

# Scheme of Delegation - Child, Family & Education Directorate

**General Notes:** With the exception of matters that are delegated to an officer due to their Statutory Role or where a specified professional qualification is required, the authority delegated to an officer within a team for any matter is automatically delegated to any officer within the team at a more senior level. Proper Officer functions may be discharged by other officers duly authorised by Directors and/or Chief Officer(s) to act in the name of the Proper Officer concerned. In the event of the Director not being available for whatever reason then the next most senior officer of the Directorate shall be authorised to implement these delegated powers. Where any new duty is given to the Council which does not fall within this Scheme of Delegation, the exercise of that duty shall be undertaken by the relevant Director until such time as the Council has allocated responsibility. Where a function is delegated to an officer, he/she may authorise the carrying out of that function, in his/her name, by other officers within his/her department, directorate, team, unit or section (or such other officers as report to him/her directly or indirectly) either fully or under the general supervision and control of the authorising officer.

Signed: 

Dated: 04.11.2022



<b>Role within Scheme</b>	Specific Function or Decision Making	Officer responsible
<b>Statutory Officers</b>	Director of Children's Services	Director of Children's Services
<b>Proper Officers</b>	Chief Education Officer	
	Compilation of background paper lists under the Access to Information legislation	Chief Officer

Type of activity	Specific function or decision-making	Officer responsible for that function
Management of Staff	1. Authorising appointment of agency staff	Head of Service – at the moment Directors as part of recruitment freeze
	2. Authorising recruitment of permanent staff	Head of Service – at the moment Directors as part of recruitment freeze
	3. Authorising overtime & expenses payments	Manager
	4. Authorising loan payments (car, season ticket)	Manager
	5. Authorising acting–up payments and honoraria	Head of Service
	6. Approval of special leave and unpaid leave	Manager up to 5 days, Head of Service over 5 days
	7. Approval of extension of sick pay	Assistant Director HR/OD

	8. Approval of carry over and buy-out of annual leave	Head of Service – at the moment Directors as part of recruitment freeze
	9. Approval of career break applications	Manager up to 5 days, Head of Service over 5 days
	10. Approval of applications for additional employment	Head of Service
	11. Service structure changes	Head of Service
	12. Approval of changed and new job descriptions	Head of Service, Director Resources
	13. Authorisation for retirement, redundancy and pension transfer	Head of Service
	14. Issue notices of termination – redundancy & retirement	Head of Service, Assistant Director HR/OD
	15. Authorising the appointment of consultants	Head of Service, Assistant Director HR/OD

Contracts	To sign up to new EU compliant frameworks procured by another public body, a local authority consortium, a national agency which is recognised as carrying out procurement for the benefit of public bodies or another local authority as part of a joint purchasing arrangement of which the Council is permitted to use in accordance with the Public Procurement Regulations 2015	(Chief Officer/Head) Procurement
	To authorise contract variations where the overall financial implications of the variation is contained within the agreed contract sum for a project and is compliance with conditions of the signed contract	Authorised Contract Officer
Contracts (applies to all contracts under £1.5m) – and must be processed in accordance with Contract Procedure Rules	1. Contracts more than £250,000 and above but less than £1.5 million in total	Chief Officer in consultation with s151 Officer
	2. Contracts more than £100,000 and above but less than £250,000 in total	Chief Officer
	3. Contract up to £100,000	Budget Holder
Authorisation of Expenditure	1. Authority to purchase (revenue and capital) and authorisation of invoices - £250,001 - £1,500,000	Chief Officer in consultation with s151 Officer
	2. Authority to purchase (revenue and capital) and authorisation of invoices - £100,001 - £250,000	Chief Officer

	3. Authority to purchase (revenue and capital) and authorisation of invoices - up to £100,000	Budget Holder
Revenue virements	Revenue Virements - up to £100,000	Chief Officer (following consultation with s151 Officer)
Acquisition and Disposal of land	To authorise the acquisition and disposal of land where value is up to £100,000	Senior Manager Asset Management
Debt Write-offs	To authorise write offs of value up to £10,000	Budget Holder following consultation with Chief Officer and s151 Officer

Reports sign off	Standing Committee	Chief Officer
	Policy & Services Committees	Chief Officer
	Decision Notices	Chief Officer
	CMT	Chief Officer
	Member Briefings	Chief Officer
Communications	Members enquiries responses	Chief Officer
	FOI responses	Chief Officer
	Complaint responses	Chief Officer
	Press releases - political or reputational impact	Chief Officer
	Press releases - without political or reputational impact	Chief Officer

