

CHILDREN'S SERVICES
SCHEME OF DELEGATIONS TO OFFICERS
OFFICER SUB-DELEGATIONS

This document dated 1st September 2015 supersedes all previous sub delegation arrangements that were in place

I hereby sub-delegate all the functions of the Director of Children's Services that can only be exercised by a qualified social worker to:

- Director of Family Safeguarding
- Interim Operations Director, Safeguarding
- Operations Director, Specialist Services

I hereby sub-delegate all the functions of the Director of Children's Services in relation to education and training of children and young people to:

- Deputy Director for Children's Services, Education
- Assistant Director, Education Provision and Access

I hereby sub-delegate all other functions of the Director of Children's Services to:

- Director of Family Safeguarding
- Interim Operations Director, Safeguarding
- Operations Director, Specialist Services Deputy Director for Children's Services, Education
- Assistant Director, Education Provision and Access

I further sub-delegate my responsibilities under the Regulation of Investigatory Powers Act (RIPA) to Assistant Director, Community Protection.

For disciplinary, performance and ill-health capability delegations please refer to Appendix A.

For delegated authority for specific decisions within social care please refer to Appendix B.

1. Safeguarding Service – Interim Operations Director, Safeguarding

Under the general control and supervision of the **Interim Operations Director, Safeguarding** I sub-delegate the functions relating to the areas specified below to the postholders below:

- Assessment Service – Head of Assessment
- East and West Family Safeguarding – Heads of East and West Family Safeguarding Services
- Children Looked After – Head of Children Looked After

2. Specialist Services – Operations Director, Specialist Services

Under the general control and supervision of the **Operations Director, Specialist Services I** sub-delegate the functions relating to the areas specified below to the postholders below:

- Residential Services – Head of Residential Service
- Adoption and Fostering – Head of Adoption and Fostering
- Disabled Children and CLA Support – Head of Disabled Children Service and Brokerage
- Child Protection and Statutory Review Service – Head of Child Protection and Statutory Review Service
- Looked After Children and Safeguarding Commissioning Service – Head of Service Looked After Children and Safeguarding Commissioning
- Hertfordshire Safeguarding Children Board – HSCB Business Manager
- Performance and Improvement - Head of Performance and Improvement

3. Services for Children and Young People – Deputy Director for Children’s Services, Education

Under the general control and supervision of the **Deputy Director for Children’s Services, Education I** sub-delegate the functions relating to the areas specified below to the postholders below:

- 14-19 Planning and Development – 14-19 Planning and Development Manager
- Services for Young People – Head of Services for Young People
- Integrated Services for Learning – Head of Integrated Services for Learning
- Early Help – Head of Early Help and Thriving Families
- Virtual School – Head of Achievement of Children Looked After
- Senior Education Manager

4. Education Provision and Access – Assistant Director, Education Provision and Access

Under the general control and supervision of the **Assistant Director, Education Provision and Access I** sub-delegate the functions relating to the areas specified below to the postholders below:

- County Planning for Education Provision – Head of School Planning
- Admissions and Transport – Head of Admissions and Transport
- Childhood Support Services – Head of Childhood Support Services
- Business Infrastructure Services – Head of Business Infrastructure
- Hertfordshire Music Service – Head of Music Service

Placement at a distance decisions under Regulation 11 of the Care Planning, Placement and Case Review (England) Regulations 2010/959

In the event of my being unable to act owing to absence or illness I nominate the following to make this decision:

- Director of Family Safeguarding
- Interim Operations Director, Safeguarding
- Operations Director, Specialist Services

Signed: _____ **Date:** _____
Jenny Coles, Director of Children's Services

DISCIPLINARY, MANAGING PERFORMANCE AND HEALTH AND ATTENDANCE PROCEDURES

OFFICER SUB-DELEGATIONS WITHIN CHILDREN'S SERVICES

The HR procedures applying to these Departments are set out in the Discipline, Managing Performance and Managing Sickness Absence policies. The procedures refer to action taken by "the manager" and "the Director". I individually retain my respective role as "the Director". This note explains the managers to whom I have delegated authority to act under the procedures and how any appeal arrangement will be dealt with.

I hereby sub-delegate authority to take action in relation to the relevant policy to the post holders stated below, subject to the limitations indicated:-

1. Power to instigate disciplinary action, including the power of suspension, the conduct of disciplinary, performance and health and attendance hearings, and administering disciplinary sanctions including suspension and/or dismissal, is delegated to the appropriate Children's Services Board Member, and for staff up to and including grade M5 or equivalent, to the relevant direct report of a board member or service manager, subject to consultation with the appropriate HR Manager or HR Business Partner.
2. The right of appeal in respect of all disciplinary action is delegated to the appropriate Board Member. In the case of an action taken by a board member the right of appeal is to the relevant director.
3. In the case of Board Members, paragraph 2 will not apply. I will act as manager and any appeal against action short of dismissal will be to the Chief Executive. The right of appeal in respect of dismissal is to the Casework, Appointments and Appeals Committee.

