

## KIRKLEES DIRECTORATE FOR CHILDREN'S SERVICES SCHEME OF DELEGATION FOR FAMILY SUPPORT & CHILD PROTECTION

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<i>Document Holder (Name and post)</i>	<i>Richard Moore Executive Project Officer</i>
<i>Portfolio Holder</i>	<i>Cllr Habiban Zaman</i>

## KIRKLEES DIRECTORATE FOR CHILDREN & YOUNG PEOPLE DELEGATED POWERS

### Purpose

To set out the delegations from the Council's Executive and Council bodies to Chief and Deputy Chief officers within the Children and Young Peoples Service.

### Related Policies & Documents

- Council Constitution (Part 2: Article 13: Decision Making) - <http://www.kirklees.gov.uk/you-kmc/constitution/articles/art13.pdf>
- Council Constitution (Part 3: Responsibility for Functions) - <http://www.kirklees.gov.uk/you-kmc/constitution/ConstitPart3.pdf>

### Key Statutes/Legislation

The following pieces of legislation are instrumental in many of the delegated decisions outlined in this document:

Academies Act 2010	Education & Skills Act 2008
Adoption Agency Regulations 1983 and 1997	Fostering Services Regulations 2002
Adoption and Children Act 2002	Powers of Criminal Courts (Sentencing) Act 2000
Apprenticeships, Skills, Children and Learning Act 2009	Learning & Skills Act 2000
Carers and Disabled Children Act 2000	Local Authority Social Services Act 1970
Childcare Act 2006	Mental Health Act 1983: Section 27
Children Act 1989	Placement with Parents Regulations 1991
Children & Young Persons Act 2008	Representation of the People Act 1983: Section 95 & 96
Crime & Disorder Act 1998	Safeguarding Vulnerable Groups Act 2006
Criminal Justice Act 1991	School Standard and Framework Act 1998
Education Act 2005	Supreme Court Act 1981: Section 41
Education & Inspections Act 2006	Children and Families Act 2014
Education Act 2011	Care Planning Regulations 2010 & 2015
Children's and Social Work Act 2017	

## Who is governed by this policy?

The scheme of delegations will apply to all permanent, contract and temporary staff working for the Council.

## Summary

The Council's Constitution requires that the Directorate will prepare a Scheme of Delegation. Such schemes should clearly establish which officer posts have been given authority to make decisions under the delegated powers of the Director or Assistant Directors. All schemes of delegation will be lodged with the Council's Monitoring Officer and made available to the public on request.

