North East Lincolnshire Council – Children's Services

Scheme of Delegation – September 2022

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.

Initial family and friends' viability assessment

Relevant Service Manager

Regulation 24 following positive viability assessment

Relevant Head of Service – notification to fostering service within 24 hours

Placement with parents:

Relevant Head of Service – notification to DCS

If the authorisation officer is not available please see approval from covering officer. The authorising Officer listed below is the lowest level that can approve this area of work.

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Area of Work	Legislation, Regulation or Guidance reference	Authorising Officer
LIQUID LOGIC		
Authorise restrictions and access to restricted records on Liquidlogic		Service Manager, Head of Service, Assistant Director
REFERRAL, ASSESSMENT, CASE CLOSURE		
Approve no further action on referral		Team Manager
Agree a child's assessment		Assistant Team Manager/Team Manager
Agree case closure		Assistant Team Manager/Team Manager
Completed Parent Assessment Manual (PAMs) Assessment in all cases will need to be quality assured and sign off		PAMS supervisor to quality assure and sign off by Team Manager
CHILDREN IN NEED (CIN)		
To agree support services to children living with their families (agree a CIN Plan)	Sec 17 Children Act 1989	Assistant Team Manager
To chair a child in need planning meeting or review of a CiN plan	Sec 17 Children Act 1989	Assistant Team Manager
To agree short break care and respite care for children with disability	Sec 17 Children Act 1989	Service Manager
Agree Direct Payment for Children and Families service provision See point 13 below	Community Care (Direct Payments) Act 1996	Service Manager
CHILD PROTECTION		
Decision to start enquiries under Section 47 and to end/close/conclude them	S47 Children Act 1989	Team Manager *Currently Assistant Team Manager is covering – To be reviewed in Dec 22
Decision to convene a Child Protection Conference	Working Together to Safeguard Children	Service Manager
Decision **not** to convene a CP Conference (CPC) following S47 enquiries	Working Together to Safeguard Children	Service Manager

Area of Work	Legislation, Regulation or Guidance reference	Authorising Officer
PRIVATE LAW PROCEEDINGS		
Authorise Section 7 report	S7 Children Act 1989	Team Manager
Authorise Section 37 report	S37 Children Act 1989	Service Manager
FINANCIAL		
To provide financial assistance to children living with their families, as per agreed limits a) up to £250 per child per year b) up to £1,000 c) £1,500	S17 Children Act 1989	a) Assistant Team Manager Team Manager b) Service Manager c) Head of Service
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) £2,000 - £15,000	S24 Children Act 1989 Leaving Care Policy & Procedures for details of current limits.	a) Assistant Team Manager Team Manager b) Service Manager c) Head of Service
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	S24 Children Act 1989 Para. 10, Schedule 2 Children Act 1989	Relevant Head of Service
To approve independent living grant to care leavers as per limit in procedures and entitlements	S24 Children Act 1989	Relevant Team Manager
To agree payment of a Child Arrangement Order or Special Guardianship Order allowance.	Para 15 Schedule 1 Children Act 1989 Special Guardianship policy & procedures	Service Manager Fostering subject to financial assessment

Area of Work	Legislation, Regulation or Guidance reference	Authorising Officer
To agree legal advice – 2 hours as per legal aid guidance for Special Guardianship To agree legal costs for applicants for Special Guardianship Order	Legal Aid Agency Special Guardianship Policy & procedures	Head of Service Head of Service
Taxi – One off cost Ongoing costs for Transport including taxi's		Team Manager Placement Panel
PUBLIC LAW		
To agree issuing of 'Letter Before Proceedings' and commence pre-proceedings case management in accordance with the Public Law Outline guidance, including advice and any Expert assessments	Public Law Outline 2013 Public Law Outline, Case Management Guidance, April 2008, Ministry of Justice	Chair of Legal Gateway panel
Request for Legal Planning meeting	Generic childcare law	Relevant Service Manager
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	Assistant Director/Chair of Legal Gateway panel
To agree application for Emergency Protection Order	S44 Children Act 1989 Procedures: Child Protection: Emergency Action	Assistant Director
To agree application for a Recovery Order	S50 Children Act 1989 Procedures Specific Issues: Legal Options	Relevant Head of Service
To request Police Protection in an emergency	S46 Children Act 1989 Procedures: Child Protection: Emergency Action	Relevant Head of Service

Area of Work	Legislation, Regulation or Guidance reference	Authorising Officer
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	Relevant Service Manager
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	Relevant Head of Service
To agree application to court to vary a care or supervision order, or to discharge a care order	S39 Children Act 1989	Chair of Legal Gateway and endorsed by Independent Reviewing Officer
LOOKED AFTER CHILDREN		
Agree accommodation of a child with capacity parental consent *Determine whether a family placement is a Private Arrangement or whether the child/ren are "placed "by NEL and therefore a Child/ren in Care and carers need assessment and payment*	S20 Children Act 1989 Guidance for Social Workers re Accommodation Admission Requirements (Dec 2007) Looked After Children Policy and Procedure	Head of Service
Agree discharge of a child accommodated under section 20	S20 Children Act 1989	Head of Service endorsed by Independent Reviewing Officer
Agree placement of child/young person for whom accommodation has been agreed with in- house foster carers, IFA carers, supported lodgings carers or residential	S31/20 Children Act 1989	Placement Panel
Agree to place and fund placement of child with IFA out of borough		Director Children's Services

