

## **Children Families and Community Health**

### **Swindon Children's Services Scheme of Delegation: updated 22<sup>nd</sup> May 2023**

#### **Introduction**

This internal scheme of delegation has been authorised by the Corporate Director of Children's Services to ensure that statutory responsibility and decision making is delegated to the appropriately qualified professional.

A scheme of delegation is required to ensure that people with the right level of experience and accountability make the right decisions, at the right time, for the children that 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 individual children and their families. 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 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 schedule**

The scheme is to be reviewed at least annually.

Reference Number	Area of Work	Legislation, Regulation or Guidance reference	Authorised Officer
<b>REFERRAL, ASSESSMENT, CASE CLOSURE</b>			
1.	Approve no further action on referral	<a href="#">South West Child Protection Procedures Working Together to Safeguard Children 2018</a>	Team Manager, or Assistant Team Manager
2.	Approve a child's assessment	<a href="#">South West Child Protection Procedures Working Together to Safeguard Children 2018</a>	Team Manager, or Assistant Team Manager
3.	Agree case closure	<a href="#">Working Together to Safeguard Children 2018</a>	Team Manager, or Assistant Team Manager
<b>CHILDREN IN NEED (CIN)</b>			
4.	To agree support services to children living with their families (agree a CIN Plan)	<a href="#">Swindon Procedures - CIN Sec 17 Children Act 1989</a>	Team Manager, or Assistant Team Manager
5.	To chair a child in need planning meeting or review of a CiN plan	<a href="#">Swindon Procedures - CIN Sec 17 Children Act 1989</a>	Team Manager/Assistant Team Manager; delegated to Social Worker by agreement
6.	To agree short break care and respite care for children with disability (see point 13 below re financial limits)	<a href="#">Swindon Procedures - Short Breaks Sec 17 Children Act 1989</a>	Team Manager
7.	Agree Direct Payment for Children and Families service provision (see point 13 below re financial limits)	<a href="#">Swindon Procedures - Direct Payments Sec 17 Children Act 1989</a>	Team Manager
<b>CHILD PROTECTION</b>			
8.	Decision to start enquiries under Section 47 and to end/close/conclude them	<a href="#">Working Together to Safeguard Children 2018</a>	Team Manager, or Assistant Team Manager
9.	Decision to convene a Child Protection Conference	<a href="#">Working Together to Safeguard Children 2018</a>	Team Manager, or Assistant Team Manager
10.	Decision <b>not</b> to convene a CP Conference (CPC) following S47 enquiries	<a href="#">Working Together to Safeguard Children 2018</a>	Team Manager in consultation with Senior IRO/QA Team Manager Escalate to SM if no agreement reached

11.	Death or serious injury to a Child – senior manager to be notified.	<a href="#">Swindon Procedures - Need to Know Working Together to Safeguard Children 2018</a>	Director of Children’s Social Work Safeguarding and QA Service Manager
<b>PRIVATE LAW PROCEEDINGS</b>			
12.	To accept a request to report to the court under Section 7 in private law proceedings	<a href="#">S 7 Children Act 1989</a>	Team Manager, or Assistant Team Manager

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<b>PUBLIC LAW</b>			
13.	Request for Legal Planning meeting; legal advice.	<a href="#">Swindon Procedures Care and Supervision Proceedings and the Public Law Outline</a>  <a href="#">Children Act 1989</a> <a href="#">Public Law Outline, Ministry of Justice</a>	Legal Gateway or Director Children’s Social Work in emergency
14.	To agree issuing of ‘Letter Before Proceedings’ and commence pre-proceedings case management in accordance with the Public Law Outline guidance	<a href="#">Swindon Procedures Care and Supervision Proceedings and the Public Law Outline</a>  <a href="#">Children Act 1989</a> <a href="#">Public Law Outline, Ministry of Justice</a>	Legal Gateway or Director Children’s Social Work in emergency
15.	Request for Expert Assessments in CIN;CP;PLO and Court.	<a href="#">Swindon Procedures Care and Supervision Proceedings and the Public Law Outline</a>  <a href="#">Children Act 1989</a> <a href="#">Public Law Outline, Ministry of Justice</a>	Service Manager Care and Resource Panel if over 10k for that family or Director of Social Work in an emergency

