

# **Wakefield Metropolitan District Council**

## **Service Director, Children's Social Care Sub-Delegation Scheme**

Approved - 10 June 2020

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## Introduction

In accordance with the Officer Delegation Scheme, the Service Director Children's Social Care 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, Children's Social Care is responsible for the following functions:- Assessment, safeguarding of children and young people, fostering, adoption, special guardianship and other assistance to children and families.

The Service Director, Children's Social Care 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, Children's Social Care 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, Children's Social Care'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, Children's Social Care 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, Children's Social Care 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, Children's Social Care for a decision or for referral to the relevant Committee if appropriate.

Where the Service Director, Children's Social Care 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, Children's Social Care unless the absence provisions on page 5 of this scheme apply.

## Group Delegations – Definitions and Priorities

The Service Director, Children’s Social Care 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
Head of Service	Head of Service Safeguarding, Learning and Quality Head of Service Children in Care and Corporate Parenting Head of Service Localities and Multi-Agency Safeguarding Hub
Service Manager	Service Manager Safeguarding and Standards Service Manager Missing and Children Vulnerable to Exploitation Team Service Manager Support and Fostering Service Service Manager Children in Care, Leaving Care and Emotional Wellbeing Services Service Manager Placements Service Service Manager Children’s Locality Safeguarding Teams Service Manager Front Door
Team Manager	Independent Reviewing Officer Manager Service Lead Safeguarding and Review Contact Team Manager Team Manager Team Manager, Social Work, Social Care and Leaving Care Fostering Manager Children’s Home Manager Unit Manager (Registered) 16+ Accommodation Support Co-ordinator Court Consultant MASH Manager Advanced Social Work Practitioner
Principal Social Worker	As defined in the structure of Children and Young People Services
Social Worker	As defined in the structure of Children and Young People Services

# Absence of the Service Director, Children's Social Care

## Delegation of functions

In the absence of the Service Director, Children's Social Care from illness or leave, where a decision cannot reasonably be delayed until his/her return, the Service Director, Children's Social Care sub-delegates his/her functions as follows:-

Function delegated by Service Director, Children's Social Care	Officer to whom sub-delegated
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 the Service Director; 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)*

The Service Director, Children's Social Care People has authorised the following officers to make the following decisions on his/her behalf:-

	Function delegated	Officers to whom delegated	Terms and conditions
<b>A.</b>	<b>CHILDREN IN NEED</b>		
1.	To commence a Section 47 investigation	Team Manager	
2.	To convene a Children in Need meeting	Team Manager, Social Worker	
3.	To convene a family group conference	Team Manager	Family Group Conference Manager must be consulted
4.	Decision to go to Legal Gateway Panel (LGP)	Service Manager	
5.	Decision to go to a Planning meeting	Service Manager	
6.	To convene a Child Protection Conference	Team Manager	
7.	To change the date of a planned Child Protection Conference	Service Manager, Team Manager	Children in Need Independent Review Officer must be consulted
8.	To commission a residential family assessment	Service Manager (via Legal Gateway Finance Panel)	

<b>B.</b>	<b>COURT ORDERS</b>		<b>All decisions should be made following consultation with Legal Services</b>
1.	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
2.	To apply for recovery orders	Service Manager	Decision will usually be based on a strategy meeting or discussion
3.	To apply for a child assessment order	Service Manager (via Legal Gateway Panel)	Decision would usually follow discussion in a multi-agency meeting e.g. child protection conference, Children in Need meeting etc.
4.	To apply for a care or supervision order	Service Manager (via Legal Gateway Panel).	Decision would usually follow discussion in a legal planning meeting.
5.	To approve interim care plan	Team Manager	
6.	To approve care plan for the court (court order having been applied for) initial and final.	Service Manager	
7.	To seek discharge of care order or supervision order	Service Manager	

8.	To use secure accommodation without an order (maximum 72 hours)	Service Director	Decision will usually be based on a strategy meeting or discussion
9.	To seek a secure accommodation order	Service Director	
10.	To seek a Section 34 order concerning contact	Service Manager	
11.	Sign off Section 7 or Section 37 reports	Team Manager	
12.	Sign off all other court reports	Team Manager	
13.	Appeal a court decision	Service Manager	
14.	Sign off of SGO (Special Guardianship Order)	Service Manager	
<b>C.</b>	<b>CHILDREN IN CARE</b>		
1.	To agree the type of placement within district	Service Manager	
2.	To agree the type of placement outside of district	Service Director	All such decisions, the DCS must be copied in. HoS can make the recommendation, but a Service Director final sign off will be required.
3.	To agree planned accommodation (Section 20) arrangements	Service Manager	A planning meeting must first be held to consider the question
4.	To change the prospective date of CiC reviews which will be out of statutory timescale	Service Manager	



