

Delegated Authority

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1. Senior Management Contact Details

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2. Introduction

This Scheme of Delegated Decision Making primarily focuses on key decisions made within Children's Specialist Services with respect to promoting vulnerable children's welfare. It replaces the previous Scheme of Delegations dated March 2017.

All policies and procedures are in the process of being updated to ensure they accord with this document.

The Director of Children's Services has overall responsibility for Safeguarding Children. The Deputy Director for Children's Services has delegated safeguarding responsibilities

The delegated decision to a designated level of Manager will not be further delegated; the decision must be made by a Manager at the same level of seniority (equivalent) or above.

A basic premise which must be adopted in respect of all decision making, is: "if in doubt, consult".

Matters which concern particularly risky children / young people must be discussed with Line Managers in supervision and escalated dependent on the level of risk associated with the child/ young person, which may seriously compromise their safety and welfare. Media enquiries must be referred to the press office and through Line Management arrangements to the Deputy Director Children's Services; as well as briefings about matters which may attract media attention.

The process for completing enquiries from Members of Parliament and letters sent to the Director, are subject to a separate procedure. Responsibility for completing a draft response will not be delegated below the level of Service Manager; responses will be co-ordinated by the Complaints Manager and the final response will be agreed by the Deputy Director Children's Services for approval by the Director.

3. Scheme of Delegated Authority for Children

1. **Section 17 Payments/Children in Care/Residential Costs**
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21. **S47 Enquiries and Child Protection Conferences**
22. **Secure Accommodation**
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Decision to be Delegated	Delegation to:	Will Take Decision In Absence of Person With Delegated Authority	Comment/ Guidance
1. Section 17 Payments/Children in Care/Residential Costs			
Recommendations to make Section 17 payments including children in care:		Equivalent level manager.	All requests must be supported by a HOB form with a clear rationale for expenditure and what alternative forms of funding have been explored. Any decisions for payment/contract over £500,000 need Cabinet approval.
Up to £250 on any one family within the financial year.	Team Manager		
Up to £2000 on any one family per financial year.	Service Manager.		
Up to £5000 on any one family per financial year.	Head of Service.		
Over £5000 on any one family within the financial year	Deputy Director – Children’s Services		
2. Decision to Accommodate (Procedure(s): Decision to Look After and Care Planning)			
Decision to accommodate a child (Section 20).	Head of Service.	Equivalent level Head of Service	.
Decision to discharge a child on a planned basis	Service Manager for the relevant service in agreement with the Head of	Head of Service	Following decision at a statutory Review unless the parent withdraws consent to S20 then the child must be returned to the parents care (except where the child is 16 plus or immediate legal action is considered

	Service		necessary to protect the child)
3. Care Proceedings			
Decision to instigate Legal Proceedings.	Head of Service. (with the exemption of Out of Hours)	Equivalent level Head of Service	To seek legal advice and provide recommendation for action. All meetings minutes and recommendations must be scrutinised and ratified by the Head of Service.
Chairing of Pre- Proceedings Meeting.	Team Manager.	Service Manager	Legal representative must be present
Decision to apply for an Interim Care Order, Interim Supervision Order	Head of Service via Legal Planning Meeting	Equivalent level Head of Service	
Endorsing the Care Plan for the final hearing,	Service Manager	Head of Service.	Where an Independent Provider resource is required, funding must have previously been recommended through Placement Panel and the final Care Plan endorsed once the placement is authorised. Review in six months.
Decision to apply for an Emergency Protection Order.	Head of Service	Equivalent level Head of Service	S44 Children Act 1989 Written legal advice should be obtained and the Deputy Director Of Children's services consulted before decision making takes place. Rationale and name(s) of Managers making the decision must be recorded on ICS.
Decision to apply for a Child	Head of Service	Equivalent level Head of Service	S43 Children Act 1989 As above.

