

# **Wakefield Metropolitan District Council**

## **Service Director, Education and Inclusion Sub-Delegation Scheme**

Approved - 10 June 2020

# Contents

Introduction	3
Definitions used in the Service Director Education and Inclusion’s scheme of sub-delegation	5
Absence of the Service Director Education and Inclusion	7
Directorate Delegations	8
General Delegations	
Other Delegations	
Dates of Review	

## Introduction

In accordance with the Officer Delegation Scheme, the Service Director Education and Inclusion is authorised to discharge any function of the Cabinet/Council in relation to his/her service area, with the exception of those matters where an appropriate Cabinet Member or Council has directed that the delegated authority should not be exercised and that the matter should be referred to the Cabinet or Council for consideration.

The Service Director, Education and Inclusion is responsible for the following functions:- education, schools, skills and standards of attainment and achievement from Early Years to 18+, inclusion and reform of services for children and young people with special educational needs and disabilities (SEND).

The Service Director, Education and Inclusion has the benefit of a number of delegations as set out in the Council's Constitution and Officer Scheme of Delegation. He/she has chosen to sub-delegate some or all of those functions to officers of suitable experience and seniority. These officers are identified by reference to their job title rather than by name. If the Service Director, Education and Inclusion delegates functions to a fellow Director he/she makes it clear in this sub-delegation scheme whether that Director can sub-delegate those functions.

This scheme details the officers who are authorised to carry out each function on the Service Director, Education and Inclusion's behalf, together with the details of any terms and conditions which he/she has imposed on that sub-delegation. All officers are bound by the Employee Code of Conduct and should consider these together with any other rules or requirements in relation to personal conflicts of interest which may apply to them when exercising authority delegated under this scheme.

Even though the Service Director, Education and Inclusion has sub-delegated the functions he/she remains accountable for all decisions taken in accordance with this scheme.

An officer with sub-delegated authority may decide not to exercise that authority, or the Service Director, Education and Inclusion may indicate that the authority should not be exercised, in respect of any individual matter. In either case that matter should be referred to the Service Director, Education and Inclusion for a decision or for referral to the relevant Committee if appropriate.

Where the Service Director, Education and Inclusion has chosen not to sub-delegate his/her authority, this is clearly stated within the scheme. Decisions in relation to those functions should be taken by the Service Director, Education and Inclusion unless the absence provisions on page 6 of this scheme apply.

## Group Delegations – Definitions and Priorities

The Service Director, Education and Inclusion has chosen to delegate a number of functions to groups of officers. Where the same group of officers receive a number of separate delegations, in order to save space within the sub-delegation scheme, those groups of officers have been given a title. The following table sets out the title of each group of officers and lists the officers within each group.

Definition	Posts to which definition applies
Service Manager	Service Manager SEND Support Services Service Manager School Strategy and Performance Service Manager Inclusion and Assessment Virtual School Head for Children in Care Alternative Provision
Team Manager	SEND Delivery Manager Learning Support Service Manager SENDSS Team Managers Complex Care Needs Team Manager WSD Data Manager Learner Support Services Team Manager Assistant Service Manager School Engagement & Business Development School Exclusion Team and Welfare Services Team Manager Senior School Improvement Advisers Senior Officer Schools Organisation & Governance Team Manager: Data Business Development Support Officer Manager SENART Principal Educational Psychologist Project Lead Short Breaks Co-ordination Short Breaks Support Manager Short Breaks Support Co-ordinator Supported Employment Co-ordinator

