



Swindon Children's Services Scheme of Delegation: up-dated June 2019

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

The scheme is to be reviewed at least annually.

ADMs

Adoption best interest and links –Angela Clarke AClarke@swindon.gov.uk

Fostering including Regulation 24 and SGO support plans – Lee-Anne Farach

Reference Number	Area of Work	Legislation, Regulation or Guidance reference	Authorised Officer
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 case closure		Team Manager, or Assistant Team Manager
CHILDREN IN NEED (CIN)			
4.	To agree support services to children living with their families (agree a CIN Plan)	Sec 17 Children Act 1989	Team Manager, or Assistant Team Manager
5.	To chair a child in need planning meeting or review of a CiN plan	Sec 17 Children Act 1989	Team Manager/Assistant Team Manager/social worker
6.	To agree short break care and respite care for children with disability	Sec 17 Children Act 1989	Team Manager
7.	Agree Direct Payment for Children and Families service provision See point 13 below	Community Care (Direct Payments) Act 1996	Team Manager
CHILD PROTECTION			
8.	Decision to start enquiries under Section 47 and to end/close/conclude them	S47 Children Act 1989 South West Child Protection Procedures	Team Manager/ Assistant Team Manager
9.	Decision to convene a Child Protection Conference	Working Together to Safeguard Children South West Child Protection Procedures	Team Manager, or Assistant Team Manager
10.	Decision not to convene a CP Conference (CPC) following S47 enquiries	Working Together to Safeguard Children South West Child Protection Procedures	Team Manager in consultation with the CP Chair Escalate to SM if no agreement reached

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PRIVATE LAW PROCEEDINGS			
11.	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
12.	To report to the court under Section 37	S37 Children Act 1989	Team Manager or Assistant Team Manager
FINANCIAL			
13.	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 £2,000 c) up to £100,000 d) over £250,000	S17 Children Act 1989	a) Assistant Team manager b) Team Manager c) Service Manager d) Director of Children's Social Work or Director of Children's Services (DCS)
14.	To provide financial assistance to care leavers, as per agreed limits a) up to £500 per child per year b) up to £2,000 c) up to £100,000 d) over £250,000	S24 Children Act 1989 Leaving Care Policy & Procedures for details of current limits.	a) Assistant Team manager b) Team Manager c) Service Manager d) Director of Children's Social Work or Director of Children's Services (DCS)

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15.	Requests for rent payments up to £2,000 commitment over any time period a) for care leavers or looked after children b) for any other case Any amount over £2,000 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
16.	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
17.	To agree payment of a Child Arrangement Order or Special Guardianship Order allowance.	Para 15 Schedule 1 Children Act 1989 Special Guardianship policy & procedures on Tri-x	Service Manager Children Looked After Director of Children's Social Work if SM CLA absent
18.	To agree legal costs for applicants for Special Guardianship Order up to £280.80 excluding 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 Special Guardianship policy & procedures on Tri-x	Team Manager Service Manager, after advice from Legal Team
19.	Agree financial support for taxis and mini- buses	SBC Transport Policy – need to find this EDS consideration – Mark	Team Manager

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PUBLIC LAW			
20.	To agree issuing of 'Letter Before Proceedings' and commence pre-proceedings case management in accordance with the Public Law Outline guidance	Public Law Outline 2013 Public Law Outline, Case Management Guidance, April 2008, Ministry of Justice	Team Manager/ Legal Representative
21.	Request for Legal Planning meeting / advice and any Expert assessments	Public Law Outline 2013	Care Panel
22.	To make decisions to instigate proceedings and agree necessary assessments	Part IV CA 89 LSCB Child Protection Procedures/Framework for the assessment of children in need and their families	Team Manager in consultation with Assistant Team Manager
23.	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 Director of Children's Social Work of need to do so
24.	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
25.	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
26.	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	Service Manager

Reference Number	Area of Work	Legislation, Regulation or Guidance reference	Authorised Officer
27.	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
28.	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			
29.	Agree accommodation of a child with parental consent	S20 Children Act 1989 Guidance for Social Workers re Accommodation Admission Requirements (Dec 2007) Looked After Children Policy and Procedure	Care Panel with Director of Children's Social Work approval
30.	Agree discharge of a child accommodated under section 20 For young person who is 16+	S20 Children Act 1989	Service Manager Director of Children's Social Work
32.	Agree placement of child/young person for whom accommodation has been agreed with in-house foster carers, IFA carers or supported lodgings carers	S31/20 Children Act 1989	Care Panel with Director of Children's Social Work approval
33.	Agree to place and fund placement of child with IFA out of borough		Care Panel with Director of Children's Social Work approval
34.	Agree to place a child in residential and/or IFA at a distance		Care Panel with Director of Children's Social Work approval
35.	Agree placement of child in secure accommodation	S25 Children Act 1989 Secure Accommodation Policy and Procedure (May 2008)	Director of Children's Services

