS.	CNS guidance must be followed.

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1.22	Decision to end looked after child episode	Following agreement by children's social work manager of the team allocated the young person and the Independent Reviewing Officer	Head of Service Looked After Children if under 12; Assistant Director Safeguarding if 16 and older	
2	CHILD PROTECTION			
2.1	Decision to initiate strategy Discussion	Discussion between children's social work manager and MASH manager to explore evidential basis for request.	MASH Manager	
2.2	Decision to initiate s47 investigation	Chair of strategy meeting which must include police and health; strategy discussions can take place by telephone if appropriate.	Children's Social Work Manager	
2.3	Decision on Outcome of S47 enquiry	Recommendation by Social Worker, Senior Practitioner	Team Manager	The evidential basis for the decision must be recorded explicitly and reflect the impact of parental behaviours on the child. If recommendation is to initiate ICPC, please see 2.4

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2.4	Decision to convene an Initial Child Protection Conference	Recommendation by Children's Social Work Manager.	Safeguarding and Review Manager.	The evidential basis for the decision must be recorded explicitly and reflect the impact of parental behaviours on the child. The Safeguarding and Review Unit must be satisfied that threshold for an ICPC has been met.
2.5	Decision to Exclude from a Conference	Following representation from Social Worker or Multi Agency attendee	Safeguarding and Review Unit	Decision must be recorded with rationale detailed. Individual excluded must be informed.
2.6	Decision to make Child subject of protection plan	Following Initial Child Protection Conference recommendation.	Safeguarding and Review Manager	
2.7	Implementation of Child Protection Plan	In conjunction with the Core Group	Team Manager	The plan will be delivered by the core group led by the allocated social worker but the relevant team manager is responsible for ensuring that this occurs.
2.8	Approval of Conference Minutes	Following opportunity for all participants to amend	Safeguarding and Review Manager	
2.9	Decision to remove child from Child Protection Plan	Review Child Protection Conference recommendation.	Safeguarding and Review Manager	Children can have their child protection plan discontinued without a child protection conference meeting to agree this in particular circumstances. Conference members will always be informed of the intention to discontinue a plan and have an opportunity to object.

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2.10	Notification of Child on Child Protection Plan moving to another Local Authority	Allocated Social Worker will liaise with new authority and ensure they are informed. Business Support will assist.	Team Manager	The children's social work manager must ensure that the notification has taken place.
2.11	Disclosure of Information to other involved agencies (beyond Child Protection) as necessary	Eg re: criminal investigation.	Head of Service responsible for the case managing team	On receipt of Legal advice refer to Head of Service if child welfare implications
3	RESIDENTIAL, FOSTER CARE AND ADOPTION			
3.1.	Approval of New Foster Carers	Assessments undertaken by Fostering Social Workers – approval recommended by Children's Social Work Manager	Fostering Panel recommendation to Agency Decision Maker	ADM for Fostering is the Head of LAC & Adoption.
3.2	Emergency Approval of Carers on receipt of appropriate written information	Via Fostering Children's Social Work Manager recommendation	Agency Decision Maker	
3.3	Agreement to Exceed Fostering Approval limits	Via Fostering Children's Social Work Manager recommendation	Agency Decision Maker	

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3.4	Independent Fostering Agencies and Residential Providers	Request to search out of authority for foster placement – on recommendation of Children's Social Work Manager (Fostering) following internal search	Head of Service LAC & Adoption	Conducted by Placement team. Threshold of Care Panel must have approved the request to accommodate.
3.5	Home Reviews of Foster Carers		Fostering Children's Social Work Manager / Agency Decision Maker	Carried out by fostering social workers
3.6	Responsibility for Reporting Missing Children from Foster / Residential Care	Via Carer in the first instance	Child's Social Worker	Welfare Return Visit to be undertaken and outcome shared with social worker and CSE coordinator.
3.7	Approval of plan for child to be adopted	Following recommendation of Child Case Review and completion of Child Permanence Report	Agency Decision Maker	ADM for Adoption is the Assistant Director, Safeguarding and Family Support.
3.8	Approval of new adoptive carers	PAR to be completed by Adoption Social Worker, approved by Children's Social Work Manager	Adoption Panel recommendation to Agency Decision Maker	

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3.9	Approval of matching child with prospective adopters	Following presentation of relevant paperwork from Child Social Worker and prospective adopters Social Worker to Adoption Panel	Adoption Panel recommendation to Agency Decision Maker	
3.10	Under s22C(9B) of the Children Act 1989 duty to consider placing a looked after child for whom the Local Authority is considering adoption. (<i>Fostering for Adoption placement</i>)	Place child with prospective adopters whilst waiting for placement order to be approved.	Agency Decision Maker	
3.11	Approval of Adoption Allowances	Via recommendation of Children's Social Work Manager (Adoption)	Agency Decision Maker	
3.12	Review of Adoption Allowances	Via recommendation of Children's Social Work Manager (Adoption)	Agency Decision Maker	
3.13	Approval of Special Guardianship Allowances.	Via recommendation of Children's Social Work Manager (Fostering).	Agency Decision Maker	

	Decision	Comments	Delegated Officer	Notification / Constraints
3.14	Review of Special Guardianship Allowances.	Via recommendation of Children's Social Work Manager (Fostering).	Agency Decision Maker	

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4	CHILDREN IN NEED:			
4.1	Decision to instigate S17 enquiries (Children's Act)	Following initial screening by Qualified Social Worker	Senior Practitioner (MASH)	This means that the referral information is judged to meet the threshold for HSCB Level 4. This decision must be made in writing with a clear rationale.
4.2	Decision to proceed to Single Social Work Assessment	Undertaken by Qualified Social Worker	Childrens Social Work Manager (MASH)	This means that the agency checks confirm that Level 4 HSCB threshold has been met and an assessment is appropriate. This decision must be made in writing with a clear rationale.
4.5	Decision to extend the timescale to complete social work assessment beyond 45 days.	Following rationale from Social Worker and recommendation from Senior Practitioner. Those not completed within timescale must have written explanation in the assessment.	Head of Service responsible for the case managing team.	This must be a rare and exceptional event and the rationale accordingly specific. This decision must be made in writing with a clear rationale.
4.6	Financial Delegation under Section 17 of the Childrens Act (1989)	Recommendation of Social Worker in circumstances where child may be at risk of care.	Children's Social Work Manager up to £20 for children in need and £50 for looked after/leaving care young people.	All requests must be made in writing with clear rationale including impact on child. Receipts/invoices must be provided.

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4.7	Special case referral forms from HomePoint	Following representation through HomePoint from children's social care	Children's Social Work Manager	
5	GENERAL			
5.1	Staff Supervision	In line with Safeguarding & Family Support Policy and Procedures	Line Manager	
5.2	Case File Audits	In line with Quality Assurance Audit Framework. All managers have responsibilities to undertake audits but Heads of Service are accountable.	Heads of Service.	Quarterly report compiled by Head of Service, Safeguarding and Review.
5.3	Subject Access Requests	Via formal request only through Information Access Team	Withheld material agreed with Head of Service responsible for the case managing team.	To be completed by Information Access Team
5.4	Informal/Formal Complaint Investigation: <ul style="list-style-type: none"> Stage 1 	Following Safeguarding & Family Support complaints procedures	Safeguarding and Review Team	Head of Service / AD to allocate internal independent Manager