

GOOD PRACTICE GUIDE

DELEGATION OF RESPONSIBILITY – GUIDANCE AND PROCEDURE

For many foster carers and professionals involved in foster care, delegation of responsibility can be confusing and create what may be an unnecessary assessment of risk, which may prevent looked after children from enjoying the same opportunities that their non-looked after peers experience. This guidance outlines at the outset, the delegation of many of the decisions to be made whilst a child is in placement. Staff and carers should be aware that delegation is a dynamic process which should be reviewed throughout the child's development, in age, skills and experience, in order to both safeguard them and also promote their inclusion and personal responsibility.

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Appendix 1: Delegated Authority - Quick Practice Guidance

1. Introduction

This guidance aims to inform key individuals, within the fostering process, of their obligations, entitlements and full of extent of their decision making. It ensures that;

Young People know who can make decisions on their behalf, are not stigmatised and do not miss out due to delays and unnecessary consultation;

Birth Parents know they are relevant in their children's lives and understand the decision making processes;

Foster carers are clear about who can agree what;

Social Workers are clear about the Children's Services policy in relation to decision making and give consistent advice regards delegation to carers.

The regulations (refer to

http://derbyshirecaya.proceduresonline.com/chapters/p_del_auth_fc_resid.html

Chapter 5.1.14 Delegation of Authority to Foster Carers and Residential Workers) state that Social Workers should liaise closely with birth family, children and carers from the start of a placement, to provide full and clear planning as to 'who does what'.

Delegated Authority is about:

- Enabling Foster carers to make every day decisions about their child wherever possible;
- Normalising the experience of Young People in Foster Care;
- Reducing delay;
- Forward planning regarding consent issues;
- Treating Foster Carers as one would treat any other staff member involved in the care of a Looked After Child.

Delegated Authority is **not** about:

- Blanket approaches – remember...every child's circumstances are unique;
- Excluding, wherever it would be inappropriate to do so, anyone important or relevant to the child;
- Reducing attention to risk;
- Expecting or allowing carers to 'go it alone'.

2. Parental Responsibility and Delegation

Delegating Authority means that a person who has [Parental Responsibility](#) may arrange for some or all of their responsibilities to be met in certain circumstances by someone else. Birth Mothers, (and where appropriate and applicable Birth Fathers), retain their Parental Responsibility when a child becomes [Looked After](#). If a child is placed under [Section 20](#) of the 1989 Act, the Local Authority does not have Parental Responsibility and so agreement must be reached about what decision making the parents will delegate to the Local Authority and to the foster carers. A person who does not have parental responsibility but has care of a child (e.g. a foster carer), may do what is reasonable in all the circumstances of the case for the purpose of safeguarding or promoting the child's welfare. In an emergency, if no agreement has been made, the carer may do what is 'reasonable' and statutory guidance states what is 'reasonable' will depend on the urgency of the situation and how practical it is to consult a person with parental responsibility.

The key elements of Parental Responsibility include;

- Providing a safe and secure home environment
- Maintaining contact with people significant to the child
- Protecting and maintaining the well-being of the child
- Providing boundaries and maintaining discipline
- Determining, providing for and continuing a child's education
- Providing consent for a child's medical treatment
- Naming a child or overseeing a child's change of name

3. The Placement Plan

The Children Act 1989 Volume 2 statutory guidance on **Care Planning (Placement and Review)** requires all Local Authorities to ensure the [Placement Plan](#), which sets out the arrangements for the child to live with and be cared for by foster carers, specifies any arrangements for the delegation of authority from the parents to the Local Authority. It must also include any further delegation from the Local Authority to Foster carers.

The Placement Plan should help the foster carers clearly understand what decisions they can make.

Where authority has been delegated, the person with parental responsibility still remains liable in law for any failure to meet any part of their parental responsibility.

A person to whom authority has been delegated may be liable if the decision they made was negligent or criminal.