Delegated Authority for Specific Decisions

Decisions made by those with delegated authority are the lowest level at which the decision can be made and can be made by anyone appropriate within the management structure above that level

Authority	Delegation to	Will take decision in absence of person with delegated authority (generally line manager of peer)	Comment/guidance
Section 17 payments			
Decision to make Section 17 payments up to £100 on any one customer pa	Team Manager	Another Team Manager	This should be entered on the Costs section on LCS
Decision to make Section 17 payments up to £100 on any one client pa	TYS Team Manager	Another YYS Team Manager	
Decision to make Section 17 payments up to £500 on any one client pa	Service Manager Services for Young People Manager	Another Service Manager Head of Services for Young People	
Decision to make Section 17 payments up to £10,000 per family pa (NRPF families)	Head of Service		
Decision to make Section 17 payments above £10,000 per family pa (NRPF families)	Operations Director Safeguarding or Specialist Services		
Use of taxis in any case	Service Manager	Another Service Manager	
Decision to accommodate a child in an emergency: <ul style="list-style-type: none"> ➤ In house under 16; ➤ Independent fostering residential over 16; ➤ Planned. 	Head of Service Operations Director - Specialist Services HARP	Head of Service Operations Director - Safeguarding	S20 Children Act 1989 Following Departmental procedures on Children in Need Planning Meetings and Hertfordshire Access to Resources Panel There may also be Chairs Actions via HARP

Authority	Delegation to	Will take decision in absence of person with delegated authority (generally line manager of peer)	Comment/guidance
Care plans			
Decision not to hold Permanency Planning Meeting for child looked after under 12 years of age	Service Manager on recommendation from Team Manager		<p><i>This would only be in exceptional circumstances: CLA (1999) 29 One or more relevant senior officers should endorse the Care Plan for the final hearing as an authority wide statement of its commitment to the plan. The choice of one or more senior officers designated to endorse Care Plans on behalf of the Local Authority is for the authority to determine.</i></p> <p><i>In exceptional cases and where the court considers it necessary a designated officer or other senior manager may be required to attend court and give evidence on behalf of the Local Authority</i></p>
Decision to endorse the Care Plan for the final hearing	Head of Service	Head of Service	
Interim Care Plan	Service Manager	Service Manager	
Decision to endorse the Care Plan for the final hearing; where an independent provider resource is required	Head of Service	Head of Service	<p>Funding must have previously been agreed through the Hertfordshire Access to Resources Panel and the final Care Plan endorsed by the Head of Service and HARP chair to resolve; ultimate decisions rests with the Operations Director</p>
Decision to endorse all viability assessments	Service Manager	Service Manager	

Authority	Delegation to	Will take decision in absence of person with delegated authority (generally line manager of peer)	Comment/guidance
Decision to endorse SGO assessments	Service Manager Fostering with liaison with Adoption Support	Another Service Manager from within the Adoption and Fostering Service	
Decision to apply for a Care Order	Service Manager	Service Manager Specialist Services - Head of Service	S31 Children Act 1989
Decision to apply for a Supervision Order	Service Manager	Service Manager	S31 Children Act 1989
Decision to apply for an Emergency Protection Order	Service Manager	Service Manager	S44 Children Act 1989
Decision to apply for a Child Assessment Order	Service Manager	Service Manager	S43 Children Act 1989
Decision to apply for discharge or variation of a Care or Supervision Order (including extension of a Supervision Order)	Service Manager	Service Manager	
Decision to discharge a child from accommodation (where the parent has not made the request)	Head of Service	Head of Service	Following decision at a statutory review
Decision to give directions to a child who is the subject of a Supervision Order	Social Worker following consultation with their Team Manager	Team Manager	Schedule 3 s2 Children Act 1989
Decision to refuse parental contact with a child subject to a Care Order for up to seven days in an emergency when it is necessary to do so in order to safeguard or promote the child's welfare	Service Manager	Service Manager	S34 (6) Children Act 1989