	Inclusion Development & Deputy Virtual Head for CiC
Team Leader	Admissions Team Leader Home to School Transport Team Leader Appeals Presenting Officer Policy and Strategy Team Leader Project Officer Schools CPD Advanced Social Work Practitioner Senior Education Welfare Officer Education Welfare Officer Support Officer Primary Peripatetic Inclusion Mentor Business Manager School Exclusions Team Leader Project and Data Support Officer Project Officer SEND Business Development Support Officer SEN Business Support Co-ordinator Special Needs Officer Statutory Framework Officer Administrative Team Leader Senior Educational Psychologist – Behaviour and CAMHS Senior Educational Psychologist Educational Psychologist Senior Specialist Learning Support Officer Principal of Music Service Assessment & Moderation Co-ordinator Early Years Consultant School Governor Services School Organisation Childcare Sufficiency & Information Project Officer School Engagement & Development
Officer / Social Worker	As defined in the structure of Children and Young People Services

# Absence of the Service Director, Education and Inclusion

## Delegation of functions

In the absence of the Service Director, Education and Inclusion from illness or leave, where a decision cannot reasonably be delayed until his/her return, the Service Director, Education and Inclusion sub-delegates his/her functions as follows:-

<b>Function delegated by Service Director, Education and Inclusion</b>	<b>Officer to whom sub-delegated</b>
All functions	Managers including specific sub-delegations as outlined in this scheme.
Emergency arrangements for sub-delegation of functions	Strictly in exceptional circumstances, such as a global pandemic, where officers with the requisite delegations are incapacitated or absent, functions may be exercised by any officer within the Council with suitable experience and seniority who has been appropriately briefed and has sufficient understanding of the matter to be decided. (Please see paragraph 10 of the Officer Scheme of Delegation)

**Directorate Delegations** *(All the functions listed below have been sub-delegated from the Corporate Director to Service Directors; or where the function is shown as delegated to the Service Manager, the function has already been sub-delegated from the Corporate Director to the Service Director and Service Manager)*

	Function delegated	Officers to whom delegated	Terms and conditions
<b>A.</b>	<b>SENDSS</b>		
	Chair EHC panel	Service Manager SEND Delivery Manager LSS Team Manager	Delegated to SEND Delivery Manager or LSS Team Manager by Service Manager when needed
	Respond / agree to EHC placement consultations	Service Manager SEND Delivery Manager LSS Team Manager	Delegated to SEND Delivery Manager or LSS Team Manager by Service Manager when needed
	Resource closures other than pre agreed within school calendar	SEND Delivery Manager	In discussion with Service Manager and inform Service Director
	Case allocation if undertaken centrally	Team Managers	
<b>B.</b>	<b>Virtual School</b>		
	To approve allocation of Pupil Premium Plus grant	Deputy Virtual School Head	
	To approve re-allocation requests within school of Pupil Premium Plus to other Children in Care	Deputy Virtual School Head	

	To approve applications and in year transitions to schools for individual Children in Care	Deputy Virtual School Head	
	To represent Virtual School Head at key decision making panels	Deputy Virtual School Head	
	To produce the annual report for Corporate Parents	Deputy Virtual School Head	
	To oversee the quality assurance and completion of Personal Education Plans	Deputy Virtual School Head	
<b>C.</b>	<b>School Strategy &amp; Performance - School Engagement &amp; Development</b>		
	Traded services contract negotiation up to £25,000	Team Manager, Team Leader	Terms of contract agreed with Legal  Traded Services - Covering school improvement, music services, educational excellence, early years and CPD.
	Publication of content and management of the Traded Services Website	Service Managers Team Manager	
	Approval and publication of School Sufficiency Strategy	Service Director	
	Approval and publication of Childcare Sufficiency Strategy	Service Director	
<b>D.</b>	<b>Inclusion &amp; Assessment</b>		