Assessment Order.			
Decision to apply for discharge or variation of a Care Order or Supervision Order (including extension of a Supervision Order).	Head of Service	Equivalent level Head of Service.	LAAM initially then LAC Review to endorse change in the Care Plan
4. Contact with Parents (Procedure(s): Contact with Parents, Siblings, Relatives and Connected Relatives)			
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.	Service Manager in consultation with Legal	Head of Service.	S34 (6) Children Act 1989. The Service Manager 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.
Agree contact for Looked After Child with parents, family and friends.	Team Manager in consultation with Service Manager.	Service Manager	"Decision on reasonable contact both direct and indirect between CiC and parents and persons with PR, siblings and significant others consistent with CiC welfare". On recommendation of LAC Review" "Guidance should be "S34(1) and Schedule 2 para 15 (1) Children Act 1989" Note: the legal status of the

			looked after child is significant to the restrictions that can be applied.
Decision to apply for an Order authorising the Authority to refuse contact.	Head of Service	Equivalent level Head of Service	S34 (4) Children Act 1989.
5. Medical Consent and Treatment - Parental Involvement should always be considered and only excluded if not in the child's best interest			
Medical consent for a child subject of Care Order: Routine medical treatment.	Team Manager	Service Manager	Consent to be recorded in the Placement Information Record, signed by the Team Manager. Delegated authority to foster carers
Authorise testing for blood born virus including HIV.	Head of Service	Equivalent Head of Service equivalent.	Consent to be recorded in the Placement Information record, signed by the Team Manager. In consultation with designated Doctor / Nurse for CLA
Emergency medical treatment which may or may not involve general anaesthetic.	Service Manager	Equivalent level Service manager	Medical staff can act in an emergency on the basis of medical need.
Planned medical treatment involving surgery and general anaesthetic.	Service Manager. If the treatment poses significant risks then the Head	Head of Service	Parental involvement should always be considered and only excluded if not in the child's best interests.

	Service		
6. Decision to Withhold Whereabouts of a Child in Care			
<p>Decision to withhold the whereabouts of a child in care from a person, usually the parent.</p> <p>This does not apply to CiC accommodated under S20, Children Act 1989 where there is NO POWER to withhold this information, unless an order has been applied for and obtained.</p> <p>This must be supported by evidence of concern and a review date set.</p>	Service Manager	Equivalent level Service Manager	<p>Schedule 2 s15(4) Children Act 1989</p> <p>A Local Authority is not required to inform any person of the whereabouts of a child if:-</p> <ul style="list-style-type: none"> 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.
7. Death of a Looked After Child			
(Procedure(s): Death or Serious Injury to a Child (Looked After and Child In Need))			
<p>Notification to Ofsted following the death of a child looked after / serious harm to a child in a Children's Home/ Foster Care.</p>	Deputy Director – Children's Social Care.	Director of Children's Services	<p>Schedule 2 S20 Children Act 1989.</p> <p>Regulation 43 (1) and Schedule 8 Fostering Services 2002.</p> <p>Schedule 5 Children's Homes Regulations 2011.</p> <p>OFSTED Guidance on Handling Serious child Care Incidents.</p>

Funeral arrangements following the death of a child looked after.	Service Manager.	Equivalent level Service Manager.	These should always be made in consultation with the parent and may be made with the parent if they so wish and if it is deemed appropriate.
8. 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 Deputy Director - Children's Social Care.	Director of Children's Services	OFSTED Guidance on Handling Serious Child Care Incidents.
9. 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.	Deputy Director – Children's Social Care	Delegated Head of Service in the absence of the Deputy Director	Vol. 3 Children Act 1989 Guidance and Regulations 5.40 Where a Director nominates another officer as decision maker the nomination should reflect the serious nature of the decision and this nomination should rest at 3rd tier level i.e. Assistant Chief Director or Area Manager or an equivalent senior level. Nominees will need good knowledge of child care practice in order to provide a considered opinion. The nomination of the Senior Officers can only be made by the Director and should be in writing.
10. Placement of a Child with Family and Friends (Procedure(s): Children Cared for by Family and Friends)			
Temporary	Head of	ADM	Care Planning, Placement and

approval of Family and Friends under Reg 24 (Connected Foster Carers).	Service Ratified by ADM		Case Review Regulation 2010.
11. Private Fostering (Procedure(s): Private Fostering Procedure)			
Authorise a Private Fostering Placement.	Service Manager in consultation with Head of Service.	Equivalent Service Manager in consultation with Head of Service	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.
12. Holidays Aboard and Passports (Procedure(s): Holidays and School Trips Outside the UK)			
Permission to go abroad (for a child subject of a Care Order.	Service Manager.	Equivalent Service Manager.	S33 (8) Children Act 1989.
Authorisation of an application for a passport for a Looked After Child.	Service Manager.	Equivalent Service Manager.	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.
13. 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	Head of Service.	Equivalent level Head of Service.	S33 (7) (b) Children Act 1989. This may have substantial financial implications and therefore delegation should reflect this.

