

People Directorate

Scheme of Delegation

November 2014

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Summary of Purpose	The purpose of the scheme is to identify the lowest level of management that can take responsibility for a specific decision or action in respect of an individual child’s case. Whenever possible the decision/action will be made within the case responsible person’s line management, but the scheme permits <i>any</i> officer at the appropriate level or higher to make a decision, in order to avoid delay.	
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1. Scope & Context

- 1.1 The purpose of the scheme is to identify the lowest level of management that can take responsibility for a specific decision or action in respect of an individual child's case. Whenever possible the decision/action will be made within the case responsible person's line management, but the scheme permits *any* officer at the appropriate level or higher to make a decision, in order to avoid delay.
- 1.2 Staff below the Decision Maker's level of authority are expected to make informed recommendations to the Decision Maker and to take forward the implementation of the decision. They should not take responsibility for the decision itself.

2 Authorisations, Consents and Notifications

- 2.1 Designated Managers are managers who have delegated authority to approve certain decisions and/or give consent in certain circumstances. There will be other circumstances in which designated managers must be notified of events. In all cases, authorisation and/or consent should be sought directly from the officer named below as having the delegated authority, e.g. where consent is needed for blood tests on a looked after child, the responsible Team Manager should refer directly to the Service Manager. Similarly notification should be made directly to the officer named below as the individual to be notified. In addition, other managers in the line management chain should be informed, for example by copying them in to correspondence.
- 2.2 Any emails should be distinct and the subject line should state clearly that the message concerns an authorisation, request for consent or a notification.
- 2.3 Any additional paperwork required by procedures must be made available.
- 2.4 Unless stated otherwise, references to Service Manager & Team Manager are to those managers responsible for the child, i.e. the social worker's line managers although in their absence another manager of the same level can substitute.

3 General principles:

- 3.1 In any situations shown as requiring consent or authorisation, these must be secured prior to any action.
- 3.2 In all cases, designated officers can only authorise expenditure within the limits of the usual budget delegation framework and any temporary financial controls.
- 3.3 The Press Office must be notified of circumstances thought likely to attract public/media attention. The purpose is to forewarn the press office & to prepare for any media enquiries.

4 Abbreviations:

For the sake of brevity the following abbreviations may appear in this document:

- Team Manager = TM
- Service Manager = SM
- Service Director = SD
- Corporate Director, Children and Learning = DCL

DELEGATED AUTHORITY FOR LUTON BOROUGH COUNCIL

DECISION	DIRECTOR (DCL)	SERVICE DIRECTOR (SD)	SERVICE MANAGER (SM)	TEAM MANAGER (TM)	SOCIAL WORKER (SW)	OTHER COMMENTS	PLANNING FORUM
Children In Need / Protection							
To commence a Section 47 investigation				X			
To convene a complex Children in Need meeting			X	X			When there are disputes between professionals
To convene a family group conference/ network meeting				X	X		Guidance to be created for Family Network meetings.
The decision to refer for a legal planning meeting			X	X			
To convene a child protection conference (CPC)				X		Independent Review Officer Team Manager must be consulted	
To change the date of a planned child protection conference (CPC)		X	X			Independent Review Officer Team Manager must be consulted	
To commission a residential family assessment		X	X			Service Manager must agree application	Request must be authorised by the Case Progression Panel
Court Orders							All decisions should be made following consultation with legal services
To apply for protection orders – emergency protection order (EPO) or police protection order (PPO) through police Ratification Decision		X	X X	 X		ASD/SM Team Manager makes the decision and then must seek ratification for the Service Manager	Decision would usually be based on a strategy meeting or discussion

DECISION	DIRECTOR (DCL)	SERVICE DIRECTOR (SD)	SERVICE MANAGER (SM)	TEAM MANAGER (TMM)	SOCIAL WORKER (SW)	OTHER COMMENTS	PLANNING FORUM
To apply for recovery orders		X	X			SD to be made aware	Decision would usually be based on a strategy meeting or discussion
To apply for a child assessment order		X	X			SD to be made aware	Decision would usually follow discussion in a multi-agency meeting, e.g. child protection conference, Children in Need meeting, etc.
Apply to make a minor a ward of court		X				Supreme Court Act 1981,s41	
To apply for a care or supervision order			X				Decision would usually follow discussion in a legal planning meeting
To approve care plan for the court (court order having been applied for)			X				Planning meeting (if child not looked after)
To seek variation of supervision or care order			X				Statutory child care review if looked after
To seek discharge of care order or supervision order			X				Statutory child care review if looked after
To use secure accommodation without an order (maximum 72 hours)	X	X	X			S25 Children Act 1989 / Children (Secure Accommodation) Regulations 1991, Vol. 4 CA 89 Guidance <i>Decisions to place a child in a secure accommodation should be authorised by a nominated senior manager of the LA children's services department</i>	Decision would usually be based on a strategy meeting or discussion
To seek secure accommodation order	X	X	X				Statutory child care review recommends if child already looked after. Planning meeting otherwise.

