



Swindon Children's Services Scheme of Delegation: September 2016

Introduction

A scheme of delegation is required to ensure that staff with the right level of experience and accountability make the right decisions at the right time for the children we are responsible for. It covers those decisions within Children's Services which are particularly critical in determining what actions are to be taken by the Council to promote the welfare of particular children. The scheme also covers core issues of financial delegation.

The scheme does not cover all eventualities and where further more detailed information is required staff must consult specific policies and guidance documents or consider the matter further with their supervisor and if in doubt themselves refer the matter to their line manager.

The scheme of delegation is intended to place the decision making as close to the front line as is consistent with national guidance and regulation and consideration of good practice, while maintaining accountability and safe decision making.

Review

This version of the scheme set out below was approved by the Head of Children, Families and Community Health in November 2014. The scheme is to be reviewed at least annually and was last reviewed in May 2016.

Reference number	Area of Work	Legislation, Regulation or Guidance reference	Authorised officer
EARLY HELP – School Nurses, Speech Therapists, Family Nurse Partnership, Health Visitors, Paediatric Therapists, Educational Psychologists, Education Welfare Officers, Youth Engagement Workers, Targeted Mental Health Practitioners, Families First (Troubled Families programme) workers.			
	<p>All Early Help disciplines have a Professional Lead and /or manager who ensure that professional standards are maintained through on-going training, audit and supervision. Practitioners have opportunities to discuss practice and ensuring that it is compliant to specific professional standards in formal supervision.</p> <p>There is oversight of assessments and service delivery with the expectation that all practitioners have delegated authority to make decisions.</p> <p>It is expected that in cases where vulnerabilities and risk are being managed these would be discussed with their supervisor in formal supervision, however, there is not an expectation that regular case work is signed off by a manager.</p>		Individual practitioners
REFERRAL, ASSESSMENT, CASE CLOSURE			
1.	Approve no further action on referral		Team Manager, or Assistant Team Manager
2.	Agree a child's assessment		Team Manager, or Assistant Team Manager
3.	Agree for the allocated SW to visit less frequently than 4 weekly for a CIN case		Team Manager, or Assistant Team Manager
4.	Agree case closure		Team Manager, or Assistant Team Manager
CHILDREN IN NEED (CIN)			
5.	To agree support services to children living with	Sec 17 Children Act 1989	Team Manager, and where delegated, Assistant Team

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	their families (agree a CIN Plan)		Manager
6.	To chair a child in need planning meeting or review of a CiN plan	Sec 17 Children Act 1989	Allocated Social Worker
7.	To agree short break care and respite care for children with disability	Sec 17 Children Act 1989	Team Manager
8.	Agree Direct Payment for Children and Families service provision	Community Care (Direct Payments) Act 1996	Team Manager for subject to financial limits agreed with Service Manager
CHILD PROTECTION			
9.	Decision to start enquiries under Section 47 and to end/close/conclude them	S47 Children Act 1989 South West Child Protection Procedures	Team Manager and where Delegated, Assistant Team Manager
10.	Decision to convene a Child Protection Conference	Working Together to Safeguard Children South West Child Protection Procedures	Team Manager, or Assistant Team Manager
11.	Decision not to convene a CP Conference (CPC) following S47 enquiries	Working Together to Safeguard Children South West Child Protection Procedures	Team Manager
PRIVATE LAW PROCEEDINGS			
12.	To accept a request to report to the court under Section 7 in private law proceedings	S7 Children Act 1989	Team Manager, or Assistant Team Manager
13.	To report to the court under Section 37	S37 Children Act 1989	Service Manager
FINANCIAL			
14.	To provide financial assistance to children living with their families, as per agreed limits a) up to £500 per child per year b) up to £5,000 c) up to £100,000 d) over £250,000	S17 Children Act 1989	a) Assistant Team Manager b) Team Manager c) Service Manager d) Head of Service or Director of Children's Services (DCS)
15.	To provide financial assistance to care	S24 Children Act 1989	a) Assistant Team