4. Who Can Delegate Authority?

If the Local Authority has an [Emergency Protection Order](#), [Interim Care Order](#) or [Care Order](#), the Local Authority has the authority to delegate. (NB **Parental Responsibility** given under an **Emergency Protection Order** is limited and subject to a number of specific duties; a local authority cannot consent to a medical examination or other assessment of the child unless the court has given a specific direction.)

If the Local Authority does not have such an Order, it is the duty of the parent, or whoever else has Parental Responsibility, who must agree to delegate authority to the foster carer. Parents/persons with Parental Responsibility should be helped to understand the benefits to their child of appropriate delegation to the Local Authority and foster carers.

There are some instances when a young person who is 16 or over, or under 16 but considered mature enough to do so, can give consent in their own right, e.g.:

- From the age of 16 a young person can consent to their own Care Plan if they are Looked After by the Local Authority and there is no court order in place;
- A young person aged 16, (or younger if considered by medical staff to have sufficient understanding of the implication of treatment), can consent to their own medical treatment;

There are some decisions where the law prevents the Local Authority being delegated to a person without Parental Responsibility. These include;

- Applying for a passport (where a child over 16 has the mental capacity, they can apply for their own passport).
- Where there is a Care Order in place, a child cannot be removed from the UK for more than a month without written consent of everyone with Parental responsibility or the leave of the Court.
- Where the child is accommodated under s 20 (C.A. 89) the consents must be gained as they would if the child was not looked after.
- The Local Authority cannot decide that a child should be known by a different surname.
- The Local authority cannot decide that a child can be brought up in a religion other than the one they would have been brought up in had they not become looked after.

5. Key Principles

- Effective delegation of authority should minimise delays in decision-making and maximise the child's opportunity to flourish in their childhood and enjoy all aspects of a full family life;

- In practice this means establishing, as far and as quickly as possible, the areas in which decisions can be delegated before the need to take them occurs;
- Young people's views and feelings will be taken into account when discussing the issues in relation to delegated authority. Derbyshire County Council pursues an active partnership with children in their care. Any decision concerning delegated authority must consider the views of the child. Where the child is of sufficient age and understanding, the Delegated Authority decision support tool must consider which decisions a young person is allowed to make for themselves. Staff should consider;
 - Can the child understand the question being asked of them?
 - Do they understand the options open to them?
 - Can they gauge the positives and negatives of each option?
 - Can they express a clear personal view on the matter, as opposed to giving a view they think is expected of them?
 - Can they be reasonably consistent on the matter, or are they regularly changing their mind?
- Parents must be supported and informed so they can play as full a part as possible in their child's life – both the authority and the parents must be clear about what has been agreed;
- Foster carers should be enabled and supported to take everyday decisions about the child in their care, where appropriate;
- The authority should consult with foster carer's as to the range of their responsibilities and acknowledge their wishes and feelings about undertaking the tasks involved;
- Decisions about delegation of authority should be based on good quality assessments of need and risk of the individual child and carer household;
- Foster carers should be trained, and will undertake relevant training, and be fully supported to undertake appropriate risk assessments in areas in which they are authorised to make decisions.

6. Key Practice Points

- The [Placement Planning Meeting](#) is the forum to share information and to sort out who does what and agrees what, when a child is placed. **It's primary aim is that the day-to-day needs of the child are met with the minimum of disruption whilst working to ensure the child enjoys the same experiences and opportunities in care, as their non-looked after peers;**

