

SCHEME OF DELEGATED DECISION MAKING

Children's Social Care

August 2021

Introduction

This Scheme of Delegation sets out who has the authority to make decisions on behalf of Walsall Council's Social Care. Staff at all levels need to be confident on where they have delegated authority to make decisions and must also be clear on who is the decision maker, where they do not have the permission.

Delegation creates the authority to carry out a task or to make a decision. This in turn places a requirement on those for whom authority has been granted to be accountable and responsible for the decisions they have been asked to make. Anyone who makes a decision must be confident that they know the scope of their authority.

Legal Decisions		
ID	Decision	Delegated to:
1.1	Emergency Accommodation of a child following Police Protection, or as a result of an Emergency Protection Order, or remand into care, or the accommodation of a child with no one with parental responsibility and no one to care for them.	Head of Service
1.2	Accommodation under Section 20 Children Act 1989	Head of Service
1.3	Application for an Emergency Protection Order	Head of Service

1.4	Application for a Child Assessment Order	Head of Service
1.5	Initiating Care Proceedings	Head of Service
1.6	Appointment of Counsel in court proceedings	Head of Service
1.7	Instruction of Counsel, including experts witnesses	Head of Service
1.8	Decision to revoke a Care Order	Head of Service
1.9	Decision to apply for Secure Accommodation	Head of Service
1.10	Decision to use secure accommodation without the authorisation of a court (up to 72 hours in aggregate over a 28 day period).	Executive Director / Director Children's Social Work
1.11	Appeal to the Court against a decision	Director Children's Social Work
1.12	Authority to apply to a Court for discharge or variation of a Supervision Order	Head of Service
1.13	Authority to apply to a Court for the discharge of an Order committing a child to the care of the Council	Head of Service
1.14	C2 application – court timetable not compromised	Group Manager
1.15	C2 Application – court timetable compromised	Head of Service

Children in need of Help and Protection

ID	Decision	Delegated to:
2.1	Decision to hold strategy meeting.	Team Manager

2.2	Initiate Section 47 Child Protection enquiries including direct work with the family.	Team Manager
2.3	Conclude Section 47 enquiries.	Team Manager
2.4	Decision to convene an Initial Child Protection Conference.	Team Manager
2.5	Decision to cease CIN Plan	Team Manager
2.6	Decision to end CP Plan	Child Protection Adviser
2.7	Approval of child and family assessments	Team Manager
2.8	Approval of child protection, child in need and care plan	Team Manager

Placement Decisions

ID	Decision	Delegated to:
3.1	Decision for a child to be accommodated into the care of the local authority	Head of Service
3.2	Decision for a placement search internal and external foster placement	Group Manager
3.3	Agreement to place within in house residential care	Registered Home Manager
3.4	Decision to search for external residential placement	Group Manager
3.5	Decision to place in external residential placement <i>NB; If weekly placement cost exceeds £5k then discussion with Director of Children's Social Work is needed.</i>	Head of Service

3.6	Agreement to placement with parents	Head of Service
3.7	Family and Friends – Regulation 24	Head of Service
3.8	Placed for Adoption	Agency Decision Maker
3.9	Agreement to a placement move Where to same placement type Where a step up to a higher cost placement	Group Manager Head of Service
3.10	Emergency accommodation	Head of Service

Consent decisions relating to children in care

*Note: the views of child, parent, carer and Independent Reviewing Officer must always be considered in making consent decisions; **in particular, any decisions relating to a child's health and medical needs must be made in conjunction with parent and health professional.***

ID	Decision	Delegated to:
4.1	Signing off final court care plan	Group Manager
4.2	Sign Passport Applications as person with parental responsibility.	Group Manager
4.3	Authority to give consent for a child who is looked after by the authority to travel abroad with Foster Carers – school holidays	Group Manager
4.4	Authority to give consent for a child who is looked after by the authority to travel abroad with Foster Carers – term time	Head of Service
4.5	Consent to support a young person on a Care Order changing their name.	Head of Service
4.6	Consent to join the Armed Forces.	Director Children's Social Work

4.7	Consent to marriage of 16 or 17 year old on a Care Order.	Director Children's Social Work
4.8	Authorisation to cease being looked after for children (aged 0-15 who have been in care over 20 days) who are going home or going to live with family or friends.	Head of Service
4.9	Authorisation of the support plan where a child is to cease being looked after for children (aged 0-15 who have been in care over 20 days) who are subject to special guardianship or child arrangement orders.	Head of Service
4.10	Authorisation to cease being looked after for young people aged 16 & 17.	Director Children's Social Work
4.11	Young person remains in an extended foster placement or a formal 'Staying Put' arrangement.	Head of Service
4.12	Consent to routine planned health assessments or treatment for looked after children where the Local Authority has parental responsibility.	Social Worker
4.13	Consent to health assessments, treatment or other interventions including general anaesthetic for a child on a care order.	Group Manager in conjunction with parent where appropriate
4.14	Consent to medical interventions to deal with life threatening situations.	Executive Director / Director Children's Social Work
4.15	Where there is a high risk associated with medical treatment or procedure and this is a planned intervention	Executive Director / Director Children's Social Work
4.16	Consent to medical interventions to deal with life threatening situations or where there is a high risk associated with the treatment or procedure where the parent or other persons with parental responsibility oppose the intervention.	Executive Director / Director Children's Social Work in conjunction with legal advice
4.17	Acting as a parent for children subject to care orders for the purposes of assessment under the Mental Health Act 1983 & 2007	Head of Service

4.18	Decisions about family time arrangements.	Team Manager
4.19	Authority to give consent for a child who is looked after by the authority to have an overnight stay with friends, relatives or temporary carers	Team Manager
4.20	Authority to give consent for a child who is looked after by the authority to travel abroad with Foster Carers	Group Manager
4.21	Authority to give consent to a child taking contraception when they are looked after by the authority and are subject to a care order.	Group Manager
4.22	Authority to give consent to a child having a pregnancy terminated, when they are looked after by the authority.	Head of Service

4.23	Special Guardianship Support Plan	Group Manager
4.24	Adoption Support Plan	Group Manager

Fostering and Adoption Agency Decisions

ID	Decision	Delegated to:
5.1	Approval of new Foster Carers	Agency Decision Maker
5.2	Approval of Foster Carers following first annual review	Agency Decision Maker
5.3	Continued approval of foster carers following subsequent reviews (unless referred to Fostering Panel)	Head of Service
5.4	Authorise emergency placements out of the foster carers terms of approval	Group Manager
5.5	Permanent change of approval	Head of Service

5.6	Temporary Approval of Foster carers (Regulation 24)	Head of Service
5.7	Approving adopters as Foster to Adopt carers	Agency Decision Maker
5.8	Termination of Foster Carers Approval	Agency Decision Maker
5.9	Approval of the plan for a child to be adopted	Agency Decision Maker
5.10	Approval of a match between a child and adopters	Agency Decision Maker
5.11	Revocation of the plan for a child to be adopted	Agency Decision Maker
5.12	Decision to pay an adoption allowance or lump sum payment	Group Manager
5.13	Review of adopter's approval (unless review at panel)	Agency Decision Maker
5.14	Revocation of adopters' approval	Agency Decision Maker
5.15	Long term fostering	Agency Decision Maker/ Head of Service