DECISION	DIRECTOR (DCL)	SERVICE DIRECTOR (SD)	SERVICE MANAGER (SM)	TEAM MANAGER (TM)	SOCIAL WORKER (SW)	OTHER COMMENTS	PLANNING FORUM
To seek a Section 34 order concerning contact		X	X			SM to has to make the decision and SD to be notified	Statutory child care review
Sign off Section 7 or Section 37 reports			X	X		Service Manager to approve Section 37 reports	Team Manager may consult with Court Case Manager
Sign off all other court reports			X	X		SM to QA all reports.	Team Manager may consult with Court Case Manager
Children Looked After							
To agree the type of placement in borough		X	X			SD to give final approval. If SD is not available the SM has the governance to make the decision.	Commissioning Team
To agree the type of placement outside Luton		X	X			Subject to 'At a Distance' legislation and guidance	Request must be authorised by the Care Management Resource Panel for C&YP
To agree planned accommodation (Section 20) arrangements		X	X			SD to give final approval	A planning meeting must first be held to consider the question
To change the prospective date of Looked After Children reviews which will out of statutory timescales			X			Independent Review Officer Team Manager must be consulted	
To agree that a child is placed outside the local authority area other than with a connected person (Independent Fostering Agency)		X	X			Regulation 24, Care Planning Placement & Case Review Regulations 2010. Family and Friends Statutory Guidance (5.2) "Authorities will need to nominate an officer with authority to grant temporary approval of foster carers under regulation 24. It will usually be appropriate for the fostering service decision maker to reserve the authority of granting temporary approvals	Subject to care planning procedures

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To agree to move a child during Key Stage Four		X	X			CA Guidance Vol 2 & Reg 10 <i>"a decision to change placement that would have the effect of disrupting arrangements for education (at KS 4) must not be put into effect until it has been approved by a nominated officer ..except in an emergency/ where the placement is terminated because of an immediate risk of serious harm to the child or to protect others from serious injury).</i>	Subject to care planning procedures, and the LA policy of Placing Looked After Children in Schools in consultant with the Virtual Head
To agree unplanned accommodation (Section 20) arrangements		X	X	X		TM to provide analysis s and child's plan	Interim agreement (maximum of seven days) before case is presented at Case Reflection Panel
To agree the use of a particular foster placement (in-house)				X			
To agree the use of a particular foster placement (External)		X	X	X			Request must be authorised by the Care Management Resource Panel for C&YP
To agree the suspension of a foster placement		X	X	X			Incorporating LADO procedures
To agree the termination of a foster placement		X	X	X			Fostering Panel
To agree the use of non-approved emergency placement with relative/friend (Regulation 24)		X	X	X			Request must be authorised by the Case Reflection Panel
To agree the use of residential placement		X					Request must be authorised by the Case Reflection Panel and also consider complex needs panel and tripartite funding. Commissioning to be involved.