Area of Work	Legislation, Regulation or Guidance reference	Authorising Officer
Agree to place a child in residential and/or IFA at a Placement at a Distance, (i.e. outside the area of the local authority and not within the area of any adjoining local authority)	The Children Act 1989 Guidance and Regulations - Volume 2: Care Planning, Placement and Case Review (2015)	ONLY Director of Children Services
Agree placement of child in welfare secure accommodation under 13 Agree placement of child in secure accommodation over 13	S25 Children Act 1989 Secure Accommodation Policy and Procedure (May 2008)	Secretary of state in agreement with Director of Children Services Assistant Director can approve such placements for up to 72 hours in an emergency. Only a Court can grant permission for placements beyond 72 hours.
Agree composition of secure accommodation review panel	(Secure Accommodation) Amendment Regulations 1992	Relevant Head of Service
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	Relevant Head of Service endorsed by IRO
Authorize the placement of a child in care with connected persons under Regulation 24	Care Planning, Placement and Care Review Regulations 2010	Relevant Service manager in agreement with Relevant Head of Service
Authorise level of Special Guardianship support to be provided, including financial support	Special Guardianship Policy	Relevant Head of Service
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	Regional Adoption Agency
Authorise a change of placement affecting a child in care		Head of Service in consultation with IRO

Area of Work	Legislation, Regulation or Guidance reference	Authorising Officer
Authorise exemptions from the usual fostering limit and variations to the approval on temporary basis	Fostering Regulations 2011 - amendments	Relevant Head of Service
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
a) To consent to medical treatment for a looked After child b) complex and invasive treatment including surgery and anaesthetic		a) Delegated Authority Delegated responsibility for foster carers in agreement with Head of Service b) Relevant Head of service
To act as the registered "Responsible Individual" for Ofsted	Children Homes Regulations, 2015	
Registering the death of a child in care and coordinating the funeral arrangements thereof, and the approval of the spending incurred.		Head of Service
To consent to medical treatment for unaccompanied asylum seekers who are looked after under Section 20 S3(5)	Children Act 1989	Service Manager
To sign passport applications for a child in care	Children Act 1989	Relevant Head of Service
To agree a holiday abroad for a child in care a) in term time b) other	Children Act 1989	a) Assistant Director endorsed by education Head of Service b) Relevant Head of Service
To agree for a child in care to live abroad subject to the approval of a court	Para 19 Schedule 2 Children Act 1989	Relevant Head of Service
To approve the applications of children in care who wish to join HM Forces		Relevant Head of Service
To agree change of name for children in care	S33 Children Act 1989	Assistant Director

Area of Work	Legislation, Regulation or Guidance reference	Authorising Officer
To agree to place siblings separately	S20 Children Act 1989	Relevant Assistant Director
Approve the refusal or suspension of contact with parents	Schedule 2 Children Act 1989	Head of Service up to maximum of 7 days to return to court
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	Relevant Agency Decision Maker
ADOPTION		
To agree the assessment of prospective adopters	Adoption and Children Act 2002 Adoption Procedures	Team Manager/ Service Manager- One Adoption
All completed applications for prospective adopters to be presented to Adoption Panel	Adoption and Children Act 2002 Statement of Purpose	Team Manager/ Service Manager- One Adoption
To agree the payment of legal expenses for prospective adoptive parents for children who are being placed for adoption by NELC	Adoption and Children Act 2002 Adoption Agency Policy	Assistant Director
To approve the payment of a means tested adoption allowance	Adoption and Children Act 2002 Adoption Support Services Regulations 2005	Team Manager/ Service Manager- One Adoption/ Head of Service NELC
To approve the Annex A report to court	Adoption and Children Act 2002	Team Manager for adoption and child care
To agree the placement of a child with adopters	Adoption and Children Act 2002 Adoption Agency Regulations 2005	Agency Decision Maker
Chair Introductions Planning Meeting for child being placed for adoption	Adoption and Children Act 2002 Adoption Agency Regulations 2011	Senior Adoption Social Workers
Completion of Interagency Agreements for children placed with another agency	Adoption and Children Act 2002 Adoption Agency Regulations 2011	Senior Adoption social workers/Team manager
To sign the Adoption Placement Plan Following Introductions Planning Meeting	Adoption and Children Act 2002 Adoption Agency Regulations 2011	Relevant Team Manager
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	Placement planning meeting

Area of Work	Legislation, Regulation or Guidance reference	Authorising Officer
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	Agency Decision Maker
Authorise appointments to the Central List for the Adoption and Fostering Panels	Adoption Agency Regulations 2011	Team Manager/ Service Manager- One Adoption/ Head of Service NELC
	FAMILY PLACEMENTS	
To sanction payment of the fostering allowance	Children Act 1989 Guidance - Vol 3	Relevant Head of Service
To vary allowances to foster carers / contributions by young people in placement in exceptional circumstances	Children Act 1989 Guidance - Vol 3	Relevant Head of Service
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	Agency Decision Maker
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	Relevant Head of Service Foster Care Panel to be informed at next available meeting
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	Agency Decision Maker
	PRIVATE FOSTERING	
Approve assessments of private foster carers, impose requirements	Arrangements for Private Fostering Regulations 2005	Service manager
Prohibit particular private fostering arrangements	Children (Private Arrangements for Fostering) Regulations 2005.	Relevant Head of Service in consultation with Service Manager
Impose requirements on private foster carers	Children (Private Arrangements for Fostering) Regulations 2005.	Service Manager

Area of Work	Legislation, Regulation or Guidance reference	Authorising Officer
Full disclosure of child records to the Police		Relevant Head of Service