- Birth family, foster carers and children (subject to their age and understanding) should attend a Placement Planning meeting before the placement begins, or, where this is not possible, within five days after the placement starts to clearly outline who will have the authority to make particular decisions;
- Birth family should be given all the information they need to reach a decision about delegation of authority. They should be given full opportunity to discuss any concerns they have with the child's social worker and must be kept informed with regards all decisions made about their child whilst they are looked after;
- Foster carers must be able to care safely and make independent decisions with regards the welfare and safeguarding of the child in their care. The authority will provide carers with all appropriate and relevant information relating to the child in a timely fashion.
- Delegation of authority will be revisited at every review and discussed with all the parties between reviews, where necessary. Any changes (e.g. the parent's willingness to delegate authority, changes to a child's circumstances or a carers skill set or household), can be reflected in that plan;
- Delegations of authority have to be agreed by those with parental responsibility. **NB A foster carer never has parental responsibility** for their looked after child; they can make decisions only acting on behalf of the Local Authority and parent. **Parental responsibility cannot be transferred.**

7. Types of Consent

1. **Signed Consents:** E.g. passports, medical consent, school trips;
2. **Implicit Consents:** Where no signature is required but consent should be requested when concerning the young person's access to or use of another service, activity or individual e.g. going for an eye test, overnight stays with friends, joining Facebook;
3. **Day to Day Decisions:** That is those decisions involving the carers own personal and routine care of the young person. E.g. pocket money, transport, meal choices, bed times.

8. The Planning Process

The Placement Plan

The Placement Plan is contained within the child's Care Plan and identifies the appropriate delegations for all involved parties.

It must be drawn up before the child is placed, or if not possible, within 5 days of the start of the placement and should be completed for each individual in full, with agreed and named delegations and any additional notes required to clarify the decision making process.

The Placement Plan Part should be reviewed at each Statutory Review.

The Placement Plan must include details of who does what and key consents and decisions must be included. Workers and carers are advised that the plan should contain as much detail as possible, and where there are two carers within a household, the Placement Plan will outline the joint nature of their responsibilities.

The Placement Plan will be made available to birth family and foster carers as part of the Care Plan –it must be agreed by all parties (birth parents, Local Authority, foster carers and child or young person, where appropriate and applicable) before it can be put into effect.

NB the Carer must sign the Placement Plan.

Key consents and decisions should be identified prior to meeting and agreed in advance by all concerned parties. It is advised that the age and circumstances of the young person are measured against the commitments and lifestyle of the carers to anticipate any potential conflict. Foster carers will take responsibility for informing the child's Social Worker and their Supervising Social Worker as soon as they become aware of any issue that requires a decision with regards delegating authority.

The Placement Plan sets out as many predictable areas as possible and all should be considered before the start of the placement.

This cannot be a definitive list of tasks and responsibilities but is rather a guide for establishing clear delegation. Not every area will apply to every child. It is recommended that staff members use this to work with birth family members in understanding the concept of delegated authority.

Reviewing the Placement Plan

The [Independent Reviewing Officer](#) must consider the issues within Delegated Authority Agreement at every review along with other plans held within the overall [Care Plan](#). Particular attention should be paid to any areas for consideration that have arisen since the original Placement Planning meeting.

The review should re-examine the balance of delegation between Derbyshire County Council, the birth family and parents and the foster carers as to whether it is meeting the child's needs. Any new changes, arising from the review, to delegated authority must be recorded in the Placement Plan.

Birth parents, carers and children should, where possible, be encouraged to attend and make their views known in the review meeting.

Where there are differing views as to how the placement is managed, or about any aspect of delegated authority, disagreements should be resolved with the assistance of the Independent Reviewing Officer, or by consultation between managers of the care professionals. Encouraging good communication between these professionals outside formal reviews is essential.

Assessment and Delegation

- Decisions regarding the level of delegated authority should be based on the assessment of need and risk for both the child and carer;
- The balance and distribution of responsibilities will differ in individual placements depending on factors such as:
 - The age, ability, needs and views of the child;
 - The experience of the carer;
 - The legislative basis of the placement;
 - The nature and anticipated duration of the placement;
 - The role and involvement of the birth parents: (i.e. delegation in short term placements will differ to long term or permanent placements where the distribution of responsibilities should support the key relationship between the child and the carer).
- Before delegating tasks to a carer the Supervising Social Worker must consider the carers' level of training, experience and confidence;
- The areas of delegation to a Foster Carer will be discussed in supervisory visits and statutory child care visits;
- The Foster Care Agreement will set out in writing the arrangements for meeting any legal liability of the Foster Carer by reason of a placement;
- In making decisions about whether or not to permit a Looked After Child to stay overnight with a friend, or have a holiday with their friends, or with relatives of their carers, or to go on a school trip, their carers and the Local Authority should consider the following factors:

- The wishes and feelings of the child;
- Whether there are any restrictions in the Care Plan and/or Placement Plan;
- Whether there are any restricting Court Orders;
- Whether there are any factors in the child's past experiences, or, behaviour which could preclude the overnight stay, visit or holiday;
- Whether there are any grounds for concern that the child may be at risk in the household, or from the activities proposed;
- The age and level of understanding of the child;
- The length of the stay and the reasons for it being undertaken.

If in any doubt about any appropriate decision, the Foster Carer should consult the Social Worker for advice.

9. Guidance on Key Consents

See: **Delegated Authority - Decision Support Tool** (hereafter referral in as delegated authority tool).

Foster carers should be supported to make more decisions and manage risk. The child in care, where circumstances permit, should be treated no differently than their non-looked after peers.

However, where children are accommodated under Section 20, only the person with parental responsibility can agree to delegate authority to the Carer.

Types of Decision

Day to day Parenting

All decisions in this category should be delegated to the carer (and/or child) and recorded in the Delegated Authority Tool. Any decisions that are not delegated to their carer in this category should be clearly recorded in the Delegated Authority Tool with clear reasons.

Significant Events (e.g. Surgery)

Where the child is voluntarily accommodated (S.20 C.A. 89) the child's birth parents or others with Parental responsibility should make the decision.

Where the child is the subject of a Care Order, Interim Care Order or Emergency Care Order decisions may be made by the Local Authority but should take account of the wishes and feelings of the child and their carer.

Education

Choosing a School and Changing a School - Derbyshire County Council is committed to improving educational outcomes for children in care. In recognition of the importance of educational stability for looked after children, a child will not change schools without a discussion in the child's Looked After Child Review. The foster carer cannot arrange a child's change of school but can accept a place, if such a move has been agreed as part of the child's Combined Care Plan.

- **Meetings with School Staff**

This may vary according to the short or long term nature of the placement. In medium to long term placements the carer will usually meet school staff, but must keep their Supervising Social Worker informed. One of the key roles of a foster carer is to become involved in the child's education and have a positive impact in respect of educational outcomes for children in their care - it is an expectation that the foster carer should attend all school meetings and keep the child's Social Worker and their Supervising Social Worker up to date on progress. The child's Social Worker should ensure the child's birth family are kept up to date with progress. Where it is agreed that a birth parent should also attend meetings at school, the child's Social Worker and the carer's Supervising Social Worker should liaise with all parties including the school to agree the most effective way to manage this.

- **Choosing a school**

The choice of school should be discussed with and agreed by holders of parental responsibility. Foster carers should then be able to accept the Plan and sign relevant forms.

- **Change of school**

This needs to be agreed at a Review meeting – the impact of changing schools is significant for any young person and consent of birth parent/person with Parental Responsibility must be obtained prior to any change.

- **School Day Trips**

Each school takes responsibility for risk assessing any trips provided for children in their school. Foster Carers should be delegated responsibility for signing for day trips at the outset of the placement and this should be recorded in the Delegated Authority Tool.

- **Residential Educational Trips**

Trips which involve potentially hazardous activities must be discussed with the child's social worker and consent gained from the District Manager.

- **Leisure Activities**

Decisions in respect of leisure activities should be delegated to the foster carer at the outset of the placement and detailed in the Delegated Authority Tool.

Any leisure activity which may be hazardous must be referred to the District Manager.

Health Care

- **Dentist**

Foster Carers should have the delegated authority to consent to routine examinations and treatment. This should be detailed within the Delegated Authority Tool.