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36.	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
37.	Authorise the placement of a child in care with connected persons under Regulation 24	Care Planning, Placement and Care Review Regulations 2010	Director of Children's Social Work
38.	Authorise level of Special Guardianship support to be provided, including financial support	Special Guardianship Policy	Service Manager Children Looked After. Additional costs Care Panel
39.	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	Function carried out by Adopt Thames Valley and Team Manager
40.	Authorise a change of placement affecting a child in care in Key Stage 4		Director of Children's Social Work
41.	Authorise exemptions from the usual fostering limit and variations to the approval on temporary basis	Fostering Regulations 2011 - amendments	Service Manager CLA/Foster Care Panel as appropriate
42.	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
43.	To consent to medical treatment for a looked After child to include complex and invasive treatment including surgery and anaesthetic		Delegated Authority Delegated responsibility for foster carers discussed at Placement Planning Meeting Team Manager/ Parent/ Foster Carer Service Manager for surgery & anaesthetic

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44.	To consent to medical treatment for unaccompanied asylum seekers or orphans who are looked after under Section 20 S3(5)	Children Act 1989	Service Manager
45.	To sign passport applications for a child in care	Children Act 1989	Service Manager
46.	To agree a holiday abroad for a child in care	Children Act 1989	Service Manager
47.	To agree for a child in care to live abroad subject to the approval of a court	Para 19 Schedule 2 Children Act 1989	Director of Children's Social Work
48.	To approve the applications of children in care who wish to join HM Forces		Director of Children's Social Work
49.	To agree change of name for children in care	S33 Children Act 1989	Director of Children's Social Work
50.	To agree to place siblings separately	S20 Children Act 1989	Service Manager
51.	Approve the refusal or suspension of contact with parents	Schedule 2 Children Act 1989	Service Manager for maximum of 7 days-Court
52.	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	Fostering ADM
SECURE ACOMMODATION			
53.	Authority to apply for a secure order and seek a secure placement	Children Act 1989, Section 25	Director of Children's Services
54.	Agree composition of secure accommodation review panel	(Secure Accommodation) Amendment Regulations 1992	Service Manager

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ADOPTION			
55.	To agree the assessment of prospective adopters	Adoption and Children Act 2002 Adoption Procedures	Adopt Thames Valley
56.	All completed applications for prospective adopters to be presented to Adoption Panel	Adoption and Children Act 2002 Statement Of Purpose	Adopt Thames Valley
57.	To agree the payment of legal expenses for prospective adoptive parents for children who are being placed for adoption by SBC	Adoption and Children Act 2002 Adoption Agency Policy	Care Panel
58.	To approve the payment of a adoption allowance	Adoption and Children Act 2002 Adoption Support Services Regulations 2005	Care Panel
59.	To approve the Annex A report to court	Adoption and Children Act 2002	Team Manager
60.	To agree the placement of a Swindon child with adopters	Adoption and Children Act 2002 Adoption Agency Regulations 2005	Swindon Borough Council ADM
61.	Chair Introductions Planning Meeting for child being placed for adoption	Adoption and Children Act 2002 Adoption Agency Regulations 2011	Adopt Thames Valley
62.	Completion of Interagency Agreements for children placed with another agency	Adoption and Children Act 2002 Adoption Agency Regulations 2011	Adopt Thames Valley
63.	To sign the Adoption Placement Plan following Introductions Planning Meeting	Adoption and Children Act 2002 Adoption Agency Regulations 2011	Adopt Thames Valley
64.	Authorise the level of adoption support to be provided to children, adopters (including financial support) and their family or birth family members	Adoption Support Services Regulations 2005	Service Manager Children Looked After in consultation with Adopt Thames Valley. Care Panel for finance
65.	Make decisions about approval of a person as a prospective adopter following recommendations	Adoption and Children Act 2002 Adoption Agency Regulations	Adopt Thames Valley

	from Adoption Panel	2011	
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66.	Authorise appointments to the Central List for the Adoption and Fostering Panels	Adoption Agency Regulations 2011	Adopt Thames Valley
FAMILY PLACEMENTS			
67.	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	ATM/TM Fostering
68.	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	ATM/TM Fostering
69.	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	ATM in consultation with Team Manager. Care Panel
70.	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 7.15 Exemptions and Extensions / Variations to Foster Carers Approval	ADM Fostering

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71.	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	ADM Fostering To be presented at Foster Care Panel next available meeting
72.	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	ADM Fostering in consultation with Adopt Thames Valley
PRIVATE FOSTERING			
73.	Approve assessments of private foster carers, impose requirements	Arrangements for Private Fostering Regulations 2005	Team Manager Fostering Services
74.	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 CLA
75.	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 CLA

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