16.	To make decisions to instigate proceedings and agree necessary assessments	<a href="#">Swindon Procedures Care and Supervision Proceedings and the Public Law Outline</a>  <a href="#">Children Act 1989</a> <a href="#">Public Law Outline, Ministry of Justice</a>	Legal Gateway Panel or Director Social Work in an emergency
17.	To agree application for Emergency Protection Order	<a href="#">Swindon Procedures Care and Supervision Proceedings and the Public Law Outline</a> <a href="#">Children Act 1989</a> <a href="#">Public Law Outline, Ministry of Justice</a>	All Service Managers - in consultation with Legal Team but to alert Director of Children's Social Work of need to do so
18.	To agree application for a Recovery Order	<a href="#">Sec 50 CA 1989</a>	Service Manager – after advice from Legal Team
19.	To request Police Protection in an emergency	<a href="#">Sec 46 CA 1989</a>	Team Manager - after advice from Legal Team
20.	To agree the initial care plan to court in care proceedings	<a href="#">Swindon Procedures Care and Supervision Proceedings and the Public Law Outline</a>  <a href="#">Children Act 1989</a> <a href="#">Public Law Outline, Ministry of Justice</a>	Team Manager following discussion with Service Manager
21.	To agree for a child in care to be subject to a DOL	<a href="#">Mental Capacity Act 2005 -Amendment 2009</a> <a href="#">Unregulated Placements and DOL Practice Guidance 2022</a>	All Service Managers - in consultation with Legal Team and Director who will chair the LPM  .

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22.	To agree the final care plan to court in care proceedings	<a href="#">Swindon Procedures Care and Supervision Proceedings and the Public Law Outline</a>  <a href="#">Children Act 1989</a> <a href="#">Public Law Outline, Ministry of Justice</a>	All Service Managers – after advice from Legal Team
23.	To agree application to court to vary a care or supervision order, or to discharge a care order	<a href="#">Swindon Procedures Care and Supervision Proceedings and the Public Law Outline</a>  <a href="#">Children Act 1989</a> <a href="#">Public Law Outline, Ministry of Justice</a>	Service Manager - after advice from Legal Team
24.	To agree application to court for a Placement Order	<a href="#">Swindon Procedures Care and Supervision Proceedings and the Public Law Outline</a> <a href="#">Children Act 1989</a> <a href="#">Public Law Outline, Ministry of Justice</a>	Service Manager - after advice from Legal Team
<b>LOOKED AFTER CHILDREN</b>			
25.	Agree accommodation of a child with parental consent	<a href="#">Swindon Procedures - Decision to Look after a Child</a>  <a href="#">Sec 20 CA 1989</a>	Service Manager for service via Legal Gateway or through Director of Children's Social Work in emergency
26.	Agree the decision to cease being looked after for children aged 0 to 15 who have been in care over 20 days.		All Service Managers
27.	Agree discharge of a child accommodated under section 20  For young person who is 16+	<a href="#">Swindon Procedures - Ceasing to Look After</a>  <a href="#">Sec 20 CA 1989</a>	Service Manager for service.  Director of Children's Social Work

28.	Agree placement of child/young person for whom accommodation has been agreed with in-house foster carers, IFA carers or supported lodgings carers	<a href="#">Swindon Procedures - Decision to Look after a Child</a> <a href="#">Sec 31 CA 1989</a>	Legal Gateway with Director of Children's Social Work
29.	Agree to place and fund placement of child with IFA out of borough	As above <a href="#">Swindon Procedures - OOB</a>	Care and Resource Panel or with Director of Children's Social Work in an emergency
30.	Agree to place a child in residential and/or IFA at a distance	As above <a href="#">Swindon Procedures - OOB</a>	Care and Resource Panel or with Director of Children's Social Work in an emergency
31.	To agree to place a child in an unregulated unregistered placement.	Swindon Procedures – Unregulated Placements/Unregistered and DOL	Legal Gateway with Director of Children's Social Work in an emergency

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32.	Agree the placement of a child subject to a care order to live with his/her parent(s) (Placement with Parents Regs)	<a href="#">Swindon procedures - place with parents</a>	Director of Children's Social Work
33.	Authorise the placement of a child in care with connected persons under Regulation 24	<a href="#">Swindon Procedures - connected persons</a>	Service Manager Fostering or Director Children's Social Work if not available
34.	Authorise Special Guardianship as the permanence plan for a looked after child.		Service Managers
35.	Authorise level of Special Guardianship support to be provided, including financial support	<a href="#">Sec 14 Children Act 1989</a> <a href="#">Swindon Procedures - Special Guardianship</a>	Service Manager Fostering