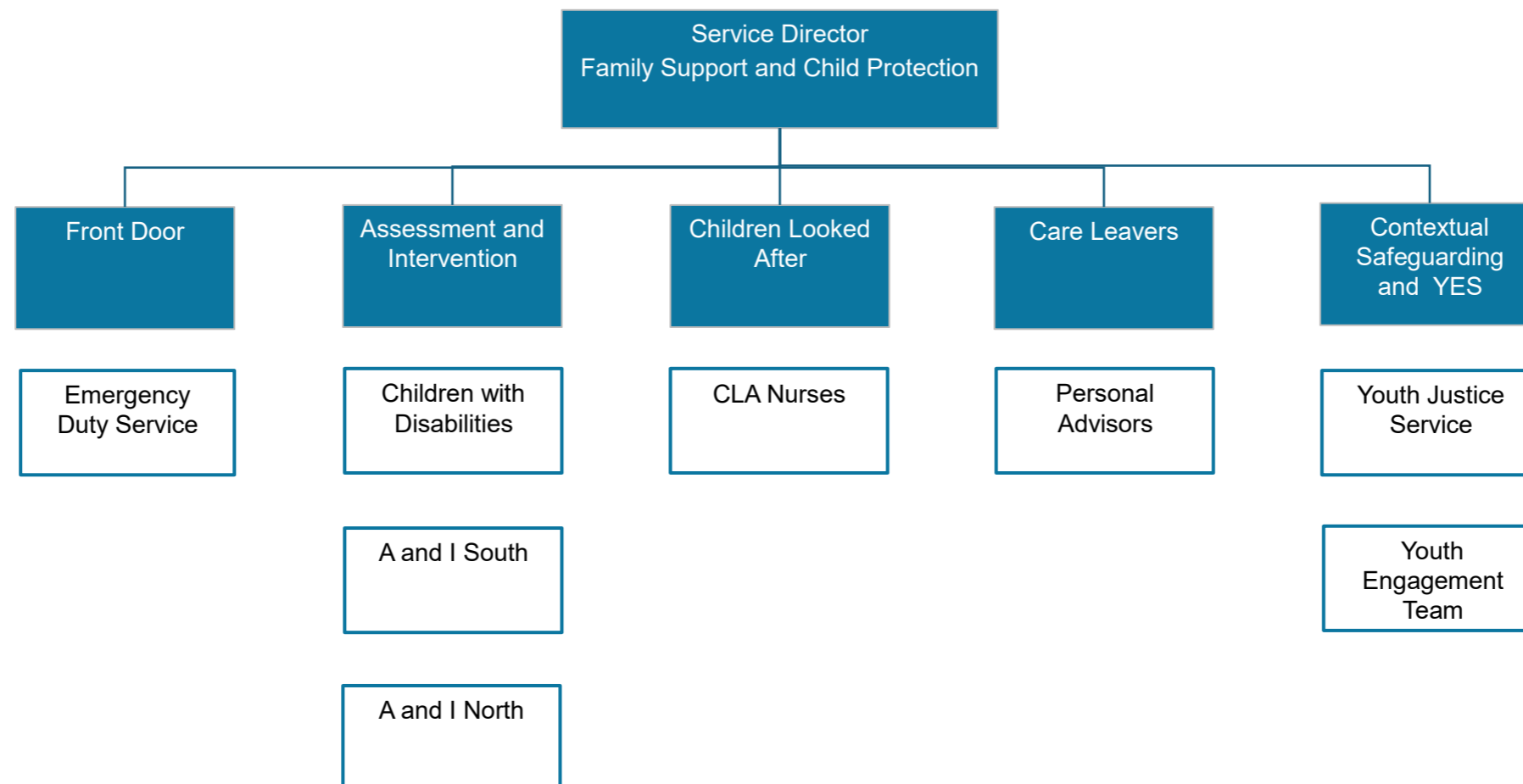
All delegations are subject to compliance with the law, the Council's Constitution, its Procurement Code, Financial Regulations and other relevant policies and procedures. All delegations may be exercised by the Director of Children's Services as well as those posts set out in this Scheme of Delegation.

Delegation is simply a way of allocating matters to the levels appropriate to ensure that the Directorate's business is dealt with in the most efficient way possible. This means that some matters will be considered and approved by the Children's Services Senior Leadership Team (SLT) (Strategic Director & Service Directors) as appropriate, whereas others can be dealt with efficiently and properly by other members of the Children's Services Family Support and Child Protection and Learning and Early Support Leadership teams (defined at Grades 17-19), or other Officer Posts.

Delegated power will normally be exercised at the lowest level to which it has been given. However, all such powers will also be held by SLT and no delegation shall preclude the reference of matters for a decision to that body, except where action has already been taken. This provision is subject to statutory requirements which may apply from time to time.

Where an officer post to which any function has been delegated is renamed or is affected by a staffing reorganisation, then the relevant delegation shall be treated as applying to the renamed post or, as appropriate, to the post which has been allocated the same or substantially the same relevant duties as the original post following that reorganisation.

Although powers have been delegated to officers, there is a requirement to consult local ward councillors and community lead councillors if the decision you are making has a direct impact on a local community. Local ward councillors should be kept aware of any decision made and implemented under delegated powers that affects members of the community in their ward.



## Scheme of Delegation & Decision Making (Family Support & Child Protection)

### Section 1: Children social care specific.

Responsibility	Personal Advisor	Social Worker	Practice Supervisor	Team Manager	Service Manager	Head of Service	Service Director	DCS	Procedure Reference
Authorises Private Fostering Assessment			✓	✓					
Signs off Private Fostering Assessment			✓	✓					
Signs off Child Permanence Reports (CPR for adoption)			✓	✓					
Sign off Child Protection Plans			✓	✓					
Sign off Child in Need Plans			✓	✓					
Sign off Pathway Plans & Reviews			✓	✓					
Sign off Review Decisions for CLA			✓	✓					
Placement of young person at a distance (Foster Placement)							✓		
Placement of young person at a distance within 20 miles (Foster Placement)						✓			
Placement of young person at a distance (Childrens Home)							✓		
Ending CLA of 16/17 yo s.20						✓			
Ending CLA status for other cases						✓			
Sign off PWP Report				✓	✓	✓			
Agree application for Recovery Order						✓			
<b>Information Sharing</b>									
Authorises Police Check (S47 enquiry)			✓	✓					
Authorises DBS					✓	✓			

