Children's Services

Scheme of delegated decision making

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Application and Scope

This document sets out the authority required to undertake a range of key case management decisions. In each case, the posts designated represent the **minimum level** at which the decision can be taken (i.e. a manager more senior than the post holder listed is also authorised to take this decision subject to them being in the same specialist management area). **Its purpose is to provide for consistency in the level and authority at which key care management decisions are taken throughout the Service.** This document also describes arrangements for specific and serious out of hour's incidences. **All managers named in this document, are required to read this document and confirm in a recorded supervision that they have read and understood the document, having access to it at all times.**

This scheme of delegation is confined to operational decisions and not financial and personnel decisions. It represents the normal arrangements for making decisions. In some exceptional situation's decisions may need to be taken at a more senior level.

Decision making and Consultation

Although the following tables focus on the decisions in statute that must be undertaken and who is accountable for those decisions, it should be remembered that **the law requires consultation to occur with parents and those with parental responsibility and young people in most contexts unless there is a very good reason why this cannot occur.** With regard to children and young people on Care Orders for example, the local authority shares parental responsibility and should normally consult before making the sort of decisions set out in the tables below for children and young people in care.

Agency Decision Maker for Decisions in relation to Adoption

It is the responsibility of the Agency Decision Maker for the Council to decide whether to agree with the recommendation of Final Care Planning Meetings and Adoption Panels in relation to whether a child should be placed for adoption; in respect of whether individuals should be approved as adoptive parents and whether approved adoptive parents should be matched with a child. The Agency Decision Maker is the Assistant Director – Corporate Parenting. The Deputy Head of Children's Social Care , also sits as the Agency Decision Maker in respect of decisions relating to children only.

Agency Decision Makers for Decisions in relation to Fostering

To decide whether to agree with the recommendation of the Fostering Panels in relation to the approval of foster carers and any issues in respect of their approval to the Agency Decision Maker, this is the Assistant Director – Corporate Parenting, and Service lead for Adoption and Fostering.

To decide whether to approve connected persons as temporary foster carers under Regulation 24 and Regulation 25 of the Care Planning, Placement and Case Review (England) Regulations 2010 this is the Assistant Director – Corporate Parenting, and Service lead for Adoption and Fostering, and Group Manager within the Fostering Service.

Admissions into care, Court Orders and Court related decisions

Decision	Decision maker					
	Director Children's Services	**Assistant Director**	**Service Lead**	**Group Manager**	**Practice Manager**	**Planning Forum**
Pre-Proceedings/Court Applications						
To start/end PLO			✓	✓ (when PLO ending with CP plan)		Legal Planning
To apply for EPO			✓			Legal Planning
To apply for a Care Order			✓			Legal planning chaired by SL. If SL is unavailable, GM chairs but order signed off by SL
To step down from a decision to apply for a Care Order			✓			Legal Planning chaired by Service Lead
To apply for a Supervision Order			✓			Legal Planning Meeting chaired by Service Lead. If SL is unavailable, GM chairs but order signed off by SL
To agree s38 (6) assessment			✓			In consultation with Legal Services
To agree Part 25 applications (expert assessments)			✓			In consultation with Legal Services
To seek a S.34 order concerning contact			✓			Discussed with IRO or at Statutory Review/Legal Planning Meeting SL. Rationale being that an application to court is at SL level
To approve interim care plan for the court			✓	✓		Legal Planning Meeting. All court care plans to be signed off by GM. GM can chair but SL signs off.
To approve final care plan for the court			✓			Legal Planning Meeting recommends care plan in consultation with IRO. Permanency Panel endorses care plan GMs can do quality assurance, but SL signs off.

To seek variation extension of supervision or care order			✓			If SL is unavailable, GM chairs meeting but SL signs off.
To seek discharge of care order			✓			Agreed with IRO or Statutory Review/Legal Planning Meeting Permanency Panel endorses discharge of care order
To seek discharge of supervision order			✓			Agreed with IRO or at Statutory Review Legal Planning Meeting
To agree plan for SGO outside of care proceedings			✓			Legal Planning Meeting GM can chair but SL signs off.
To apply for Section 8 order				✓		Legal Planning Meeting

Decision	**Decision maker**					
	Director	**Assistant Director**	**Service Lead**	**Group Manager**	**Practice Manager**	**Planning forum**
Pre Proceedings/Court Applications						
To use secure accommodation without an order (max. 72 hours)	✓	✓				Pre-secure Meeting should take place in accordance with Secure Policy/ Consultation with Legal Services
To seek secure accommodation order	✓	✓				Statutory Review if young person already looked after. Pre-secure Meeting should take place in accordance with Secure Policy/ Legal Planning Meeting.
Response to S.37 direction				✓		GM consults with Legal Services.