36.	Chair Matching meeting for child to be placed for adoption and agree the preferred adoptive family	<a href="#">Adoption and Children Act 2002</a> <a href="#">Swindon procedures - adoption</a>	Function carried out by Adopt Thames Valley and Team Manager
37.	Authorise a change of placement affecting a child in care in Key Stage 4		Director of Children's Social Work
38.	Authorise exemptions from the usual fostering limit and variations to the approval on temporary basis	Fostering Regulations 2011 – amendments <a href="#">Swindon Procedures - foster care finance handbook</a>	ADM Fostering
39.	To consent to the marriage of a young person in care	<a href="#">Swindon Procedures - marriage of CIC</a>	Director of Children's Services
40.	To consent to medical treatment for a looked After child to include complex and invasive treatment including surgery and anaesthetic	<a href="#">Legal framework for consent to medical treatment</a> <a href="#">Swindon Procedures - health care</a> <a href="#">Swindon Procedures - delegated authority for foster carers</a>	Delegated Authority Delegated responsibility for foster carers discussed at Placement Planning Meeting Team Manager/ Parent/ Foster Carer Service Manager for surgery & anaesthetic
41.	To consent to medical treatment for unaccompanied asylum seekers or orphans who are looked after under Section 20 S3(5)	<a href="#">Swindon Procedures - health care</a>	Service Manager
42.	Decisions relating to children in foster care like school trips, sex education, piercing	<a href="#">Swindon Procedures - delegated authority for foster carers</a>	Team Manager to identify any areas of dispute and seek to resolve
43.	To sign passport applications for a child in care or in an adoptive placement.	<a href="#">Swindon Procedures - trips abroad</a>	Service Manager
44.	To agree a holiday abroad for a child in care or in an adoptive placement.	<a href="#">Swindon Procedures - trips abroad</a>	Service Manager

45.	To agree for a child in care to live abroad subject to the approval of a court	<a href="#">Swindon Procedures - placements abroad Para 19 Sch 2 CA 1989</a>	Director of Children's Social Work
46.	Manager to be notified when a looked after child from another local Authority has been placed in the area.	<a href="#">Swindon Procedures</a>	Team Manager Quality Assurance and Review Service.

Reference Number	Area of Work	Legislation, Regulation or Guidance reference	Authorised Officer
47.	To approve the applications of children in care who wish to join HM Forces		Director of Children's Social Work
48.	To agree change of name for children in care	<a href="#">Swindon Procedures - change name</a> <a href="#">Sec 33 CA 1989</a>	Director of Children's Social Work All Service Managers
49.	Approve the refusal or suspension of contact with parents	<a href="#">Swindon Procedures - suspension of contact</a> <a href="#">Sec 34 CA 1989</a>	Service Manager for maximum of 7 days-Court
50.	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	<a href="#">Swindon Procedures – approval foster carers</a> <a href="#">Fostering Regulations 2011</a>	Fostering ADM
<b>LEAVING CARE</b>			
51.	Approval of a Pathway Plan		Service Manager Positive Futures Team Manager
<b>EMERGENCY OUT OF HOURS</b>			



52.	Admissions to care		Duty Service Manager
53.	Emergency decisions in respect of placement provision that is an unregulated arrangement		Director of Children's Social Work
<b>SECURE ACOMMODATION</b>			
54.	Authorise a placement of a looked after child in secure accommodation for up to 72 hours without a Secure Accommodation order.	<a href="#">Swindon procedures - secure accommodation</a> <a href="#">Sec 25 CA 1989</a>	Director of Children's Social Work
55.	Authority to apply for a secure order and seek a secure placement	<a href="#">Swindon procedures - secure accommodation</a> <a href="#">Sec 25 CA 1989</a>	Director of Children's Services
56.	Agree composition of secure accommodation review panel	<a href="#">Swindon Procedures - secure accom review</a> Amendment Regulations 1992	Service Manager for Service in conjunction with Safeguarding and Quality Assurance Service Manager
<b>ADOPTION</b>			
57.	Adoption Best Interest and links	The Agency Decision Maker who makes decisions on all adoption matters (some of which will be made on the basis of a recommendation of the Adoption Panel	Corporate Director of Children's Services as ADM or as delegated by them to an authorised Service Manager.
58.	To agree the assessment of prospective adopters	<a href="#">Adoption and Children Act 2002</a> <a href="#">Swindon Procedures - adoption</a>	Adopt Thames Valley
59.	To agree the payment of legal expenses for prospective adoptive parents for children who are being placed for adoption by SBC	<a href="#">Adoption and Children Act 2002</a> <a href="#">Swindon Procedures - adoption support</a>	Care and Resource Panel