Responsibility	Personal Advisor	Social Worker	Practice Supervisor	Team Manager	Service Manager	Head of Service	Service Director	DCS	Procedure Reference
Public advertisement of missing child/young person							✓		
CAMHS Consultation Referral			✓	✓					
Applications for Adaptations (CWD)					✓				
Referral for Personal Advisor			✓	✓					
<b>Case Transfer &amp; Closure</b>									
Case closure			✓	✓					
Case transfer to another Team/Service				✓					
Case transfer to another Local Authority			✓	✓					
Acceptance of a case from another Local Authority			✓	✓					
<b>Legal</b>									
Authorises Legal Planning Meeting					✓				
Sign off Section 7 Reports			✓	✓					
Sign off Section 37 Reports			✓	✓	✓				
Sign off Special Guardianship Reports				✓	✓	✓ Permanence Panel			
Sign off Special Guardianship support Plans				✓	✓	✓ Permanence Panel			
Authorise an emergency protection application:						✓			
Authorise Legal Planning Meeting				✓	✓ Legal Gateway				
Authorises initiation of Care Proceedings						✓ Legal Gateway			

Responsibility	Personal Advisor	Social Worker	Practice Supervisor	Team Manager	Service Manager	Head of Service	Service Director	DCS	Procedure Reference
Commissioning of Expert Witnesses					✓	✓			
Commissioning of drug/alcohol testing (including hair strand testing)				✓	✓	✓			
Sign off Interim Care Plans			✓	✓ (requires signature)					

Responsibility	Personal Advisor	Social Worker	Practice Supervisor	Team Manager	Service Manager	Head of Service	Service Director	DCS	Procedure Reference
Sign of Final Care Plans		✓ (requires signature)	✓ (requires signature)	✓ (requires signature)	✓ (requires signature)				
Authorise S20 Accommodation (including completion of rationale into care report)						✓ Legal Gateway			
<b>Medical</b>									
Countersign BAAF consent form for CLA for obtaining and sharing health information in cases of parental refusal				✓					
Countersign consent for medical treatment for CLA in cases of parental refusal					✓				
Termination of pregnancy of a CLA							✓	✓	
<b>Placement Approval.</b>									
Internal foster placement						✓			
Internal residential placement						✓	✓		
Limit on the number of children in Foster Homes (Exemptions)						✓	✓		
External residential placement							✓ All external placements		
Emergency external residential placement							✓		
Family residential assessment placement							✓		

Responsibility	Personal Advisor	Social Worker	Practice Supervisor	Team Manager	Service Manager	Head of Service	Service Director	DCS	Procedure Reference
Placement with Parent Regulations		✓	✓	✓	✓	✓			
Placement with nominated person/s (Regulation 24)		✓		✓	✓	✓			
Extension of Reg 24 Placement beyond 16 weeks (up to 24 weeks)					✓	✓			
Authorise application for secure accommodation in an emergency							✓	✓	
Authorise placement in secure accommodation							✓	✓	
Place siblings separately					✓				
Permission to fund a for young person being placed in supported accommodation						✓			
Authorise placement of children in a Refuge					✓				
Authorise placement outside of England & Wales (Scotland requires Legal advice)							✓		

Responsibility	Personal Advisor	Social Worker	Practice Supervisor	Team Manager	Service Manager	Head of Service	Service Director	DCS	Procedure Reference
Remands to Local Authority Accommodation						✓			
Authorise a change of name for a looked after child							✓		
Agreed to the marriage of a looked after child							✓		
Authorise the decision to suspend contact						✓			
Foster Carer Approval and Review					✓ Fostering Service & Panel				
Criminal injuries Compensation for CLA					✓				
Passports for CLA			✓	✓					
School or Educational Trips & Holidays Aboard					✓				
Permission for CLA to be absent from school during term time						✓			

Responsibility	Personal Advisor	Social Worker	Practice Supervisor	Team Manager	Service Manager	Head of Service	Service Director	DCS	Procedure Reference
Respond to complaint at Stage 1 of the procedure				✓	✓ (only if complaint relates to the actions of a Team Manager)	✓ (only if complaint relates to the actions of a Service Manager)			
Respond to complaint at Stage 2 of the procedure				✓	✓				
Adjudicate Stage 2 complaints						✓			
Payment of Adoption Allowance						✓ When in ADM role	✓		
Payment of Special Guardianship Allowance						✓ Permanence Panel in Line with Procedures	✓ Exceptional Circumstances family & friends panel		
Payment of Residence Allowance						✓ Permanence Panel in Line with Procedures	✓ Exceptional Circumstances family & friends panel		
Payment of Contact Expenses				✓					
Payment under Section 17				✓					