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	leavers, as per agreed limits a) up to £500 per child per year b) up to £5,000 c) up to £100,000 d) over £250,000	Leaving Care Policy & Procedures for details of current limits.	Manager b) Team Manager c) Service Manager d) Head of Service or Director of Children's Services (DCS)
16.	Requests for rent payments up to £5,000 commitment over any time period a) for care leavers or looked after children b) for any other case Any amount over £5,000 or where guarantor is required	S24 Children Act 1989 Para. 10, Schedule 2 Children Act 1989	Team Manager Service Manager, following advice from Legal Team
17.	To approve independent living grant to care leavers as per limit in procedures and entitlements	S24 Children Act 1989	Team Manager for Care Leavers Team
18.	To agree time limited payment of S17 prior to Child Arrangement Order or SGO up to limit of £5,000	S17 Children Act 1989 Section 8, Kinship Care Policy & Procedures	Team Manager
19.	a) To agree payment of a Residence Order or Special Guardianship Order allowance. b) To waive the financial assessment	Para 15 Schedule 1 Children Act 1989 Residence Order Policy and Procedures	Service Manager Head of Service
20.	To agree legal costs for applicants for Special Guardianship Order up to £500 including VAT Any further costs above this amount to be negotiated.	Legal Aid Agency Funding Code for Legal Aid Swindon Children, Families and Community Health Procedure Manual 6.1.3	Team Manager Service Manager, after advice from Legal Team
21.	Agree financial support for taxis and mini-buses	SBC Transport Policy	Team Manager
PUBLIC LAW			
22.	To agree issuing of 'Letter Before Proceedings' and commence pre-proceedings case management in accordance with the Public	Public Law Outline 2013 Public Law Outline, Case Management Guidance, April 2008, Ministry of Justice	Team Manager

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	Law Outline guidance		
23.	Request for Legal Planning meeting / advice and any Expert assessments	Public Law Outline 2013	Service Manager
24.	To make decision to instigate care proceedings	Part IV, Children Act 1989 LSCB Child Protection Procedures/Framework for the assessment of children in need and their families	Assistant Team Manager to attend legal planning meeting, but consult with Team Manager to decide if care proceedings should be initiated.
25.	To agree application for a Child Assessment Order	S43 Children Act 1989	Team Manager - as Chair of legal planning meeting
26.	To agree application for Emergency Protection Order	S44 Children Act 1989 South West Child Protection Procedures: Child Protection: Emergency Action	Service Manager - in consultation with Legal Team but to alert Head of Service of need to do so
27.	To agree application for a Recovery Order	S50 Children Act 1989 South West Child Protection Procedures: Specific Issues: Legal Options	Service Manager - after advice from Legal Team
28.	To request Police Protection in an emergency	S46 Children Act 1989 South West Child Protection Procedures: Child Protection: Emergency Action	Team Manager - after advice from Legal Team
29.	To agree the initial care plan to court in care proceedings	Public Law Outline 2013 Framework for the assessment of children in need and their families	Team Manager - after advice from Legal Team and Service Manager.
30.	To agree the final care plan to court in care proceedings	LAC (99)29 Framework for the assessment of children in need and their families	Service Manager - after advice from Legal Team
31.	To agree application to court to vary a care or supervision order, or to discharge a care order	S39 Children Act 1989	Service Manager - after advice from Legal Team
LOOKED AFTER CHILDREN			
32.	Agree accommodation of a child with parental	S20 Children Act 1989	Service Manager

