

# Our City, Our Wellbeing

## Creating Shared Wealth, Reducing Inequality



## Scheme of Delegation

Version	11
Approved by	PSW/DLT/PPP group
Publication Date	20 June 2024
Review Date	November 2024
PH No.	

# 1. Purpose

The purpose of this Scheme of Delegation is:

- to set out which Officers within Children's Social Care are authorised to make binding decisions on behalf of the Council.
- 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 document permits any officer at the appropriate level or higher to make a decision, in order to avoid delay.

# 2. Framework for reporting

This is set out in the protocol for Officer delegation in Part 3 (Responsibility for Functions) of Stoke-on-Trent City Council's Constitution. 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.

# 3. Limitations and conditions

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 Strategic Manager. Similarly notification should be made directly to the officer named 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.

All delegated functions within this scheme must be exercised:

- in accordance with all parts of the Council's Constitution, and in particular Part 3 (Responsibility for Functions) which sets out the Responsibility for functions;
- to comply with the policy framework of the Council and the Council's corporate strategies;
- within approved budgetary provision and with regard to the Council's Financial and Contract Standing Orders, Financial Regulations and Financial Standards;
- having regard to agreed arrangements for recording decisions made;
- having regard to advice received from the relevant Director or his/her staff on professional and technical aspects of the matter in question.

Any emails should be distinct and the subject line should state clearly that the message concerns an authorisation, request for consent or a notification.

Any additional paperwork required by procedures must be made available.

Unless stated otherwise, references to Strategic Manager, Service Manager and 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.

## 4. Delegation of Officers

Delegation of Officers is subject to:

- any statutory provisions which apply;
- the exclusion of any matters which remain for decision by the Council or where the function, powers and duties are the responsibility of the Cabinet or within the Terms of Reference and delegations of a Committee, unless specifically delegated by the person or body responsible to a particular Officer;
- accountability to the Cabinet in respect of executive decisions made under the Scheme of Delegation.

## 5. General Principles

In any situations shown as requiring consent or authorisation, these must be secured prior to any action.

In all cases, designated officers can only authorise expenditure within the limits of the usual budget delegation framework and any temporary financial controls.

The Press Office must be notified of circumstances thought likely to attract public/media attention. The purpose is to forewarn the Press Office and to prepare for any media enquiries.

		Decision-maker						
	Decision	Director	Assistant Director	Strategic Manager	Principal Manager	Social Worker	Other/ Comment	Planning forum
<b>Children in care/about to become children in care/leaving care</b>								
1.	Approving the matching of a particular foster home with the needs of a particular child.				Principal Fostering Manager	✓		Matching meetings, CIC/CAST TM and fostering and/or adoption TM.
2.	To agree the registration of a foster home			✓ (ADM)			ADM	Fostering service to present to Fostering Panel. ADM approval required.
3.	To agree the suspension of fostering approval.			✓				In cases of S47, consultation with LADO and AD.
4.	To recommend the termination of fostering approval.			✓ (ADM)				Fostering TM and Fostering Panel make recommendation to agency decision maker. ADM for Fostering to provide decision for access and payment for referrals to the Independent Review Mechanism.
5.	Agree the continuation of a carers assessment with a negative outcome from a DBS.			ADM	PFM✓			Fostering SM and Fostering Panel. ADM with recommendation from Fostering Service Manager.
6.	To decide whether or not to approve connected persons as temporary foster carers under Regulation 24 of the Care Planning, Placement and Case Review (England) Regulations 2010.		✓	✓				Ratified by the Fostering Panel and then ADM. Viability assessment also signed off by a Strategic Manager. Should only be for a 16 week period unless returned to Panel for extension request and approved by ADM.
7.	To grant a temporary exemption to the usual fostering limit.				✓			Subsequently ratified at Fostering Panel if permanent approval of variation is required.
8.	To agree the seeking of an external residential placement.		✓	✓				Accommodation Profile signed off by TM and Service Manager for the child involved.
9.	To agree the seeking of an Independent Fostering Agency placement.		✓	✓				Accommodation Profile signed off by TM and Service Manager for the child involved.
10.	To sign off and agree Annual Foster Carer Review for continuance of approval				✓			Signed off by the Fostering IRO, reviewed by Service Manager and/or Team Manager.