	To license the employment of children (under part 2 of The Children's and Young Person's Act 1933 by-laws made under that part, and part 2 of the Children's and Young Person's Act 1963.).	Manager for the School Exclusion Team and Education Welfare Service and responsible officers in the team.	In relation to matters within their remit.
	To make arrangements for appeals against exclusion of pupils from schools.	Manager for the School Exclusion Team and Education Welfare Service and responsible officers in the team.	In relation to matters within their remit.
	To make arrangements for appeals regarding school admissions.	Team Manager - Learner Support Services (Admissions, Transport & Free School Meals) and responsible officers in the team	In relation to matters within their remit.
	To issue penalty notices for non-attendance at school and follow up prosecutions in the Magistrates Court (under Section 444 1 and 1A, Education Act 1996)	Manager for the School Exclusion Team and Education Welfare Service and responsible officers in the team.	In relation to matters within their remit.
	Leading on multiagency arrangements to ensure that resources are coordinated and deployed in supporting children and young people with SEND.	Service Manager Team Managers Social Workers Case Managers	
	Assessment of children who may have social care needs.	Service Manager Social Workers	In relation to matters within their remit.
	Assessment of children who may require short break provision	Short break assessors	

	Decision to accept referral for a social care assessment	Team manager / team leader	
	Decision to refer to shortbreaks panel	Team manager Social worker/ SB Assessor Lead Practitioner	In emergency situations agreement with Service manager and then ratified at Shortbreaks Panel.
	Co-ordination, management and review of care package to meet assessed needs.	Team Manager Social Workers Lead Practitioner	
	Provision and commissioning of respite.	Service Manager Team Managers	Approved by Service Manager and/or Short Breaks Panel.
	Ensure fair access to all schools for every child, including: • Provision of appropriate information to parents; and • Compliance with the statutory School Admissions and School Admissions Appeal Codes;	Team Manager - Learner Support Services (Admissions, Transport & Free School Meals) and responsible officers in the team	In relation to matters within their remit.
	Provision of suitable home to school transport arrangements	Team Manager - Learner Support Services (Admissions, Transport & Free School Meals) and responsible officers in the team	In relation to matters within their remit.
	Make arrangements for children outside mainstream education or missing education.	Manager for the School Exclusion Team and Education Welfare Service and responsible officers in the team.	In relation to matters within their remit.

	Provide and commission education services to meet the need of children with special educational needs	Service Manager SENART Manager	
	Funding provision for children with EHCPs	Service Manager SENART Manager	
	Assessment for EHCPs	Service Manager SENART Manager and responsible officers in the team	In line with legislation.
	Complaints	Response by Team Manager, approved by Service Manager	With support from complaints.
	Identification of Deprivation of Liberty	Team manager / social worker	Following agreed process.
	To apply for protection orders – Emergency Protection Order or Police Protection Order - through police	Service Manager	Decision will usually be based on a strategy meeting or discussion. Two Service Managers needed to agree application for EPO

*All officers who discharge functions on behalf of the Council are authorised to sign and issue on the Council's behalf any notice or other document required to give effect to such decisions.*

## General Delegations

	Function Delegated	Officers to whom delegated	Terms and Conditions
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1.	Financial – To incur expenditure and to generate and collect income in line with Financial Regulations, Contract Procedure Rules and within revenue and capital estimates.	All Managers	Day to day management and administration of functions as referred to in the Introduction of this scheme in respect of functions within their remit.
2.	Revenue – General Fund and Dedicated School Grant	No delegation	In relation to matters which result in the authority incurring expenditure or income making savings of £250,000 and above (key decisions) these should be referred to the Corporate Director, Children and Young People.
		Service Manager Team Manager	In relation to matters which result in the authority incurring expenditure or income making savings of £25,000 or above each year, these should be brought to the attention of the Service Director.
3.	In an emergency to incur any immediate and necessary expenditure required. Such expenditure must be reported to the Chief Finance Officer at the first opportunity.	No delegation	In relation to matters within their remit, key decisions which result in the authority incurring expenditure or income making savings of £250,000 and above should be referred immediately