Reference number	Area of Work	Legislation, Regulation or Guidance reference	Authorised officer
	consent	Guidance for Social Workers re Accommodation Admission Requirements (Dec 2007) Looked After Children Policy and Procedure	
33.	Agree accommodation of a child over 16	S20 Children Act 1989	Service Manager
34.	Chair care planning meeting of a child who becomes looked after (S20 or EPO, ICO, remand to local authority accommodation, placement planning meeting etc) in preparation for first LAC and Court Care Plan	Review of Children's Cases (Amendment) Regulations 2004	Team Manager or Assistant Team Manager
35.	Chair statutory looked after child review	Review of Children's Cases (Amendment) Regulations 2004 IRO Handbook	Independent Reviewing Officer or non-line Team Manager in an emergency.
36.	Agree discharge of a child accommodated under section 20 For young person who is 16+	S20 Children Act 1989	Team Manager, consultation with Assistant Team Manager - advisory only as this a parental right. Must be determined in consultation with parents, or with the young person if 16+. Head of Service.
37.	Agree placement of child/young person for whom accommodation has been agreed with local SBC foster carers or supported lodgings carers	S31/20 Children Act 1989 Guidance for Social Workers re Accommodation Admission Requirements (December 2007)	Team Manager, or Assistant Team Manager in consultation with Fostering and Adoption Team Manager
38.	Agree placement of child for whom accommodation has been agreed with foster carers from another local authority	S31/20 Children Act 1989 Guidance for Social Workers re Accommodation Admission	Service Manager

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		Requirements (December 2007)	
39.	Agree to place and fund placement of child with IFA (also noting priority to place within 20miles)		Head of Service
40.	Agree to place a child in residential and/or fund out of borough placement of child in residential placement		DCS upon recommendation by HOS.
41.	a) Decision to place a child outside the area of the responsible authority b) If that placement is a distant one	The Children's Homes and Looked after Children (Miscellaneous Amendments) (England) Regulations 2013	Placement Team to liaise with area authority where placement is being considered. Team Manager/ATM to consult with IRO prior to decision being made. HOS agree search for such placements and DCS agree placement. Director of Children's Services (DCS) delegated to Head of Service
42.	Agree to withhold placement address from parents		Service Manager
43.	Agree placement of child in secure accommodation	S25 Children Act 1989 Secure Accommodation Policy and Procedure (May 2008)	Head of Service or Director of Children's Services (DCS) if placement at distance
44.	Agree the placement of a child subject to a care order to live with his/her parent(s)	Children Act 1989 S23 (4) and (5) and according to Placement of children with parents regulations	Service Manager
45.	Approve plan for permanency via long term fostering	Children Act 2004/1989	Independent Reviewing Officer endorses decision for long term fostering as a permanence plan at

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			second CLA Review and Panel agreement from Service Manager, Fostering and Adoption and Service Manager Children Social Work Teams ratifies the match between child and carer. Approve match for long term permanency placement at Matching Panel – refer to flow chart.
46.	Approve plan for child to be considered for adoption placement and can authorise application for a Placement Order	Children Act 2004/1989	Independent Reviewing Officer ratifies Care Plan then Service Manager signs Care Plan. Agency Decision Maker approves.
47.	Agree to care plan for placement of looked after child with connected persons	Children Act 2004/1989	Team Manager Children's Social Work Team following Independent Reviewing Officer ratifies Care Plan. Service Manager to authorise.
48.	Authorise the placement of a child in care with connected persons who is not already approved as a foster carer	Fostering Services Regulations 2011	Service Manager
49.	Agree care plan for looked after child to become subject to Special Guardianship Order	Children Act 2004/1989	Independent Reviewing Officer ratifies Care Plan then Service Manager recommends. Agency Decision Maker approves.
50.	Authorise level of Special Guardianship support to be provided, including financial support.	Adoption Agencies Regulations 2011	Service Manager
51.	Agree care plan for looked after child to	Children Act 2004/1989	Independent Reviewing