5.	To agree that a child is placed outside the local authority area other than with a connected person	Service Manager	
6.	To agree to move a child during Key Stage 4 of their education	Head of Service in consultation with Service Manager	Subject to care planning procedures and in consultation with the Virtual Head
7.	To agree unplanned accommodation (Section 20) arrangements	Head of Service or on call Senior Manager out of hours	
8.	To agree the suspension of a foster home	Service Manager	
9.	To agree the registration of a foster home	Head of Service Children in Care	
10.	To agree the use of residential placement	Head of Service	
11.	To initiate care proceedings where child or young person is accommodated	Head of Service (via Legal Gateway Panel)	
12.	To use an independent visitor	Team Manager	Legal Services to be consulted
13.	To bring placements to an end (concern for child) – foster placement	Service Manager	Legal Services to be consulted
14.	To bring placement to an end (concern for child) – child placed with prospective adopters	Service Director	
15.	To approve placement of child on care order with parents	Service Director	
16.	To approve placement with relatives/friends	Service Manager	Subject to emergency / full approval of carers in line with regulation (Head of Service for CIC decision)

17.	To approve a passport for a child subject to Care Order	Service Manager	
18.	To permit a child in care to leave the UK for holiday of up to one month	Service Director	
19.	To consent to child in care joining the armed forces	Service Director	
20.	To consent to an abortion (young person in care)	Service Director	
21.	To consent to contraception (young person in care)	Service Manager	
22.	To consent to medical or surgical treatment (young person in care)	Service Manager, Team Manager (in consultation with Service Director)	
23.	To agree to religious custom or ritual requiring parental consent e.g. baptism (children in care)	Service Manager	
24.	To consent to change of name (child in care)	Service Manager	
25.	To support/not support foster carer application for SGO or CAO (Child Arrangements Order - child in care)	Service Manager	
26.	To support child's application for British citizenship (child in care)	Service Manager	
27.	To agree discharge from care of a child subject of section 20 accommodation	Service Director	
28.	To agree placement of a child in care in an unregistered setting	Service Director	In line with local policy framework

29.	To seek publicity in respect of a search for missing children	Service Director	
30.	Provision of placements for looked after children.	Service Director out of authority residential, Head of Service IFA and in house residential or Service Manager WMDC Fostering	
31.	Implementing planned transition for young people leaving care.	Team Manager	As above
32.	To withhold the whereabouts of a child in care from a person, usually the parent	Service Manager	
33.	To refuse parental contact with a child subject to a Care Order for up to 7 days in an emergency when it is necessary to do so in order to safeguard or promote the child's welfare.	Service Manager	
34.	For a child in care to have one overnight social visits with peer/school friends.	Team Manager	
35.	To attend school trips, camps etc. (including necessary medical treatment) for a child subject to a Care Order, where the parent does not agree or is not available.	Team Manager	
36.	Consent for a young person aged 16 or 17, subject to a Care Order, to marry.	Service Manager	
<b>D.</b>	<b>SAFEGUARDING</b>		
1.	Decide to convene a Strategy Discussion	Team Manager	

2.	Decide to carry out a Section 47 Investigation	Team Manager	Decision arising from Strategy Discussion
3.	Decide to hold a Child Protection Case Conference	Team Manager	Decision arising from Section 47 Investigation
4.	Decide to end Social Care Involvement with a child / family	Team Manager	Following requisite screening / assessment activity.
<b>E.</b>	<b>FINANCES</b>		
1.	To agree Children in Need support costing less than £500 per family, per year	Team Manager	Up to £50
2.	To agree Children in Need support costing more than £500 per family, per year	Service Manager	Up to £2,000
3.	To agree packages of Children in Need support costing over £50,000 per year	Service Director	Anything over £15,000
4.	To agree packages of Children in Need support costing under £50,000 per year	Service Manager Head of Service Service Director	SM – Up to £2,000 HoS – Up to £15,000 SD – Over £15,000
<b>F.</b>	<b>MISCELLANEOUS</b>		
1.	Act as guarantor for tenancies	Head of Service	
2.	Signing of any correspondence with local/national elected members, Ombudsman, Children's Commissioner etc.	Service Director	

3.	Complaints – response by Team Manager, approved by Service Manager	Team Manager	
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*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
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.
		Head of Service, Service Manager	In relation to matters which result in the authority incurring

		Team Manager	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.
		Head of Service, 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.	Head of Service 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 Head of Service 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.	Head of Service, Service Manager Team Manager	In relation to matters within their remit.
13.	a) To implement and ensure compliance with:	Managers	In relation to matters within their remit.



	<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 organisations to whom data is given.</p>		
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, Children's Social Care has authorised the following officers to make the following decisions on his/her behalf:-

	Function delegated	Officers to whom delegated	Terms and conditions

*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