England or Wales.			
14. 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	Deputy Director of Children's Services	Delegated to Head of Service	Amendment of the Care Planning, Placement and Case Review Regulations 2010(7)
15. Change of Name of a Looked After Child (Procedure(s): 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 (This would only be in exceptional circumstances).	Head of Service.	Equivalent level Head of Service	S33 (7) (a) Children Act 1989.
16. Marriage of a Looked After Child (Procedure(s): Marriage of a Looked After Child)			
Permission for a child subject of a Care Order to marry.	Deputy Director – Children's Social Care.	Director of Children's Services.	S33 (3) Children Act 1989.
17. Joining The Army			

Permission for a child subject to a care order to join the armed services	Deputy Director – Children’s Social Care	Director of Children’s Services	S33(3) Children Act 1989 This should include a discussion with any party who holds PR.
18. Overnight Stays (Procedure(s): Overnight Stays and Social Visits)			
Decision for a child looked after to have an overnight. Stay	Foster Carer or Residential Support Worker if applicable.		CLA (2004) Decisions on overnight stays should in most circumstances be delegated to Foster Carers and Residential Support and arrangements for such decisions written into the Placement Plan (Placement Information Record) or Foster Placement Agreement. Children Looked After should as far as possible be granted the same permission to take part in normal and acceptable age appropriate peer activities as would reasonably be granted by parents of their peers. Only where there are exceptional reasons should the permission of the responsible Authority be required or restrictions placed on overnight stays.
19. Recovery Order			
Decision to apply for a Recovery Order for a child who is in care, the subject of an EPO or in Police	Head of Service	Equivalent Head of Service	S50 Children Act 1989 Following legal advice and discussion with Police. This may be appropriate consider if a child is at risk of sexual exploitation.

protection.			
20. 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.	Service Manager.	Equivalent Service Manager	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 by the Team Manager on the child's record.
21. S47 Enquiries and Child Protection Conferences (Procedure(s): Wirral Safeguarding Children Board Procedures Manual: Strategy Discussions/Meetings and Section 47 Enquiries as Part of a Single Assessment Procedure, Section 25, Children's Services Recording Requirements)			
Decision to initiate S.47 enquires.	Team Manager.	Team Manager.	S.33(3) Children Act 1989; and S.22 (3) Children Act 1989 for CiC, S17 Children Act 1989 for children in need and S47 Children Act 1989 for children at risk.
Decision to take no further action following S.47 enquiries.	Team Manager	Team Manager	S.47 Children Act 1989 Team Manager must report outcome to Service Manager to endorse decision; this must be recorded on the child's record
Decision to convene a Child Protection Conference following S.47 enquiries.	Team Manager. Consultation with the Safeguarding Unit needs to take place if it is the	Covering Team Manager or Service Manager.	Consultation outcome must be clearly recorded on ICS by Team Manager.

	Team Managers decision.		
Decision to terminate a Child Protection Plan.	Chair of Conference on evidence from the Core Group and Multi-Agency Review.		If the recommendation is within 3 month of the initial Child Protection conference, this must be agreed by the Service Manager
22. Secure Accommodation			
Authority to apply for a Secure Accommodation Order.	Deputy Director – Children’s Social Care	Director of Children’s Services	S25 Children Act 1989 Vol. 4 ca 89 Guidance & Regs. 8.6 `Steps should be taken to ensure all decisions to seek a placement for a child in secure accommodation are taken at a senior level in the Authority. This should not be less than at Deputy Director level and such a person should be accountable to the Director for that decision. Multi-Agency Meeting must be held chaired by an Independent Reviewing Officer to confirm criteria for Secure Accommodation are met and outline the reasons why alternative provision is not appropriate. For children under the age of 12 agreements must be sought from the Home Office.
Authority to decide on a	Director of Children’s	Director of Children’s Services	S25 Children Act 1989 See above.