Decision		Decision-maker						Planning forum
		Director	Assistant Director	Strategic Manager	Principal Manager	Social Worker	Other/ Comment	
<b>Children in care/about to become children in care/leaving care</b>								
11.	To end placement of a young person from a children's home.			✓				In consultation with IRO
12.	To agree the use of an Out of Area Placement.		✓	✓			To be presented at High Needs Panel	Resources Panel.
13.	To agree the permanence plan for a child who is in care.			✓	✓		IRO Based on PM recommendation	Needs to be agreed at (2 <sup>nd</sup> / 4 month) Statutory Review.
14.	To approve an unregulated placement of a young person.		✓					Reg 24 must be considered
15.	To agree a planned placement change for a young person in Years 10 or 11.		✓	✓			Having been discussed with Head of the Virtual School and IRO	Exceptional circumstances. CA Guidance Vol 2 & Reg 10 "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). Subject to care planning procedures and in consultation with the Virtual Head
16.	To approve placement of child on Care Order with parents.			✓			In consultation with IRO	Decision fed back to a Statutory Review Schedule 3 Assessment report approved.
17.	To permit child or young person in care to leave UK for holiday of up to 1 month.	✓					Parent(s) with PR	Decision fed back in to Statutory Review Parents' views should be obtained even where SoTCC have PR. If S20 only parents can give consent or those with PR. Social worker to discuss with school and seek permission from Virtual School. Permission granted from Strategic Manager, Service Manager to sign the permission letter.
18.	To permit child or young person in care to take holiday during term time	✓						

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<b>Children in care/about to become children in care/leaving care</b>								
19.	To permit child or young person to attend activities such as school trips or camps.				✓	<i>Snr Social Worker</i>	Foster Carer or Residential Social Worker	Suggested decision maker - to be agreed at Placement Planning Meeting. If S20 only parents can give consent to those with PR.
20.	To permit child or young person to stay overnight with friend's family.					✓ Snr Social Worker	Foster Carer or Residential Worker in consultation with Principal Manager and Social Worker	Subject to any restrictions agreed at Placement Planning Meeting/Statutory Review. Principal manager has oversight. Delegated Authority – placement agreement meeting
21.	To consent to planned/unplanned emergency/non-emergency surgery, treatment for life threatening conditions, sensitive medical treatment or invasive health screening (e.g. blood tests) and routine surgery – for child or young person on a Care Order - NB Fraser implications.		✓	✓	✓			Children in Care Nurse or Doctor may need to be consulted. Decision fed back in to Statutory Review as appropriate. Consultation with parents is important in serious and life-threatening situations, time allowing. Subject to child protection considerations and if in doubt parents should be consulted. The attending medic has overriding responsibility.
22.	To consent to turn off life support for a looked after child subject to a care order.	✓						Legal advice and court ordered to be confirmed prior to any decision making.
23.	To agree to religious custom or ritual requiring parental consent (e.g. baptism) – child or young person on Care Order.			✓				Decision fed back in to Statutory Review. Consultation with parents where appropriate.
24.	To sign passport application (child on Care Order).				✓			Decision fed back in to Statutory Review.
25.	To support/not support foster carer application for residence order or Special Guardianship Order.				✓		In consultation with IRO	Statutory Review and/or Permanency Panel
26.	The financial element of the SGO support plan has to be agreed at permanence panel and signed off by the Strategic Manager			✓				Permanency Panel