60.	To approve the payment of a adoption allowance	<a href="#">Adoption and Children Act 2002</a> <a href="#">Swindon Procedures - adoption support</a>	Care and Resource Panel
61.	To approve the Annex A report to court	<a href="#">Adoption and Children Act 2002</a> <a href="#">Swindon Procedures - adoption</a>	Team Manager
62.	To agree the placement of a Swindon child with adopters	<a href="#">Adoption and Children Act 2002</a> <a href="#">Swindon Procedures - adoption</a>	Corporate Director of Children's Services as ADM or as delegated by them to an authorised Service Manager.
63.	Chair Introductions Planning Meeting for child being placed for adoption	<a href="#">Adoption and Children Act 2002</a> <a href="#">Swindon Procedures - adoption</a>	Adopt Thames Valley
64.	Completion of Interagency Agreements for children placed with another agency	<a href="#">Adoption and Children Act 2002</a>	Adopt Thames Valley
65.	To sign the Adoption Placement Plan following Introductions Planning Meeting	<a href="#">Adoption and Children Act 2002</a>	Adopt Thames Valley
66.	Authorise the level of adoption support to be provided to children, adopters (including financial support) and their family or birth family members	<a href="#">Adoption and Children Act 2002</a> <a href="#">Swindon Procedures - adoption support</a>	Service Manager Children Looked After in consultation with Adopt Thames Valley. Care and Resource Panel
67.	Make decisions about approval of a person as a prospective adopter following recommendations from Adoption Panel	<a href="#">Adoption and Children Act 2002</a> <a href="#">Swindon Procedures - adoption</a>	Adopt Thames Valley

68.	Authorise appointments to the Central List for the Adoption and Fostering Panels	Adoption Agency Regulations 2011	Adopt Thames Valley
<b>FAMILY PLACEMENTS</b>			
69.	To agree the assessment of prospective carers	<a href="#">Swindon Procedures – approval foster carers</a> <a href="#">Fostering Regulations 2011</a>	ATM/TM Fostering
70.	To sanction payment of the fostering allowance	<a href="#">Swindon Procedures - foster care finance handbook</a>	ATM/TM Fostering
71.	To vary allowances to foster carers / contributions by young people in placement in exceptional circumstances	<a href="#">Swindon Procedures - foster care finance handbook</a>	ATM in consultation with Team Manager. Care Panel
72.	To temporarily vary the approval status of foster carers	<a href="#">Swindon Procedures - foster care exemption and variation</a>	ADM Fostering
73.	To agree exemption for foster carers from the usual fostering limit of a maximum of three children in any one placement	<a href="#">Swindon Procedures - foster care exemption and variation</a>	ADM Fostering To be presented at Foster Care Panel next available meeting
<b>Reference Number</b>	<b>Area of Work</b>	<b>Legislation, Regulation or Guidance reference</b>	<b>Authorised Officer</b>
74.	To give temporary approval to potential adopters as foster carers for a named child	<a href="#">Swindon procedures - foster to adopt</a>	ADM Adoption in consultation with Adopt Thames Valley
<b>PRIVATE FOSTERING</b>			
75.	Approve assessments of private foster carers,	<a href="#">Swindon Procedures - private fostering</a>	Team Manager Fostering Services
76.	Prohibit particular private fostering arrangements	<a href="#">Swindon Procedures - private fostering</a>	Service Manager Fostering
77.	Impose requirements on private foster carers	<a href="#">Swindon Procedures - private fostering</a>	Service Manager Fostering

**RECORDS**

78.	Full disclosure of child records to the Police	<a href="#">2013 Protocol and Good Practice Model</a>	Team Manager following legal advice from Legal Team
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