			to the Corporate Director, Children and Young People.
		Service Manager	In relation to matters within their remit, decisions which result in the authority incurring expenditure or income making savings of £100,000 and above should be referred immediately to the Service Director.
		Service Manager Team Manager Principal Social Worker	In relation to matters within their remit, decisions which result in the authority incurring expenditure or income making savings of over £25,000 each year should be brought to the attention of the Service Director.
4.	Grants and Contributions – To ensure that grants and contributions in their service areas are properly evidenced, regularly monitored, promptly claimed and that all relevant conditions are met.	Service Manager Team Manager	All relevant and significant grant claims must be signed off by the Chief Finance Officer
5.	To make decisions in relation to commissioning and procurement activity. Such activity must be carried out in accordance with Contract Procedure Rules.	All Managers in consultation with the relevant Service Director.	Day to day management and administration of functions as referred to in the Introduction of this scheme in respect of functions within their remit.

6.	Functions relating to Health and Safety under any relevant statutory provision within the meaning of Part 1 of the Health and Safety at Work Act 1974, to the extent that these functions are discharged otherwise than in the Council's capacity as an employer.	All Managers	In respect of functions within their remit.
7.	To appoint staff within the approved establishment in accordance with the Council's Recruitment and Selection Procedure ie to approve the filling of a vacancy and instigate the recruitment process.	All Managers	
8.	To appoint staff on a temporary basis to provide cover for absence.	Managers	Subject to there being budgetary provision.
9.	To determine issues relating to Officers terms and conditions of employment and to take such action and enter into such agreement as may be required to give effect to such determinations.	Managers	
10.	To deal with employment issues in accordance with agreed procedures and relevant national conditions of service as modified or extended by any local or national agreements.	Managers	

11.	Decisions in relation to restructures.	Service Director Service Manager	Decisions are subject to:- i) appropriate professional advice being sought, ii) prior consultation with all parties including recognised trade unions. iii) appropriate consideration of pay and grading requirements.
12.	The provision of information to the public under the Freedom of Information Act and the Environmental Information Regulations and similar statutory requirements, to members of the public and the community in accordance with the Access to Information Rules.	Service Manager Team Manager	In relation to matters within their remit.
13.	<p>a) To implement and ensure compliance with:</p> <ul style="list-style-type: none"> <li>• the rules on data protection, human rights, freedom of information, GDPR.</li> <li>• the Council's policies on these matters.</li> <li>• guidance and advice from the SIRO on these matters.</li> </ul> <p>b) To designate offices with specific responsibilities for these matters.</p> <p>c) To advise the SIRO of any new types of data processed, or new ways of processing personal data and of any new persons or</p>	Managers Team Leaders	In relation to matters within their remit.

	organisations to whom data is given.		
14.	Provision of Statutory Returns – To provide such statutory returns as are necessary within the Directors remit.	Managers	In relation to matters within their remit.
15.	To issue statements to the press and other media about their delegated functions within the Council's Budget and Policy Framework.	No delegation	
16,	As the relevant Officer designated as Gold or Silver under the Council's Emergency Planning arrangements to take any necessary action for responding to an emergency or facilitating the recovery following such an emergency.	No delegation	



## Other Delegations

The Service Director, Education and Inclusion has authorised the following officers to make the following decisions on his/her behalf:-

	Function delegated	Officers to whom delegated	Terms and conditions
1.			
2.			

*All officers who discharge functions on behalf of the Council are authorised to sign and issue on the Council's behalf any notice or other document required to give effect to such decisions.*

## Dates of Review

Approval and subsequent amendment of this sub-delegation scheme should be treated as a significant operational decision and as such will require an Officer Delegated Decision Notice which will be published by the Committee Services Team on the Council's website. A copy of the sub-delegation scheme will also be published on the website.

This scheme will be reviewed at the beginning of each Municipal Year to take account of any possible delegations made by the Leader and at the Annual Council Meeting and to ensure that it is up to date and fit for purpose.

Please use the table below to record the dates when the scheme was reviewed including if no changes are necessary.

Scheme Reviewed	Reviewing Officer