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<b>Children in care/about to become children in care/leaving care</b>								
27.	Foster carer mileage is signed off by the supervising SW and can then be sent to finance				✓			Social worker to check mileage
28.	To support child's application for British citizenship (child in care).			✓				Decision fed back in to Statutory Review.
29.	To seek publicity in respect of a search for missing children.	✓	✓					DCS and Cabinet Member are informed in accordance with separate protocol. Seek consent from family. Out of hours seek approval from AD
30.	To agree discharge from care of a child aged 16 or 17 years, who has been accommodated under section 20.	✓	✓				IRO to be consulted	Young person must have requested or must be in agreement with this decision. Decision must be ratified at a review.
31.	To authorise the change of name of a child in care.	✓	✓				Legal Services	In consultation with parents/those who hold PR.
32.	To authorise the provision or end family contact between child in care and parents.			✓			Legal Services Section 34.4 order	Strategic Manager to agree principle and IRO endorses for up to 7 days prior to legal support.
33.	To authorise placement of a child outside England and Wales.	✓	✓					As part of Care Planning Process.
34.	To agree for a young person subject to a Care Order to join the armed forces.	✓	✓					Oversight from DCS but delegated to Assistant Director. Must be discharged from care prior to joining.
35.	To authorise a staying put agreement.			✓	✓			

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<b>Children in care/about to become children in care/leaving care</b>								
36.	To agree planned accommodation (Section 20) arrangements		✓	✓				Critical Friend conversation booked with Strategic Manager for homeless presentations. Care Admission Panel A planning meeting must first be held to consider kinship placements.
37.	To change the prospective date of LAC reviews which will be out of statutory timescales			✓				In consultation with the IRO
38.	To initiate care proceedings where child or young person is accommodated			✓				Legal Gateway Panel Decision fed back in to statutory child care review
39.	To use an independent visitor					Social Worker	with IRO	<ul style="list-style-type: none"> <li>In consultation with the IRO</li> <li>Recommend a view from CIC Review</li> </ul>
40.	To bring placements to an end (concern for child) - foster placement			✓	✓			Strategic Manager Fostering, Adoption and Permanency, IRO and Legal services. Discussed at a Strategy Discussion.
41.	To end the placement of a child placed for adoption, not yet legally adopted (concern for child)			✓				Professionals meeting is required to include the Strategic Manager Fostering and Adoption and Children in Care, which will look at the concerns of the adoptive placement and any planning and support that has been offered. All decisions must be recorded on Liquid Logic. <a href="#">Adoption Disruptions Policy</a>
42.	To approve prospective Adopter's		✓	✓				ADM Process following Adoption Panel.
43.	ADM decision that a child is suitable for adoption		✓	✓				ADM sits at Assistant Director, but can be delegated to Strategic Manager.
44.	To bring placement to an end (concern for child) - child placed with prospective adopters		✓	✓				Strategic Manager Corporate Parenting, IRO and Legal Services.




	Decision	Decision-maker					Other/ Comment	Planning forum
		Director	Assistant Director	Strategic Manager	Principal Manager	Social Worker		
<b>Children in care/about to become children in care/leaving care</b>								
45.	To approve temporary placement with relatives/friends (Reg. 24) – double check			✓				IRO to be consulted with and decision fed back in to statutory child care review.
46.	To consent to a termination of a pregnancy (young person looked after)	✓	✓	✓				Consultation with Director and Assistant Director and legal as required. Decision fed back in to statutory review and in consultation with the IRO. Privacy for young person must be maintained. Fraser guidelines must be reviewed as part of decision making and management oversight.
47.	To consent to contraception (young person looked after)				✓			With consultation with Strategic Manager Decision fed back in to statutory review
48.	To support/ not support foster carer application for Child Arrangement Order (child looked after)				✓			Looked After Children panel Via Legal Gateway Panel Interim agreement (maximum of seven days) before case is presented at LAC panel
49.	To write a Child's Permanence Report for the purposes of potential adoption				✓	✓	The social worker must be three years post qualified. QA process undertaken by a Team Manager and Adoption Service Manager	Consultation with IRO through Statutory review process

		Decision-maker						
Decision		Director	Assistant Director	Strategic Manager	Principal Manager	Social Worker	Other/ Comment	Planning forum
Children In Need								
1.	To commence a Section 47 investigation				✓			Strategy Discussion and subsequent outcome.
2.	To convene a Children in Need meeting					Snr Social Worker and SW ✓	As part of assessment and direct work with children and families.	
3.	To convene a family group conference (FGC)					✓	Manager to be consulted	
4.	Decision to go to Legal Gateway Panel (LGP)			✓	✓		In consultation with the team manager	
5.	To convene a child protection conference (CPC)				✓		In consultation with SQA Service	
6.	To change the date of a planned child protection conference (CPC)			✓			In consultation with SQA Service	
7.	To commission a residential family assessment			✓			Via Legal Gateway Finance Panel	