Decisions relating to children who are children in care, about to become children in care or are leaving care

Decision	**Decision maker**					
	Director	**Assistant Director**	**Service Lead**	**Group Manager**	**Practice Manager**	**Planning forum**
Children in care /about to become children in care/leaving care						
To agree planned accommodation (S.20)		✓				Child's case to be presented to Access to Resources Panel and agreed by Chair (AD level)

arrangements						
To agree unplanned accommodation (S.20) arrangements			✓			Child to be presented retrospectively at the next weekly Access to Resources Panel for further sign off by Chair
Approving the matching of a child with a WSCC foster family					✓	IRO Review
To agree suspension of fostering approval				✓		In cases of S47, consultation with LADO Notification to Director - children's social care
To recommend the termination of fostering approval				✓		Fostering GM and Fostering Panel make Recommendation. ADM decides see below.

Decision	**Decision maker**					
	Director	**Assistant Director**	**Service Lead**	**Group Manager**	**Practice Manager**	**Planning Forum**
Children in care /about to become children in care/leaving care						
Termination of fostering approval		✓	✓	✓		Fostering GM and Panel make recommendation to Panel Decision Maker.
To approve connected persons as temporary foster carers under Regulation 24 of the Care Planning, Placement and Case Review (England) Regs 2010			✓			Approval of ADM is required to proceed to full assessment and then case is presented to fostering panel.
Connected Persons 24-week timescale reached but assessment has not been to Fostering Panel - information missing or negative assessment but no						Deputy Director Children's Services is notified of CSC exceeding 24-week timeframe Notify: Panel Advisor (Fostering),Fostering ADM ,Fostering Service Lead

immediate plans to remove child						Where assessment negative ; Deputy Director, Children's Services notified Panel Advisor who keeps log, Fostering Service Manager
To grant a temporary exemption to the usual fostering limit		✓	✓			
To agree the use of residential placement			✓			Do we need to differentiate out of county from in house as AD should only sign off out of county residential (prior to Access to resource Panel)
To agree the use of Independent Fostering Agency			✓			Same as above
To agree the use of neighbouring authority placement			✓			
To endorse a permanency plan for a child who is looked after			✓	All GMs involved		2nd / 4-month Statutory Review Permanency Panel endorse plan Plan must be ratified at Permanency Panel
To approve Fostering to Adopt as a care plan for a child			✓	All GMs involved		Permanency Panel endorse care plan
To approve fostering match with long-term carers.			✓	✓		Fostering Panel & in consultation with IRO Permanency Planning Meeting and agreed by Permanency Panel
To approve the use of semi-independent accommodation for individual 16/17-year olds when this has been matched to that young person's needs			✓	✓		Decision fed back into Statutory Review
When a semi-independent or supported accommodation is used and care is being provided or the child is under aged 16 (or is pre-	✓	✓	✓			Service lead to present an overview and risk assessment review on a weekly basis at Access to Resources Panel.

year 11)						
To agree planned placement, change for a young person in Years 10 or 11.		✓ **(AD CLA and Virtual School Head Teacher to agree all school moves)**			✓	Statutory review to be convened to agree proposed change in placement. Head of Virtual School's agreement must be sought before Assistant Director CLA signs off all school moves for young people in Year 10 & 11 IRO consulted & decision fed back to Statutory Review
To approve placement of child on Care Order with parents			✓			Permanency Panel endorse PWP

Decision	**Decision maker**					
	Director	**Assistant Director**	**Service Lead**	**Group Manager**	**Practice Manager**	**Planning forum**
Children in care /about to become children in care/leaving care						
To permit child or young person subject to care order to leave UK for holiday of up to 1 month			✓			Decision fed back in to Statutory Review. Parents' views should be obtained even where WSCC have PR**. If S20 only parents can give consent**
To agree an exceptional circumstances request for child in care to go on holiday in term time				✓		Consult with Virtual School Head
To permit child or young person subject to a care order to attend activities such as school trips or camps					✓	**Carer or residential social worker will decide. If S20 only parents can give consent.** In consultation with child's social worker & supervising social worker.
To permit child or young person to stay overnight with friend's family						As above and subject to any restrictions agreed at Placement Planning Meeting/ Statutory Review