Responsibility	Personal Advisor	Social Worker	Practice Supervisor	Team Manager	Service Manager	Head of Service	Service Director	DCS	Procedure Reference
Authorise on-going payments to families with no Recourse to Public Funds					✓ Financial limit NRFPF	✓			
Income Maintenance Costs for aged 16 + who have left Care – care leavers only					✓	✓ Permanence Panel			

Responsibility	Personal Advisor	Social Worker	Practice Supervisor	Team Manager	Service Manager	Head of Service	Service Director	DCS	Procedure Reference
Payments from 'Care Leavers Pot' to meet need/aspirations in pathway plan.	✓ Financial limit								Support Policy for Young People leaving care
Housing Costs including 'Setting up Home Grant' – care leavers only				✓ Financial limit	✓ Financial limit	✓			Support Policy for Young People leaving care
Incentive Payments to access Education/Training/Employment – care leavers only		✓ Financial limit		✓ Financial limit	✓ Financial limit	✓			Support Policy for Young People leaving care
Additional Allowances as set out in the Financial Guidance for Post 16s – care leavers only		✓ Financial limit		✓ Financial limit	✓ Financial limit	✓			Support Policy for Young People leaving care
Financial Payments for young people in further and higher education – care leavers only		✓ Financial limit		✓ Financial limit	✓ Financial limit	✓			Support Policy for Young People leaving care
Post 21 Financial Support – Care Leavers only				✓ Financial limit	✓ Financial limit	✓ Financial limit	✓		Support Policy for Young People leaving care
Packages of care for disabled children					✓ Financial limit	✓			
ADM						✓	✓		
Adoption/Fostering						✓	✓		

## Section 2: Finance and Governance

Responsibility	Social Worker	Practice Supervisor	Team Manager	Service Manager	Head of Service	Service Director	DCS	Named individuals	Procedure reference
<b>Financial procedures</b>									
<b>Standards of behaviour</b>									
Sign off Gifts & Hospitality Register				✓ > £25	✓ < £25				<a href="#">Employee Handbook</a>
Sign off Declarations of Interest						✓			<a href="#">Employee Handbook</a>
<b>Assets</b>									
Ensure detailed inventories are compiled and kept up to date			✓						<a href="#">Financial Procedure Rules</a>
Surplus or obsolete goods or inventory items are disposed of correctly			✓						<a href="#">Financial Procedure Rules</a>
Stock records completed			✓						<a href="#">Financial Procedure Rules</a>
<b>Security</b>									

Responsibility	Social Worker	Practice Supervisor	Team Manager	Service Manager	Head of Service	Service Director	DCS	Named individuals	Procedure reference
A register of all safe keys/codes and key/code holders is maintained				✓ <b>BSO SM</b>					<a href="#">Financial Procedure Rules</a>
Nominated officer responsible for overseeing lost property and maintaining the register				✓ <b>BSO SM</b>		✓			<a href="#">Financial Procedure Rules</a>
<b>Cheques and Petty Cash</b>									
Register of all officers authorised to sign cheques and other bank documents maintained						✓			<a href="#">Financial Procedure Rules</a>



Record of all petty cash imprests, including imprest holder, amount, location maintained and approver				✓					<a href="#">Financial Procedure Rules</a>
<b>Purchasing Cards</b>									
Review of monthly credit, transaction and cash limits and purchasing categories					✓				<a href="#">Financial Procedure Rules</a>
Approving application form for new purchase card					✓				
Approving a temporary limit increase					✓				
Named purchasing card are always kept safe								✓ All card holders	<a href="#">Financial Procedure Rules</a>
All expenditure incurred is supported by adequate records								✓ All card holder	<a href="#">Financial Procedure Rules</a>

Responsibility	Social Worker	Practice Supervisor	Team Manager	Service Manager	Head of Service	Service Director	DCS	Named individuals	Procedure reference
<b>Authorisation Levels</b>									
Check SAP requisitioner approvers and requisitioner type				✓					
Approving SAP procurement approvers and approval limits						✓			
Approving contract amendments or extensions for supplies and services					✓				
Vacancy Management Panel approval for a. requests to fill b. honorarium c. acting ups d. secondments e. extension to temporary arrangements matrix staff					✓				
<b>Signatory List</b>									
Authorise entries on the corporate/ central contract signatory list are correct						✓			
<b>Cabinet and Key Decision Notices (KDNs)</b>									