Type of activity	Specific function or decision-making	Officer responsible for that function
Section 17 Payments	Recommendations to make Section 17 payments including children in care	
	Up to £250 on any one family within the financial year	Team Manager
	Up to £2,000 on any one family per financial year	Operational Lead
	Up to £5,000 on any one family per financial year	Head of Service
	Over £5,000 on any one family within the financial year	Assistant Director Children and Families
Decision to Accommodate	Decision to accommodate a child (Section 20)	Head of Service
	Decision to discharge a child on a planned basis	Operational Lead in agreement with the Agency Decision Maker
Care Proceedings	Decision to instigate Legal Proceedings	Head of Service following consultation with Legal
	Chairing of Pre-Proceedings Meeting	Team Manager
	Decision to apply for an Interim Care Order, Interim Supervision Order	Head of Service following consultation with Legal
	Endorsing the Care Plan for the final hearing,	Head of Service
	Decision to apply for an Emergency Protection Order, s44 Children Act 1989 Written legal advice should be obtained and the Assistant Director Children and Families consulted before decision making takes place	Agency Decision Maker
	Decision to apply for a Child Assessment Order, s43 Children	Agency Decision Maker

	Act 1989 Written legal advice should be obtained and the	
	Assistant Director Children and Families consulted before decision making takes place	
	Decision to apply for discharge or variation of a Care Order or Supervision Order (including extension of a Supervision Order)	Head of Service
Contact with Parents	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. s34 (6) Children Act 1989. The Head of Service must set a date to review the decision and seek legal advice as to whether to return to Court for an order under s34 (4) of the Children Act 1989	Head of Service in consultation with Legal
	Agree contact for Looked After Child with parents, family and friends. s34(1) and Schedule 2 para 15 (1) Children Act 1989 must be considered.	Team Manager in consultation with Head of Service
	Decision to apply for an Order authorising the Authority to refuse contact s34 (4) Children Act 1989	Head of Service
Medical Consent and Treatment	Medical consent for a child subject of Care Order: Routine medical treatment	Team Manager
	Authorise testing for blood born virus including HIV	Head of Service
	Emergency medical treatment which may or may not involve general anaesthetic	Operational Lead
	Planned medical treatment involving surgery and general anaesthetic Parental involvement should always be considered and only excluded if not in the child's best interests.	Operational Lead. If the treatment poses significant risks then the Head Service

Decision to Withhold Whereabouts of a Child in Care	Schedule 2 para15(4) Children Act 1989 A Local Authority is not required to inform any person of the whereabouts of a child if: a. The child is in the care of the Authority; and b. The Authority has reasonable cause to believe that informing the person would prejudice the child's welfare. Does Not Apply to s20 accommodated children	Operational Lead
Death of a Looked After Child	Notification to Ofsted following the death of a child looked after/ serious harm to a child in a Children's Home/ Foster Care. Schedule 2 para 20 Children Act 1989. Notification to Secretary of State and all with PR	Assistant Director Children and Families
	Funeral arrangements following the death of a child looked after. Arrangements made in consultation with the parent and may be made with the parent if they so wish and if it is deemed appropriate	Operational Lead
Notification to Ofsted of Serious Harm to a Child/Serious Case Review	Notification to OFSTED of serious harm to a child/ Serious Case Review.	Head Children's Safeguarding and Assistant Director Children and Families
Placement of a Child with Parents	Decision to place a child who is the subject of a Care Order or Interim Care Order with parents or persons with Parental Responsibility	Agency Decision Maker in the absence of the Assistant Director Children and Families
Placement of a Child with Family and Friends	Temporary approval of Family and Friends under Reg 24 (Connected Foster Carers).	Head of Service (ADM)

Private Fostering	S17 Children Act 1989 Approved by the Local Authority as a part of a Child In Need Plan following a Social Work Assessment of Needs and Strengths. Authorise a Private Fostering Placement	Team Manager discusses Senior Practice Improvement Manager
Holidays Aboard and Passports	Permission to go abroad (for a child subject of a Care Order, s33 (8) Children Act 1989	Head of Service
	Authorisation of an application for a passport for a Looked After Child. s33(3) Children Act 1989 in respect of a child in care and s22(3) Children Act 1989 in respect of a child provided with accommodation under s20	Head of Service
Application for a Child to Live Outside England and Wales	Decision to apply for leave of the Court for a child in care to live outside of England or Wales	Assistant Director
Placement of a child outside the area of the responsible Local Authority	Decision to Place a child outside the boundary of Wirral, Liverpool, Cheshire West and Chester	Assistant Director Children and Families, Delegated to Agency Decision Maker
Change of Name of a Looked After Child	Permission for child subject to a Care Order to be known by a new surname (only possible with agreement of everyone with Parental Responsibility of the leave of the Court	Assistant Director
Marriage of a Looked After Child	Permission for a child subject of a Care Order to marry	Assistant Director Children and Families
Joining the Armed Forces	Permission for a child subject to a Care Order to join the Armed Forces	Assistant Director Children and Families, following discussions with all who hold PR
Overnight Stays	Decision for a child looked after to have an overnight stay	Foster Carer or Residential Support Worker
Recovery Order	Decision to apply for a Recovery Order for a child who is in care, the subject of an EPO or in Police protection. s50 Children Act 1989	Head of Service