- **Immunisations**

Foster carers should be given delegated authority within the Delegated Authority Tool to consent to immunisations. Any concerns in respect of particular immunisations should be explored with parents at the beginning of the placement and any issues should be detailed on the Delegated Authority Tool.

- **Non Routine Medical Treatment**

The Delegated Authority Tool should detail whether a carer has delegated authority to give consent to treatment and in which circumstances in order to prevent undue delay. Foster carers can do what is reasonable in an emergency. More intrusive or planned procedures should be discussed in advance and delegation made clear and consideration for delegated authority for emergency intervention should be discussed at the beginning of placement and detailed within the Delegated Authority Tool.

- **Optician**

Foster carers should have delegated authority to consent to routine eye and sight tests and the provision of glasses.

- **Routine Medicals**

Foster carers should be delegated the authority within the Delegated Authority Tool, to sign for routine medicals. The foster carer must keep the child's social worker informed of all medical treatment.

10. Delegated Authority Tool

The Delegated Authority Tool will make clear who has the authority to take decisions in key areas in the child's day to day life, including:-

- Medical and dental treatment
- Education
- Leisure and home life
- Faith and Religious Observance
- Use of Social Media
- Any other areas of decision making relevant to the particular child.

The person with the authority to make the decision will be named on the Delegated Authority Tool and any associated actions must be clearly set out. The Delegated Authority Tool must be agreed with the child's carer and will be drawn up at the Placement Planning Meeting and completed by the first review. This should be reviewed at subsequent LAC reviews.

Where a decision is not delegated to a child's carer, the agreement of those with Parental Responsibility should be sought in advance and included in the Delegated Authority Tool to avoid delay.

Details of arrangements for the Local Authority decision maker will be included in the Delegated Authority Tool.

11. Leisure and Every Day Life in the Foster Home

Visiting Friends / Sleepovers

Looked After Children must be granted the same permissions to take part in normal activities as their peers, where appropriate and applicable. It is normal practice therefore, for the responsible authority in agreement with those with Parental Responsibility to delegate to the carer day to day decision making about allowing a Looked after Child to stay overnight with friends;

This must be stated in the Placement Plan

Foster carers should make the same judgment as a parent would make in terms of reasonable assessment of risk.

Foster carers should be made urgently aware of any individuals/addresses which may place a child at risk and this should be included in the Placement Plan.

There may be exceptional reasons to require the Foster Carer to seek the permission of either the responsible authority or a person with Parental

Responsibility, or to place specific restrictions on allowing a child to stay overnight with friends. Where this is the situation, the decision should be based on clearly stated reasons which are necessary to safeguard the child or young person;

This must be stated in the Placement Plan

The restriction must take into account consultation with the child and must be fully explained to the child and must be regularly reviewed. Foster carers must have contact details of the household the child will be staying in and will make contact beforehand, prior to the commencement of any overnight stay.

Holidays in UK

See also **Holidays and School / Organisational Trips in the UK Procedure.**

Holidays will usually require discussion with the parent and consultation with the Local Authority for both funding and contact implications. Foster carers should ensure the Local Authority is given adequate notice, and it is necessary for the Local Authority and parents to know the whereabouts of the child. Children and young people must not be taken out of school.

Holidays abroad

See also **Holidays and School / Organisational Trips outside the UK Procedure.**

Those holding Parental Responsibility must give consent for any Looked After child to holiday outside the United Kingdom.

In all cases there should be clarity at the outset of the placement about consents and passports. The possibility of foreign travel should be discussed with parents in principle. NB: Only someone with Parental Responsibility can apply for a passport.

It is advised that arrangements are put in place to allow for holidays booked at short notice. Carers should, however, have given notice of their intention to book as far in advance of actually doing so as possible. Children and young people must not be taken out of school.

Haircuts

This is often a sensitive issue and must be fully explored with birth parents at the outset. Wherever possible, consent should be delegated to carers but cultural and religious significance must be taken into account.