Authorise documents or reports to be shared with Portfolio Holders or Councillors						✓			
Authorise flight path journey through to Cabinet						✓			
Sign off Key Decision Notice							✓		

Responsibility	Social Worker	Practice Supervisor	Team Manager	Service Manager	Head of Service	Service Director	DCS	Named individuals	Procedure reference
<b>Communication &amp; Information</b>									
Sign off new public facing information, correspondence, guidance, and policies (both printed and web formats)						✓			
Sign off amended/updated public facing information, correspondence, guidance, and policies (both printed and web formats)						✓			
Sign off new internal procedures, correspondence, staff guidance and service updates					✓ SLT Cabinet				
Sign off amended/updated internal procedures, correspondence, staff guidance and service updates					✓ As above				
Sign off intranet content uploads					✓				
Sign off website content uploads						✓			
Sign off Press Release							✓	Portfolio Holder	<a href="#">Social Media Guidelines</a>
Sign off interactions with the Press							✓	Head of Comms	<a href="#">Social Media Guidelines</a>
Sign off Social Media accounts for service presence							✓	Comms Rep	<a href="#">Social Media Guidelines</a>
<b>Hazard Warning</b>									
Decision to enforce a banning order									

Responsibility	Social Worker	Practice Supervisor	Team Manager	Service Manager	Head of Service	Service Director	DCS	Named individuals	Procedure reference
Review an appeal when a banning order is in place					✓				

Sign off Hazard Warning Database Authorised User list				✓	✓				<a href="#">Telephone Alert, Hazard Warning and Incident Reporting Guidance</a>
Sign off Hazard Warning Database Service Link Officer				✓	✓				<a href="#">Telephone Alert, Hazard Warning and Incident Reporting Guidance</a>
Review entries on the Hazard Warning Database.								Service link officer ✓	<a href="#">Telephone Alert, Hazard Warning and Incident Reporting Guidance</a>
Approve entries to be removed from the Hazard Warning Database.			✓	✓				Originator ✓	<a href="#">Telephone Alert, Hazard Warning and Incident Reporting Guidance</a>
Sign off completed V1 forms in role of Authorising Manager.			✓						<a href="#">Telephone Alert, Hazard Warning and Incident Reporting Guidance</a>
Review Authorising Manager names on submitted form to ensure correct and complete. If Authorising Manager has left the role, to identify a replacement								Service link officer ✓	<a href="#">Telephone Alert, Hazard Warning and Incident Reporting Guidance</a>
<b>Emergency Planning</b>									
<b>Responsibility</b>	<b>Social Worker</b>	<b>Practice Supervisor</b>	<b>Team Manager</b>	<b>Service Manager</b>	<b>Head of Service</b>	<b>Service Director</b>	<b>DCS</b>	<b>Named individuals</b>	<b>Procedure reference</b>
Decision to implement emergency planning protocol						✓			<a href="#">Business Continuity Framework &amp; Policy</a>
<b>Information Governance</b>									
Receipt of new Freedom of Information requests from the Information Governance Team						✓			
Assign Freedom of Information request to appropriate manager(s) or team(s) to collate information and/ or draft response						✓			
Sign off completed Freedom of Information requests					✓				
Drafting and maintaining privacy notice			✓						
Sign off new or amended privacy notice				✓					
Drafting and updating Data Protection Impact Assessment (DPIA)			✓						

Sign off DPIA				✓					
Create and maintain (where needed) Information Sharing Agreement				✓					
Sign off new or amended information sharing agreements					✓				
Information Asset Owner						✓			

Responsibility	Personal Advisor	Social Worker	Practice Supervisor	Team Manager	Service Manager	Head of Service	Service Director	DCS	Procedure Reference
<b>Assessments &amp; Reports</b>									
Approve no further action on a referral			✓						
Agree less frequent visits					✓ IRO				
Authorise the commencement of Child and Family Assessment.			✓	✓					
Authorise S47 strategy discussion. Determine need for S47 enquiries			✓	✓					
Sign off Child and Family Assessment.			✓	✓					
Sign off S47 Enquiry/Record of outcomes.				✓					
Agreement to end S47 enquiry without going to Case conference or initiate legal proceedings				✓					
Authorises the commencement of viability assessments of connected persons			✓	✓					
Sign off the viability assessments of connected persons				✓	✓	✓			
Sign off Age Assessment				✓					
Sign off European Convention of Human Rights Assessment Report				✓					