

---

## **DELEGATED AUTHORITY FOR CHILDREN (NON FINANCIAL)**

**MAY 2014**

## CONTENTS

Chapter

Page

*Click on chapter title to go direct to page*

1.	<a href="#"><u>Decision to accommodate</u></a>	
2.	<a href="#"><u>Care proceedings</u></a>	
3.	<a href="#"><u>Contact with parents</u></a>	
4.	<a href="#"><u>Medical consents and treatments</u></a>	
5.	<a href="#"><u>Decision to withhold whereabouts of a child in care</u></a>	
6.	<a href="#"><u>Death of a looked after child</u></a>	
7.	<a href="#"><u>Notification to OFSTED of serious harm to a child/serious case review</u></a>	
8.	<a href="#"><u>Placement of a child with parents</u></a>	
9.	<a href="#"><u>Placement of a child with family and friends</u></a>	
10.	<a href="#"><u>Private fostering</u></a>	
11.	<a href="#"><u>Holidays abroad and passports</u></a>	
12.	<a href="#"><u>Application for a child to live outside England and Wales</u></a>	
13.	<a href="#"><u>Change of name for looked after child</u></a>	
14.	<a href="#"><u>Marriage of a looked after child</u></a>	
15.	<a href="#"><u>Overnight stays and school outings</u></a>	
16.	<a href="#"><u>Recovery order</u></a>	
17.	<a href="#"><u>Informing 3<sup>rd</sup> party about a person considered to be a risk to children</u></a>	
18.	<a href="#"><u>Section 47 enquiries and child protection conferences</u></a>	
19.	<a href="#"><u>Secure accommodation</u></a>	
20.	<a href="#"><u>Adoption</u></a>	
21.	<a href="#"><u>Fostering</u></a>	
22.	<a href="#"><u>Emergency Duty Team</u></a>	

DECISION TO BE DELEGATED	DELEGATED TO	WILL TAKE DECISION IN ABSENCE OF PERSON WITH DELEGATED AUTHORITY	COMMENTS/ GUIDANCE
--------------------------	--------------	--	--------------------

**Decision to accommodate**

Procedures: Decision to look after

Decision to accommodate a child	Chief Children and Families Officer	Chief Children and Families Officer	S20 Children Act 1989 Following departmental procedures
---------------------------------	-------------------------------------	-------------------------------------	--

[Back to content page](#)

DECISION TO BE DELEGATED	DELEGATED TO	WILL TAKE DECISION IN ABSENCE OF PERSON WITH DELEGATED AUTHORITY	COMMENTS/ GUIDANCE
--------------------------	--------------	--	--------------------

**Care proceedings**

Procedures: Decision to look after: Legal services protocol

Decision to apply for a care order	Chief Children and Families Officer	Chief Children and Families Officer	S31 Children Act 1989 Following LPM or discussion with a legal advisor
Decision to endorse initial statement that accompanies the application	Head of Service	Another Head of Service	S31 Children Act 1989 Following requirements of the PLO
Decision to endorse subsequent statements during proceedings	Head of Service	Another Head of Service	S31 Children Act 1989 Following requirements of the PLO
Decision to endorse interim and final care plans	Head of Service	Another Head of Service	S31 Children Act 1989 Following requirements of the PLO
Decision to endorse the care plan for the final hearing; where an independent provider resource is required	Chief Children and Families Officer	Head of Service	Funding to be agreed in advance wherever possible
Decision to agree to independent/expert as part of ongoing proceedings	Head of Service	Another Head of Service	Funding to be agreed in advance wherever possible
Decision to apply for a supervision order	Head of service	Another Head of Service	S31 Children Act 1989
Decision to apply for an emergency protection order	Head of Child Protection Service	Head of Service	S44 Children Act 1989
Decision to apply for a child assessment order	Head of Service	Another Head of Service	S43 Children Act 1989
Decision that further social care intervention is required at the outcome of a S37 report	Head of Service	Another Head of Service	S37 Children Act 1989

DECISION TO BE DELEGATED	DELEGATED TO	WILL TAKE DECISION IN ABSENCE OF PERSON WITH DELEGATED AUTHORITY	COMMENTS/ GUIDANCE
Decision to apply for discharge or variation of a care or supervision order (including extension of a supervision order)	Chief Children and Families Officer	Chief Children and Families Officer	S39 Children Act 1989 An initial child protection conference will be required if a care order resulted from concerns about neglect or abuse.
Decision to discharge a child from accommodation (where the parent has not made the request) following decision at a statutory review	Chief Children and Families Officer	Chief Children and Families Officer	Following decision at a statutory review Schedule 3 para 2 Children Act 1989

[Back to content page](#)

DECISION TO BE DELEGATED	DELEGATED TO	WILL TAKE DECISION IN ABSENCE OF PERSON WITH DELEGATED AUTHORITY	COMMENTS/ GUIDANCE
--------------------------	--------------	--	--------------------

#### Contact with parents

Procedures: Contact with parents and siblings

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	Head of Service	Another Head of Service	S34 (6) Children Act 1989
Authorise contact of a LAC with parents	Head of Service	Another Head of Service	Decision on reasonable contact both direct and indirect between LAC and parents with PR, sibling and significant others consistent with LAC welfare. Delegation should be Head of Service on recommendation of LAC Review – Guidance should be S34 (1) and Schedule 2 para 1 (1) Children Act 1989
Decision to apply for an order authorising the authority to refuse contact	Chief Children and Families Officer	Chief Children and Families Officer	S34 (4) Children Act 1989

[Back to content page](#)

DECISION TO BE DELEGATED	DELEGATED TO	WILL TAKE DECISION IN ABSENCE OF PERSON WITH DELEGATED AUTHORITY	COMMENTS/ GUIDANCE
--------------------------	--------------	--	--------------------