Photographs and media activity

Family pictures should have no restrictions although carers are advised to consult Derbyshire County Council's E-Safety guidance with regards posting images of Looked After children on social networking sites. Where a child is photographed as part of a group (e.g. school football teams) where that image may be shared,

consent should be judged in relation to risk (i.e. does the school or organisation have restrictions or procedures in place for sharing group photographs of pupils). Any restriction on the child's photo or name appearing in third party sources should be based on good assessment and specified in the Placement Plan.

School photographs

Foster carers should be allowed to provide consent for formal school photographs.

Participating in hazardous activities

Prior consultation with parents and the Local Authority will usually be necessary. If the carer is delegated to take decisions on activities that can cause injury e.g. sailing, skiing, climbing, they must ensure the young person is fully insured and will be provided with adequate safety equipment, be properly supervised and have received full preparation beforehand.

Sex education

A young person's involvement in school provision for sex and relationship education should be discussed at the Placement Planning meeting and the birth parents' wishes identified. If it is agreed that the young person attends, the carer can consent to any school documentation, unless parents have expressed particular wishes about what they want their child to be told.

Mobile phones

Restrictions should be specified at the time of placement and in Reviews.

Disability Living Allowance

The appointee is usually the Foster Carer. The parent or Local Authority's agreement is not required. The Local Authority is not responsible for monitoring the award but the Department of Work and Pensions can be asked to investigate if there are concerns the Disability Living Allowance award is not being used appropriately. There is guidance for how foster carers should use DLA.

http://derbyshirecaya.proceduresonline.com/chapters/p_dla_fc_child_res_care.html

Chapter 5.5.5 Disability Living Allowance)

12. Faith and Religious Observance

Foster carers cannot actively persuade a child to change their religion. If a Looked After child wishes to change their religion, full consideration should be given to the longer term implications in a Review. (This does not prevent children being placed with a foster family of a different faith.)

13. Identity and Names

With young children it is usual practise to retain birth names unless there are particular safeguarding issues. With older children, their wishes and feelings should be taken into account and the views of parents / persons with Parental Responsibility sought where possible.

14. Contact Arrangements with Close Relatives and People Significant to the Child

Subject to any Court Order and the contents of the Placement Plan, the Local Authority has a duty to promote contact, unless this is not practicable or consistent with the child's welfare. It must be clear to the child's foster carers, within the Placement Plan, what delegated authority they have to make day to day decisions about contact arrangements.

Good practice should be followed in that contact plans and delegations should follow full assessment including:

- [Disclosure & Barring Services \(DBS\)](#) checks on any relative the child is going to visit on a frequent or regular basis, undertaken by the Social Worker for the child;
- Contact arrangements must be kept under regular review and full and clear records must be maintained to form the basis for a clear understanding as to decisions about contact;
- A clear and well informed risk assessment must be undertaken to inform decisions about contact, undertaken by the Social Worker for the child;
- The child or young person must be consulted over the issue wherever appropriate and applicable and their views, wishes and feelings taken into account. If their views are not acted upon, these reasons must be fully recorded.
- The contact plan must be an integral part of the child's Care Plan and Placement Agreement.

15. Children who are Looked After Visiting, Staying Overnight or Spending Holidays with the Foster Carers' Friends or Relatives

There is no requirement that the individual the child stays with should be approved as a Foster Carer. During assessment, the authority will undertake Disclosure &

Barring Services (DBS) checks on those people in the applicants support network, including people who will be frequently involved with the child.

Once approved, the Placement Planning Meeting for each child will consider whether and at what stage, decisions can be delegated to the carer, allowing the child to visit or stay with one of the named and DBS (Disclosure and Barring Services) checked.