Authority	Delegation to	Will take decision in absence of person with delegated authority (generally line manager of peer)	Comment/guidance
Decision to apply for an Order refusing contact	Head of Service	Head of Service	S34 (4) Children Act 1989
Medical consent for a child subject of Care Order: ➤ Routine medical treatment	Carer/Team Manager	Team Manager	Consent to be recorded in the <u>Placement Information Record</u> , signed by the Team Manager
Medical consent for a child subject of Care Order: ➤ Emergency medical treatment which may or may not involve general anaesthetic	Carer/Team Manager	Team Manager	Medical staff can act in an emergency on the basis of medical need
Medical consent for a child subject of Care Order: ➤ Planned medical treatment involving surgery and general anaesthetic	Service Manager Services for Young People Manager	Service Manager Services for Young People Manager	Parental involvement should always be considered and only excluded if not in the child's best interests. The power to authorize may be delegated to TM if there are a series of treatments under one heading
Decision to withhold the whereabouts of a child from a person, usually the parent	Service Manager Services for Young People Manager	Service Manager Services for Young People Manager	Schedule 2 s15 Children Act 1989 The Local Authority shall take such steps as are reasonably practicable to secure that parents and anyone with <u>Parental Responsibility</u> are kept informed of where s/he is being <u>Accommodated</u>
Provision of accommodation in order to protect the child (e.g. to a father who is considered to be a risk to the child)	Head of Service in an emergency for up to two weeks On a planned basis HARP	Head of Service - emergency	Schedule 2 s5 Children Act 1989

Authority	Delegation to	Will take decision in absence of person with delegated authority (generally line manager of peer)	Comment/guidance
Ensuring that notifications following the death of a child looked after / serious harm to a child in an children's home / foster care are sent appropriately	Head of Service for Residential if child is in a children's home. Head of Service of Adoption and Fostering if child is in foster care.	Head of Child Protection and Statutory Review Service	Schedule 2 s20 Children Act 1989 and Schedule 7 Fostering Services Regulations 2011 Regulation 30 and Schedule 75 Children's Homes Regulations 2001 OFSTED Guidance on Handling Serious Child Care Incidents
Ensuring that a Need to Know is sent to relevant individuals following serious/significant events involving children know to the Children's Services in whatever capacity	Head of Service for the relevant social work team Services for Young People Manager	Head of Service Services for Young People Manager	See <u>Need to know Procedure</u>
Notification to OFSTED of serious harm to a child / serious case review	Head of Child Protection and Statutory Review Service	Operations Director	OFSTED Guidance on Handling Serious Child Care Incidents
Funeral arrangements following the death of a child looked after	Service Manager Services for Young People Manager	Service Manager Services for Young People Manager	These should always be made in consultation with the parent and may be made by the parent if they so wish and if it is deemed appropriate

Authority	Delegation to	Will take decision in absence of person with delegated authority (generally line manager of peer)	Comment/guidance
Decision to place child, under 16 years who is the subject of a Care Order or Interim Care Order with 'P' i.e. their parents, or person who held parental responsibility before the making of any Care Order, or Interim Care Order	Operations Director (Safeguarding)	Operations Director (Specialist Services)	Vol. 3 Children Act 1989 Guidance & Regulations 5.40 Where a Director nominates another officer as decision maker the nomination should reflect the serious nature of the decision and this nomination should rest at third tier level i.e. assistant chief officer area director or area manager or an equivalent senior level. Nominees will need good knowledge of child care practice in order to provide a considered opinion The nomination of the senior officers can only be made by the Director and should be in writing
Permission to go abroad (for a period of less than one month) including signing passport application for child subject of a Care Order	Service Manager Services for Young People Manager	Service Manager Services for Young People Manager	
Decision to apply for leave of the Court for a child in care to live outside England or Wales	Head of Service Services for Young People Manager	Head of Service Services for Young People Manager	This may have substantial financial implications and therefore delegation should reflect this
Permission for a child subject of a Care Order to marry	Head of Service Services for Young People Manager	Head of Service Services for Young People Manager	

Authority	Delegation to	Will take decision in absence of person with delegated authority (generally line manager of peer)	Comment/guidance
Decision for a child looked after to have a normal social visit over night	Carer	Social worker	CLA (2004)4 Decisions on overnight stays should in most circumstances be delegated to foster carers and residential care staff and arrangements for such decisions written into the placement plan or Foster Placement Agreement Children Looked After should as far as possible be granted the same permission to take part in normal and acceptable age appropriate peer activities as would reasonably be granted by parents of their peers Only where there are exceptional reasons should the permission of the responsible authority be required or restrictions placed on overnight stays
Decision to apply for a Recovery Order for a child who is in care, the subject of an EPO or in Police protection	Service Manager Services for Young People Manager	Service Manager Services for Young People Manager	
Decision to inform a third party of the identity and concerns about a person who is considered a risk to children	Team Manager	Team Manager	
Decision to initiate s47 enquiries	Team Manager	Consultant Social Worker	
Decision to take no further action following s47 enquiries	Team Manager in consultation with Service Manager	Service Manager	