Reference number	Area of Work	Legislation, Regulation or Guidance reference	Authorised officer
	become subject to Child Arrangement Order.		Officer ratifies Care Plan then Service Manager recommends.
52.	Approve assessments of private foster carers, impose requirements or decide to prohibit some-one acting as a private foster carer	Arrangements for Private Fostering Regulations 2005	Fostering and Adoption Team Manager.
53.	Chair Matching meeting for child to be placed for adoption and agree the preferred adoptive family	Adoption and Children Act 2002 Adoption Agency Regulations 2011	Fostering and Adoption Team Manager – can be delegated to Adoption Assistant Team Manager
54.	Authorise a change of placement affecting a child in care in Key Stage 4		Service Managers in consultation with IRO
55.	Authorise exemptions from the usual fostering limit and variations to the approval on temporary basis	Fostering Regulations 2011 - amendments	Service Manager
56.	Agree young person aged 16/17 years old be discharged from S20 accommodation	The Children's Homes and Looked after Children (Miscellaneous Amendments) (England) Regulations 2013	Head of Service, after consultation with parents who holds parental responsibility as well as IRO
57.	Authorise the placement of a child in care with a parent. Person with parental authority or person who held a Child Arrangements Order immediately before the Care Order.		Service Manager
58.	To appoint an independent visitor	Para 17 Schedule 2 Children Act 1989	Team Manager
59.	Approve a Pathway Plan		Independent Reviewing Officer ratifies Care Plan then Team Manager recommends. Agency Decision Maker approves.
60.	To consent to the marriage of a young person in care	Marriage Act 1949 Section 3 amended by the Family Law Reform Act 1969	Director of Children's Services (DCS)
61.	To consent to medical treatment for a looked		Delegated Authority

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	after child on a care order including contraception for those children under 16 years old.		Policy/individual Placement Planning Meetings for authority delegated to foster parents. Service Manager for Children's Social Work Team for other decisions.
62.	To consent to medical treatment or give other consent for looked after children who are unaccompanied asylum seekers or orphans who are looked after under Section 20 S3(5)	Children Act 1989	Service Manager
63.	To sign passport applications for a child in care	Children Act 1989	Service Manager
64.	To agree a holiday abroad for a child in care	Children Act 1989	Team Manager however consent form has to be countersigned by Head of Service for legal purposes
65.	To agree for a child in care to live abroad subject to the approval of a court	Para 19 Schedule 2 Children Act 1989	Head of Service
66.	To approve the applications of children in care who wish to join HM Forces		Head of Service
67.	To agree change of name for children in care	S33 Children Act 1989	Head of Service
68.	To agree to place siblings separately	S20 Children Act 1989	Service Manager
69.	Approve the refusal or suspension of contact with parents	Schedule 2 Children Act 1989	Team Manager
70.	Make decisions to approve a person as a foster carer and the terms of approval taking in to account the recommendations of the Fostering Panel	Fostering Regulations 2011	Head of Service as Agency Decision Maker
SECURE ACCOMMODATION			
71.	Authority to apply for a secure order and seek	Children Act 1989, Section 25	Head of Service

Reference number	Area of Work	Legislation, Regulation or Guidance reference	Authorised officer
	a secure placement		
72.	Agree composition of secure accommodation review panel	(Secure Accommodation) Amendment Regulations 1992	Team Manager
ADOPTION			
73.	To agree the assessment of prospective adopters	Adoption and Children Act 2002 Adoption Procedures	Fostering and Adoption Team Manager or Assistant Team Manager
74.	All completed applications for prospective adopters to be presented to Swindon Adoption Panel	Adoption and Children Act 2002 Statement Of Purpose	Fostering and Adoption Team Manager
75.	To agree the payment of legal expenses for prospective adoptive parents for children who are being placed for adoption by SBC as an adoption agency	Adoption and Children Act 2002 Adoption Agency Policy	Service Manager following consultation with Legal Team
76.	To approve the payment of adoption allowance (waiving the financial assessment, if appropriate).	Adoption and Children Act 2002 Adoption Support Services Regulations 2005	Service Manager
77.	To approve the Schedule 2 report to court	Adoption and Children Act 2002	Team Manager
78.	To agree the placement of a child with adopters approved by an OLA, or private/voluntary agency	Adoption and Children Act 2002 Adoption Agency Regulations 2005	Fostering and Adoption Team Manager in consultation with Service Manager
79.	Chair Introductions Planning Meeting for child being placed for adoption	Adoption and Children Act 2002 Adoption Agency Regulations 2011	Fostering and Adoption Team Manager, can be delegated to Adoption Assistant Team Manager
80.	Completion of Interagency Agreements for children placed with another agency	Adoption and Children Act 2002 Adoption Agency Regulations 2011	Fostering and Adoption Team Manager
81.	To sign the Adoption Placement Plan following Introductions Planning Meeting	Adoption and Children Act 2002 Adoption Agency Regulations 2011	Fostering and Adoption Team Manager, can be delegated to Adoption Assistant Team Manager
82.	Authorise the level of adoption support to be provided to children, adopters (including	Adoption Support Services Regulations 2005	Service Manager