Foster carers and the Local Authority should consider the following:

- The legal basis of the placement, in that if the placement is under Section 20 the birth parent or persons with Parental Responsibility must either give consent, or agree to delegate consent to the foster parent;
- The child's wishes and feelings must always be central to the decision making - the age and level of understanding of the child concerned must be taken into account and any decisions or opinions stated recorded;
- The length of stay – e.g. whether it may impact upon contact arrangements;
- The reasons for the holiday or visit.

In most cases it will not be necessary to renew the DBS (Disclosure and Barring Services) checks at the point of expiry 3 years later for those offering support.

At this stage, it is expected that the Fostering Service and the Carer will have developed a good working relationship which allows the Carer to have a maximum amount of delegation in relation to day to day decisions, including allowing children and young people to visit, stay, go on holiday with the Carers' friends and relatives taking account all the following:

- If in exceptional circumstances there have been issues leading the Fostering Service to have concerns about the appropriateness of such delegation or there is evidence that the carer has used the delegation inappropriately, then more limited decisions will apply and DBS checks may continue. Carers will be advised of this by their Supervising Social Worker – if disputed, the District Manager is to make the final decision.

In line with the above guidance, there will be a Placement Planning Meeting for each child which will need to agree specific delegations. Decisions reached will take account of the above general guidance:

- The knowledge, skills and abilities of the Carer;
- The carer's history with the authority and the thoughts of their worker regarding their abilities;
- The wishes and feelings of the child and any additional special needs;
- The type of placement (legal status of placement i.e. short or long term);

- Particular vulnerability and/or resilience of the child.

As in most families, the expectation is that these decisions are made with the child at the centre, and that they are in their best interests, therefore it is expected that children have continuity of care within a small extended family network.

Appendix 1: Delegated Authority - Quick Practice Guidance

Introduction

The purpose of this guidance is to offer clarity around decision making for looked after children, so as to;

- Minimise delays in decision making and maximise the child's opportunity to enjoy their childhood and a full family life. (In practice, this means working out, as far as possible, the areas in which decisions can be delegated, before the need to take them occurs);
- Take into account the views and wishes of the child or young person, when discussing the issues in relation to delegation of authority;
- Support parents and birth family in playing as full a part as possible in their children's lives, by ensuring they are kept informed and involved as far as possible;
- Equip carers with the knowledge and confidence necessary, in good time, for them to feel able to make day to day decisions, where appropriate, as they would for their own child, and without the child feeling that they are different as a looked after child;
- Support carers in being recognised as key members of the 'team around the child', who play a valuable role in problem solving and conflict resolution.

Practice points:

Prior to, or within 5 days of the child being placed, a [Placement Plan](#) needs to be drawn up, which will explicitly identify distribution of tasks, consents and responsibilities between parents, social workers and foster carers. It is important to gain agreement by all the parties to the plan, the parents (if this is feasible), the child's social worker, the foster carer (**who must sign the placement agreement**) and the foster carers' Supervising Social Worker. At this placement planning stage, it is also important for everyone to try to anticipate the consents and agreements that may be needed in the coming weeks or months, as a way of avoiding problems further down the line – these are to be noted so that decisions identified can then be collated into a checklist. This will specifically give the name of the lead person with respect to each consent/decision task and their role.

Clarifying who is best suited to take everyday decisions depends on many factors: the child's age, views, legal status and care plan, the parents' views and the experience and views of the foster carers. **Collaboration and consultation are therefore vital for successful partnership working.**

The child's legal status is particularly relevant when considering who has [Parental Responsibility](#). For children who are accommodated under [Section 20](#) of the Children Act, the Local Authority does not have Parental Responsibility, which makes it even more crucial to identify which tasks the parent is prepared to delegate to the carer or the Authority and those for which they would wish to retain active involvement in.

The Placement Plan is a living document which can evolve over and in light of the child's changing needs and care plan. It is also recognised that delegated authority is likely to change increasingly over time in favour of the young person, as they grow up and progress into adulthood. It should be considered at each review as to whether amendments or updates need to be incorporated.

Any changes to delegated authority can be considered at the statutory review and recorded in the placement plan.