DECISION	DIRECTOR (DCL)	SERVICE DIRECTOR (SD)	SERVICE MANAGER (SM)	TEAM MANAGER (TM)	SOCIAL WORKER (SW)	OTHER COMMENTS	PLANNING FORUM
To seek permanent substitute family		X	x	X			Statutory child care review
To refer child to adoption agency		X	X	X		X	Statutory child care review
To initiate care proceedings where child or young person is accommodated		X	X				Statutory child care review
To use an independent visitor				X	X		
To bring placements to an end (concern for child) - foster placement		X	X	X	X	SW to ensuring they are consulting with TM and authorization comes SM and SD	Statutory child care review
To bring placement to an end (concern for child) - child placed with prospective adopters		X	X	X	X		Statutory child care review
To approve placement of child on care order with parents		X	X				Decision fed back in to statutory child care review
To approve placement with relatives/friends		X	X			Fostering Panel	Decision fed back in to statutory child care review
To permit child or young person looked after to leave UK for holiday of up to one month		X	X	X	X		There is limited delegation permitted to a foster / res carer for up to one month Decision fed back in to statutory child care review
To consent to young person looked after joining armed forces		X	x	x	x		Decision fed back in to statutory child care review
To consent to an abortion (young person looked after)	To be consulted as required	X	x	x	x		Decision fed back in to statutory child care review
To consent to contraception (young person looked after)			x	X			Risk assessment on implication for the child re: sexual activity
To consent to medical or surgical treatment (young person looked after)		X	x				Decision fed back in to statutory child care review
To consent to the marriage of a looked after child		X	x	x	x	X	Statutory child care review

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To agree to religious custom or ritual requiring parental consent, e.g. baptism (child looked after)			X	X		Chairperson	
To consent to change of name (child looked after)		X	X	X			Decision fed back in to statutory child care review
To support/ not support foster carer application for residence order (child looked after)		X	X	X		Looked After Children panel	Decision fed back in to statutory child care review
To support child's application for British citizenship (child looked after)			X	X			Decision fed back in to statutory child care review
To seek publicity in respect of a search for missing children	X	X	X	X	X		Need to know referral to be completed.
Safeguarding							
Decision to withhold the whereabouts of a child in care from a person, usually the parent			X	X	X	Schedule 2 s15 (4) Children Act 1989. A local authority is not required to inform any person of the whereabouts of a child if- the child is in the care of the authority; and the authority has reasonable cause to believe that informing the person would prejudice the child's welfare <i>NB This does not apply to children accommodated under S20 Children Act 1989 when there is no power to withhold this information unless an order has been applied for and obtained</i>	

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Decision to refuse parental contact with a child subject to a Care Order for up to seven days in an emergency when it is necessary to do so in order to safeguard or promote the child's welfare			X	X		Where the child is subject of an <u>ICO</u> or full <u>Care Order</u> an application to the Court for authority to terminate the contact will always be necessary if contact is to be suspended for more than 7 days. As soon as such a decision is made, Legal Services should be contacted as a matter of urgency so that the necessary Court action can be initiated	
Where a child protection allegation is made against another looked after child			X	X	X	Whoever receives allegation to invoke Safeguarding Procedures and notify TM for child's SW. It is then TM responsibility to confer with the LADO and, subject to the LADO advice, ensure that the following are notified & that relevant safeguarding procedures are followed. SM/TM (Fostering) if child placed in in-house children's home or foster placement Relevant manager of fostering agency if the child is placed in an externally purchased foster placement Relevant manager of children's home/agency if the child is placed in an externally purchased Children's Home. SM makes judgement about whether to notify SD /D, who in turn makes judgement about	

							notifying DCS/ CEO, Press office and Lead Member
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Decision for a child looked after to have normal overnight social visits			X	X		CA Guidance Vol 4: <i>It should be normal practice for the responsible authority, in agreement with those with PR, to delegate to the child's foster carer day to day decision making about allowing a looked after child to stay overnight with friends, and to state this in the placement plan. This guidance supersedes and replaces LAC (2004)4 'Guidance on the delegation of decision on overnight stays for looked after children'</i>	
School trips, camps etc. (including consent for necessary medical treatment) for child subject to Care Order where parent does not agree or is not available			X	X		Need to give due weight to any objections by those with PR	
Passport for child subject to Care Order			X	X		Young People of certain ages can make decisions / apply for own passport	
Consent for a young person aged 16 or 17 subject to a Care Order to marry		X	X	X		S33(3) Children Act 1989 The request should be considered at a LAC review and a recommendation made to inform the SD decision making. The consent of all those with PR must also be secured & legal advice sought if this is not possible. If the child marries, consideration should be	

						given to applying for the discharge of the CO	
DECISION	DIRECTOR (DCL)	SERVICE DIRECTOR (SD)	SERVICE MANAGER (SM)	TEAM MANAGER (TM)	SOCIAL WORKER (SW)	OTHER COMMENTS	PLANNING FORUM
Miscellaneous							
Section 17 funding up to £150			X	X			
Section 17 funding above £150			X				
Financial package of support, for example SGO allowances and settling in payments		X	X				