placement in Secure Accommodation without an Order for up to 72 hours.	Services.		
Review of placement in Secure Accommodation	Safeguarding and Quality Assurance Unit Service Manager independent of team.	Service Manager Safeguarding	S15 Children (Secure Accommodation) Regulations 1991 Each Local Authority looking after a child in Secure Accommodation shall appoint at least 3 persons at least one of which is not employed by the Local Authority by or on behalf of which the child is being looked after who shall review the keeping of the child in such accommodation for the purposes of securing her/ his welfare within one month of the inception of the placement and then at such intervals not exceeding three months where the child continues to be kept in such accommodation.
23. Adoption (Procedure(s): Assessment and Approval of Prospective Adopters / Adoption Panel / Allegations Against Prospective Adopters and in Relation to Children Placed for Adoption or Already Adopted / Adoption Support)			
Adoption Agency Decision Maker - decisions that a child should be placed for Adoption/ Prospective	Deputy Director – Children’s Services.	Delegated to Head of Service in absence of Deputy Director.	Adoption & Children Act 2002 Guidance Adoption Agencies Regulation 27.2 no member of the Adoption Panel can take part in the agency decision It should be taken by a senior

Adopters should be approved / a child should be matched with Adopters.			person in the Agency such as the Agency's Adoption Manager or Senior Manager who is not a member of the Panel that submitted the recommendation.
Responsibility for Adoption Panel Appointments.	Head of Service Children in Care and Care Leavers	Head of Service Children in Care and Care Leavers	
Appointment of Adoption Panel Chair	Agency Decision Maker	Agency Decision Maker	
Appointment of Adoption Panel Advisor.	Head of Service Children In Care & Care Leavers.	Head of Service Children in Care and Care Leavers	
Designated Manager for Adoption and Fostering to liaise with LADO.	Service Manager	Equivalent Service Manager	
Designated Manager Adoption Support other than financial.	Head of Service Children in Care and Care Leavers.	Can be delegated as appropriate to Service Manager	
Senior Manager(s) with whom Adoption Agency Decision Maker will discuss	Head of Service Children in Care and Care	Service Manager	Adoption & Children Act 2002 Guidance Chapter 3 paragraph 68.

cases where s/he is minded not to accept the Adoption Panel's recommendation.	Leavers.		
24. Fostering (Procedure(s): Fostering Services)			
Fostering Panel Decision Maker.	Deputy Director – Children's Services.	Delegated Head of Service	Regulation 28 Fostering Service Regulations 2002 No member of the Fostering Panel shall take part in any decision by the Fostering Service provider to approve or set terms of approval for a Foster Carer.
Responsibility for making recommendations about approval of Foster Carers and any terms of approval.	Independent Chair of the Fostering Panel and the Reviewing Officer for Foster Carers.	Deputy Chair of the Fostering Panel.	Regulation 24 Fostering Service Regulations 2002 'A senior member of staff of the Fostering Service Provider who is not responsible for the day to day management of any person carrying out assessments of prospective foster parents or such other person not being an employee member or partner or director of the Fostering Service Provider who has the skills and experience necessary for Chairing a Fostering Panel'.
Authorisation to increase the limit of children placed in a Fostering Placement on an emergency/temp basis - up to 3	Head of Children in Care and Care Leavers.	Equivalent level Head of Service	

months			
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.	Agency Decision Maker.	Head of Service Children in Care and Care Leavers.	
Authorise publicity for family finding for the Adoption and Long Term Fostering of children.	Team Manager Adoption & Fostering.	Equivalent level Team Manager.	
25. Special Guardianship and Child Arrangements Orders			
Decision on suitability of a carer to be a Special Guardian.	Head of Service Children in Care and Care Leavers	.Service Manager Placement Coordinator	
Decision of an individual's Special Guardianship Support Services, including financial support and legal	Head of Service Children in Care and Care Leavers	Equivalent Level Head of Service	Special Guardianship Regulations 2005 and Special Guardianship (Amendment) Regulations 2016. Decision made following recommendation from Permanency Panel.

fees.			
Decisions on a child's maintenance and accommodation costs as a result of a Child Arrangements Order.	Head of Service.	Equivalent level Head of Service	Schedule 1, paragraph 15 Children Act 1989. Decision made following recommendation from Permanency Panel.