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	financial support) and their family or birth family members.		
83.	Make decisions about approval of a person as a prospective adopter following recommendations from Adoption Panel	Adoption and Children Act 2002 Adoption Agency Regulations 2011	Head of Service as Agency Decision Maker
84.	Authorise appointments to the Central List for the Adoption and Fostering Panels	Adoption Agency Regulations 2011	Service Manager with Independent Chair of Panels
FAMILY PLACEMENTS			
85.	To agree the assessment of prospective carers	Children Act 1989 Guidance Vol 3 Swindon Children, Families and community Health Procedure Manual 7.14 Assessment and Approval of Foster Carers	Fostering and Adoption Team Manager or Assistant Team Manager. All completed applications to be presented at Fostering Panel who will provide recommendation to Agency Decision Maker who is Head of Service
86.	To sanction payment of the fostering allowance	Children Act 1989 Guidance Vol 3 Swindon Children, Families and Community Health Procedure Manual 7.19 Foster Care Payments	Fostering and Adoption Team Manager
87.	To vary allowances to foster carers / contributions by young people in placement in exceptional circumstances	Children Act 1989 Guidance Vol 3 Swindon Children, Families and Community Health Procedure Manual 7.19 Foster Care Payments	Service Manager
88.	To temporarily vary the approval status of foster carers	Children Act 1989 Guidance Vol 3 The Care Planning, Placement and Case Review and Fostering Services (Miscellaneous Amendments) Regulations 2013 Swindon Children, Families and Community Health Procedure Manual	Service Manager and to present to next Foster Panel

Reference number	Area of Work	Legislation, Regulation or Guidance reference	Authorised officer
		7.15 Exemptions and Extensions / Variations to Foster Carers Approval	
89.	To agree exemption for foster carers from the usual fostering limit of a maximum of three children in any one placement	Children Act 1989 Guidance Vol 3 The Care Planning, Placement and Case Review and Fostering Services (Miscellaneous Amendments) Regulations 2013 Swindon Children, Families and Community Health Procedure Manual 7.15 Exemptions and Extensions / Variations to Foster Carers Approval	Service Manager Foster Panel to be informed.
90.	To give temporary approval to potential adopters as foster carers for a named child	The Care Planning, Placement and Case Review and Fostering Services (Miscellaneous Amendments) Regulations 2013 Regulation 22A	Director of Children's Services (DCS) must appoint a nominated officer – 'it is expected that the person will be a social worker with a good understanding of care planning, including adoption and fostering. This person could be the adoption ADM.'
PRIVATE FOSTERING			
91.	Prohibit particular private fostering arrangements	Children (Private Arrangements for Fostering) Regulations 2005. Swindon Children, Families and Community Health Procedure Manual 3.2 Private Fostering	Service Manager - informing Head of Service
92.	Impose requirements on private foster carers	Children (Private Arrangements for Fostering) Regulations 2005. Swindon Children, Families and Community Health Procedure Manual 3.2 Private Fostering	Service Manager
RECORDS			

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93.	Full disclosure of child records to the Police		Team Manager following legal advice from Legal Team.