To consent to unplanned surgery, treatment for life threatening conditions, sensitive medical treatment/assessment or invasive health screening (e.g. including blood tests for serious blood borne infections) – for child or young person on a Care Order		✓				SL will inform AD DC to be consulted as appropriate IRO to be informed
Decision	**Decision maker**					
	Director	**Assistant Director**	**Service Lead**	**Group Manager**	**Practice Manager**	**Planning Forum**
Children in care /about to become children in care/leaving care						
To consent to planned surgery/treatment /tests for a child subject to a care order for conditions not falling into above categories				✓		Parents are consulted but is subject to delegated authority in place
To consent to planned surgery, treatment and tests for a child who is s.20 for conditions not falling into above categories						this should be parents and we have no right to consent.
To agree to religious custom or ritual requiring parental consent for child or young person on Care Order					✓	
To sign passport application (child on Care Order)					✓	

To support/not support foster carer application for child arrangement/ special guardianship order				✓		Statutory Review
To support child's application for British citizenship (child looked after)				✓		Decision fed back into Statutory Review
To seek publicity in respect of a search for missing children	✓					DCS, Leader, CE Cabinet Member informed in accordance with the missing protocol. Consult with Parents as appropriate. **If child is looked after under Section 20 parents can consent independently and to be consulted in all cases.**
To agree to the marriage of a child aged 16 to 18 subject to care order	✓					Consultation with parents where appropriate. IRO to be consulted. **If S20 only parents can give consent.**
To agree de-accommodation of a child aged up to 16, who has been looked- after for at least 20 working days.			✓			IRO to be consulted
Agree Staying Put arrangement for young person				✓		Consult with GM & IRO

Decisions relating to children in other specific contexts

Decision	Decision Maker					
	Director	Assistant Director	Service Lead	Group Manager	Practice Manager	Planning Forum
Children Privately Fostered						
To decide whether a private fostered arrangement is meeting the needs of the child					✓	Statutory Review
To make decisions on prohibitions on private fostering			✓			

To agree a restriction on a private fostering arrangement			✓			
Adoption						
To decide whether or not to agree with the recommendation of the Final Care Planning Meeting/ Adoption Panel as to whether a child should be placed for adoption		✓				Final Care Planning Meeting/ Adoption Panel
To decide whether to agree with the recommendation of the Adoption Panel in relation to whether individuals should be approved as adoptive parents.		✓				Adoption Panel
To decide whether to agree with the recommendation of the Adoption Panel as to whether adoptive carers should be matched with a specific child.		✓				Adoption Panel
Changing the plan for adoption		✓				Adoption Panel Permanency Planning Meeting and Permanency Panel to agree change of care plan

Decisions relating to children in other specific contexts

Decision	**Decision Maker**					
	Director	**Assistant Director**	**Service Lead**	**Group Manager**	**Practice Manager**	**Planning Forum**
Supported lodgings providers						
Approval of Supported Lodging Provider		✓				Fostering Panel
Approval for enhanced Payment to Supported Lodging Provider			✓			Fostering Panel

Recording decisions

All the decisions set out in this procedure when taken with respect to a child or young person must be recorded on Mosaic by the person who is making the decision together with a concise statement explaining or accounting for the decision. The record should be clear for the social worker, the manager, any external inspector, **and particularly for the young person or parent who may read it:**

- what the decision was,
- who took it,
- when it was taken, and
- why it was taken.

Minutes of all relevant meetings where a child has an IRO should be copied to the IRO.

Out of Hours decision making in respect of specific incidences

All decisions to accommodate must be reviewed and considered the next working day by the Assistant Director for Corporate Parenting Children's Services and the Director for Children's Social Care. This is to ensure that there is senior oversight of children and young people who will have entered our care in an unplanned way and for whom additional care must and will be taken. These discussions should be recorded on the child's case file.

Out of Hours Manager to refer to DD and DCS immediately:

1. Death/serious injury of child subject to Child Protection Plan or in care.
2. Application for 72-hour secure order.
3. Any situation which may result in publicity/reputational risk for the council.

Title	**Scheme of delegated decision making**
Purpose	**To set out the authority required to undertake a range of key case management decisions.**
Updated by	**Strategic Lead Policy and Practice**
Approved by	**Children's Services Leadership Team – May 2020**
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