Decision	Decision-maker					Other/ Comment	Planning forum
	Director	Assistant Director	Strategic Manager	Principal Manager	Social Worker		
<b>Court Orders</b>						All decisions should be made following consultation with legal services	
1.	To apply for protection orders – emergency protection order (EPO) or Police Powers of Protection through police			✓	✓ EDT		
2.	To apply for recovery orders			✓	✓	Decision based on a strategy meeting or case discussion	
3.	To apply for a child assessment order			✓		Decision based on discussion in a multi-agency meeting, e.g. child protection conference, Children in Need meeting.	Legal Gateway Panel
4.	To apply for a care or supervision order			✓		Decision following discussion in a legal planning meeting	Legal Gateway Panel
5.	To approve interim care plan				✓		
6.	To approve care plan for the court (court order having been applied for) initial and final				✓		
7.	Children Subject to a Care Order who require a Mental Health Act Assessments acting as the nearest relative		✓	✓			<b>Seek application for a DoLs</b>
8.	To seek discharge of care order or supervision order				✓		Placement Review, Placement with Parents or High Needs Panel to be aware of planning and circumstances.

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<b>Court Orders</b>						All decisions should be made following consultation with legal services		
9.	To use secure accommodation without an order (maximum 72 hours)	✓				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>	Based on a strategy meeting or discussion.	
10.	To seek secure accommodation (maximum 72 hours)	✓	✓			Statutory child care review recommends if child already looked after. Planning meeting for non-looked after child.		
11.	To seek a Section 34 order concerning contact			✓	✓	Statutory review to be consulted with the IRO		
12.	To quality assure and sign off Section 7 reports				✓	In consultation with the Court Progression Officer.		
13.	To quality assure and sign off Section 37 reports			✓			<b>Via legal gateway</b>	
14.	To quality assure and sign off all other court reports				✓	In consultation with the Court Progression Officer.		
15.	Appeal a Court decision		✓				In consultation with legal services	
16.	Sign off SGO assessment, support plan and financial support plan			✓		Presentation to the Permanency Panel.		

		Decision-maker					
Decision	Director	Assistant Director	Strategic Manager	Principal Manager	Social Worker	Other/ Comment	Planning forum
<b>SAFEGUARDING</b>							
1.	Decision to withhold the whereabouts of a child in care from a person, usually the parent			✓	✓	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> IRO and Legal to be consulted	
2.	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 Restrict contact delete if reads the same			✓	✓	Where the child is subject of an ICO or full Care Order 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 IRO, Strategic Manager and Legal to be consulted	
3	To agree packages of children in need or cared for children support costing less than £78,000			✓ Up to £78,000	✓ Up to £39,000		High Needs Panel If Health contribution Tri-Partite Panel In consultation with the responsible Strategic Manager
4	Act as guarantor for tenancies		✓	✓			
5	Signing of any correspondence with local/national elected members, Ombudsman, Children's Commissioner, Information Commissioners Office.		✓				In discussion with Information Governance team
6	Complaints – Response by Team Manager, approved by Strategic Manager			✓	✓		

		Decision-maker						
	Decision	Director	Assistant Director	Strategic Manager	Principal Manager	Social Worker	Other/ Comment	Planning forum
<b>MISCELLANEOUS</b>								
1.	To agree delegated authority for foster carers			✓	✓			 Delegated_Authority_for_foster_carers_P
2.	a) Entry to Care Admissions Panel b) Permanency Panel c) Tri-Partite Panel d) High Needs Panel e) Placement Review Panel		✓	✓	✓			All of the Panels are held weekly, chaired by the Assistant Director other than b and e which are delegated to the Strategic Manager for Corporate Parenting.  All Terms of reference are located on the Practice Hub.
3.	Updates to the Practice Hub		✓	✓ PSW				Delegated to the Principal Social Worker by the Assistant Director.