Informing 3rd Party about a Person Considered to be a Risk to Children	Decision to inform a third party of the identity and concerns about a person who is considered a risk to children. s33(3) Children Act 1989 and s22 (3) Children Act 1989 for CiC, s17 Children Act 1989 for children in need and s47 Children Act 1989 for children at risk. In consultation with the police Reasons for sharing information must be clearly recorded	Head of Service
S47 Enquiries and Child Protection Conferences	Decision to initiate S.47 enquires	Team Manager
	Decision to take no further action following S.47 enquiries	Team Manager
	Decision to convene a Child Protection Conference following S.47 enquiries	Team Manager Consultation with the Safeguarding Unit
	Decision to terminate a Child Protection Plan	Chair of Conference
Secure Accommodation	Authority to apply for a Secure Accommodation Order	Assistant Director Children and Families
	Authority to decide on a placement in Secure Accommodation without an Order for up to 72 hours	Director of Children's Services
	Review of placement in Secure Accommodation	Safeguarding and Quality Assurance Unit Head of Service
Deprivation of Liberty	Authority to apply for a Deprivation of Liberty Order	Head of Service
	Review of placement in Secure Accommodation	Safeguarding and Quality Assurance Unit Head of Service

Adoption	Adoption Agency Decision Maker - decisions that a child should be placed for Adoption/ Prospective Adopters should be approved / a child should be matched with Adopters. Adoption & Children Act 2002 Guidance Adoption Agencies Regulation 27.2 no member of the Adoption Panel can take part in the agency decision	Assistant Director Children and Families
	Responsibility for Adoption Panel Appointments	ADM, Head of Service Permanence and Fostering
	Appointment of Adoption Panel Chair	AIM
	Appointment of Adoption Panel Advisor	AIM
	Designated Manager for Adoption and Fostering to liaise with LADO	Head of Service
	Designated Manager Adoption Support other than financial	ADM, Head of Service Permanence and Fostering
	Senior Manager(s) with whom Adoption Agency Decision Maker will discuss cases where s/he is minded not to accept the Adoption Panel's recommendation	ADM, Head of Service Permanence and Fostering
	Any financial packages over the statutory agreed amount	Assistant Director
Fostering	Fostering Panel Decision Maker Regulation 28 Fostering Service Regulations 2002 - CHECK	Head of Service (ADM)
	Responsibility for making recommendations about approval of Foster Carers and any terms of approval. Regulation 24 Fostering Service Regulations 2002	Independent Chair of the Fostering Panel and the Reviewing Officer for Foster Carers.
	Authorisation to increase the limit of children placed in a Fostering Placement on an emergency/temp basis - up to 3 months	Head of Service Permanence and Fostering

	Decision to authorise increasing the limit of children placed in a Fostering Placement on a planned basis after all checks undertaken and the Fostering Panel has recommended an increase.	Head of Service Permanence and Fostering
	Authorise publicity for family finding for the Adoption and Long-Term Fostering of children	Team Manager Adoption & Fostering
Special Guardianship and Child Arrangements Orders	Decision on suitability of a carer to be a Special Guardian	Agency Decision Maker Children in Care and Care Leavers
	Decision of an individual's Special Guardianship Support Services, including financial support and legal fees. Special Guardianship Regulations 2005 and Special Guardianship (Amendment) Regulations 2016. Decision made following recommendation from Permanency Panel	Agency Decision Maker Children in Care and Care Leavers
	Decisions on a child's maintenance and accommodation costs as a result of a Child Arrangements Order. Schedule 1, paragraph 15 Children Act 1989. Decision made following recommendation from Permanency Panel.	Agency Decision Maker
Education	To exercise the Council's functions in relation to education including in respect of the management of education services and securing the provision of quality education in schools	Assistant Director Education
	To exercise the Council's functions in respect of pupils excluded from schools and to give directions to head teachers as to reinstatement of pupils	Assistant Director Education
	To exercise the Council's function in relation to admissions and any appeals arising from them	Assistant Director Education

Special Education Needs	To arrange for children to be assessed in accordance with the requirements of the Education Act 1996, to determine the special education provision which should be made for them and to maintain and review statements of special educational need in accordance with any regulation concerning these	Assistant Director Education
	To represent the Authority at statutory appeal tribunals in connection with the assessment of special educational needs, in consultation with legal	Assistant Director Education