Authority	Delegation to	Will take decision in absence of person with delegated authority (generally line manager of peer)	Comment/guidance
Decision that a CLA may be placed with parent or person who held PR before the making of a Care Order or Interim Care Order	Head of Service (CLA)	Heads of Service (Assessment or SLFS)	Head of Service is the nominated officer and must be fully informed by an assessment Regulation 17 (full) or 19 (emergency) of the Care Planning Regulations 2010
Decision to convene a Child Protection Conference following s47 enquiries	Team Manager	Team Manager	
Authority to apply for a Secure Accommodation Order	Operations Director for Safeguarding	Operations Director for Specialist Services	S25 Children Act 1989 Vol. 4 CA 89 Guidance & Regs. 8.6 'Steps should be taken to ensure all decisions to seek a placement for a child in secure accommodation are taken at a senior level in the authority This should not be less than at Asst Director level and such a person should be accountable to the Director for that decision'
Authority to decide on a placement in secure accommodation without an Order for up to 72 hours	Operations Director for Safeguarding	Operations Director for Specialist Services	S25 Children Act 1989 See above

Authority	Delegation to	Will take decision in absence of person with delegated authority (generally line manager of peer)	Comment/guidance
Review of placement in secure accommodation in secure children's home	Independent Reviewing Officer NYASS (or other independent person) Head of Service	Head of Service	S15 Children (Secure Accommodation) Regulations 1991 Each local authority looking after a child in secure accommodation in a secure children's home, shall appoint at least 3 persons at least one of which is not employed by the local authority by or on behalf of which the child is being looked after who shall review the keeping of the child in such accommodation for the purposes of securing her/his welfare within one month of the inception of the placement and then at such intervals not exceeding three months where the child continues to be kept in such accommodation

Authority	Delegation to	Will take decision in absence of person with delegated authority (generally line manager of peer)	Comment/guidance
Adoption Agency Decision Maker	Head of Child Protection and Statutory Review Service; Head of Adoption and Fostering; Operations Directors Safeguarding and Specialist Services	Operations Directors Safeguarding and Specialist Services; Director of Children's Services	Adoption Agency Regulations 2005 (as amended) In any case falling with Regulation 17(2C) and referred to Adoption Panel paragraph 19.2 applies in that: 19.2 No member of the adoption panel or central list shall take part in any decision made by the adoption agency (regarding whether a child should be placed for adoption) It should be taken by a senior person in the agency such as the agency's adoption manager or Assistant Director who is not a member of the Panel that submitted the recommendation or on the central list In any case falling within Regulation 17(2A) or (2B) the Agency may not refer the matter to the Adoption Panel but straight to the ADM or delegated officer for a decision whether the child should be placed for adoption.

Authority	Delegation to	Will take decision in absence of person with delegated authority (generally line manager of peer)	Comment/guidance
Adoption Agency Decision Maker regarding Approval of Adopters and Matching of named child to named adopter(s)	Head of Child Protection and Statutory Review Service; Head of Adoption and Fostering; Operations Directors Safeguarding and Specialist Services	Operations Directors Safeguarding and Specialist Services; Director of Children's Services	Adoption Agency Regulations 2005 19.2 No member of the adoption panel shall take part in any decision made by the adoption agency (regarding whether a child should be placed with particular prospective adopters) It should be taken by a senior person in the agency such as the agency's adoption manager or Assistant Director who is not a member of the Panel that submitted the recommendation
Senior manager(s) with whom Adoption Agency Decision Maker will discuss cases where s/he is minded not to accept the Adoption Panel's recommendation	Operations Directors Specialist and Safeguarding Services	Director of Children's Services	Adoption & Children Act 2002 Guidance Chapter 3 paragraph 68 Please note it is then not possible for the Operations Director to act as ADM in relation to any aspect of that specific case
Fostering Panel Decision Maker	Head of Adoption and Fostering Service Service Manager Fostering	Operations Director Specialist Services	Regulation 27 of the Fostering Service Regulations 2011 No member of a fostering panel shall take part in any decision by the fostering service provider to approve or set terms of approval for a foster carer

Authority	Delegation to	Will take decision in absence of person with delegated authority (generally line manager of peer)	Comment/guidance
Chair of Fostering Panel that makes recommendations about approval and any terms of approval	Independent Person	1 or 2 Vice (Deputy) Chairs appointed by Panel from the central list. As set out in the Fostering Service Regulations 2011.	<p>The Fostering Service Regulations 2011 require that (in the case of any appointment made after 1 October 2011) the chair of Panel must be independent of the provider. Previously Regulation 24 Fostering Service Regulations 2002 stated:</p> <p>'A senior member of staff of the fostering service provider who is not responsible for the day to day management of any person carrying out assessments of prospective foster parents or such other person not being an employee member or partner or director of the fostering service provider who has the skills and experience necessary for chairing a fostering panel'</p>

Signed: _____ **Date:** _____