**Medical consents and treatments**

Procedures: Health care for looked after children

Medical consent for a child subject of care order: Routine medical treatment	Head of Service	Another Head of Service	Consent to be recorded in the placement information record, signed by the Team Manager
Authorise testing for blood born virus	Chief Children and Families Officer	Chief Children and Families Officer	Consent to be recorded in the placement information record, signed by the Team Manager
Emergency medical treatment which may or may not involve general anaesthetic	n/a	n/a	Medical staff can act in an emergency on the basis of medical need
Planned medical treatment involving surgery and general anaesthetic	Chief Children and Families Officer	Chief Children and Families Officer	Parental involvement should always be considered and only excluded if not in the child's best interests
Medical consent, including consent for treatment involving surgery and general anaesthetic for children subject to S20	Chief Children and Families Officer	Chief Children and Families Officer	Parental consent should always be obtained except in the event of an emergency
Consent for withdrawal of life support	Chief Executive	Acting Chief Executive Director of Children's Services	

[Back to content page](#)

DECISION TO BE DELEGATED	DELEGATED TO	WILL TAKE DECISION IN ABSENCE OF PERSON WITH DELEGATED AUTHORITY	COMMENTS/ GUIDANCE
--------------------------	--------------	--	--------------------

**Decision to withhold whereabouts of a child in care**

Procedures:

Decision to withhold the whereabouts of a child in care from a person, usually the parent	Head of Service	Another Head of Service	Schedule 2 S15 (4) Children Act 1989 A local authority is not required to inform any person of the whereabouts of a child if:
			<ul style="list-style-type: none"> <li>The child is in the care of the authority; and</li> </ul>
			<ul style="list-style-type: none"> <li>The authority has reasonable cause to believe that informing the person would prejudice the child's welfare</li> </ul>

DECISION TO BE DELEGATED	DELEGATED TO	WILL TAKE DECISION IN ABSENCE OF PERSON WITH DELEGATED AUTHORITY	COMMENTS/ GUIDANCE
			NB: This does not apply to LAC accommodated under S20 Children Act 1989 when there is NO POWER to withhold this information unless an order has been applied for and obtained
Provision of accommodation in order to protect the child (eg: to a father who is considered to be a risk to the child)	Head of Service	Another Head of Service	Schedule 2 para S5 Children Act 1989

[Back to content page](#)

DECISION TO BE DELEGATED	DELEGATED TO	WILL TAKE DECISION IN ABSENCE OF PERSON WITH DELEGATED AUTHORITY	COMMENTS/ GUIDANCE
--------------------------	--------------	--	--------------------

#### Death of a looked after child

Procedures: Redbridge Safeguarding Children Board procedures

Notification to Ofsted following the death of a child looked after, serious harm to a child in a children's home, foster care	Chief Children and Families Officer	Chief Children and Families Officer	Schedule 2 S20 Children Act 1989  Regulation 43 (1) and Schedule 8 Fostering Services 2002 Regulation 30 and Schedule 4 Children's Homes Regulations 2001 OFSTED guidance on Handling serious Child Care Incidents
Funeral arrangements following the death of a child looked after	Head of Service	Another Head of Service	These should always be made in consultation with the parent and may be made by the parent if they so wish and if it is deemed appropriate

[Back to content page](#)

DECISION TO BE DELEGATED	DELEGATED TO	WILL TAKE DECISION IN ABSENCE OF PERSON WITH DELEGATED AUTHORITY	COMMENTS/ GUIDANCE
--------------------------	--------------	--	--------------------

DECISION TO BE DELEGATED	DELEGATED TO	WILL TAKE DECISION IN ABSENCE OF PERSON WITH DELEGATED AUTHORITY	COMMENTS/ GUIDANCE
--------------------------	--------------	--	--------------------

**Notification to OFSTED of serious harm to a child/serious case review**

Procedures: London child protection procedures

Notification to OFSTED of a serious harm to a child, serious case review	Chief Children and Families Officer	Chief Children and Families Officer	OFSTED guidance on handling serious child care incidents
--	-------------------------------------	-------------------------------------	--

[Back to content page](#)

DECISION TO BE DELEGATED	DELEGATED TO	WILL TAKE DECISION IN ABSENCE OF PERSON WITH DELEGATED AUTHORITY	COMMENTS/ GUIDANCE
--------------------------	--------------	--	--------------------

**Placement of a child with parents**

Procedures: Placements with parents

Decision to place child who is the subject of a care order or interim care order with parents or persons with parental responsibility for a period in excess of 24 hours	Chief Children and Families Officer	Chief Children and Families Officer	Vo. 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 third tier level or an equivalent senior level. Nominees will need good knowledge of childcare 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
--	-------------------------------------	-------------------------------------	---

[Back to content page](#)

DECISION TO BE DELEGATED	DELEGATED TO	WILL TAKE DECISION IN ABSENCE OF PERSON WITH DELEGATED AUTHORITY	COMMENTS/ GUIDANCE
--------------------------	--------------	--	--------------------

**Placement of a child with family and friends**

Procedures: Placements with relatives and friends

Place LAC with family and friends – see above	Chief Children and Families Officer	Chief Children and Families Officer	
---	-------------------------------------	-------------------------------------	--

[Back to content page](#)

DECISION TO BE DELEGATED	DELEGATED TO	WILL TAKE DECISION IN ABSENCE OF PERSON WITH DELEGATED AUTHORITY	COMMENTS/ GUIDANCE
--------------------------	--------------	--	--------------------

**Private fostering – no delegated authority required, no decision to make**

Procedures: Private fostering

No delegated authority required.	n/a	n/a	A private fostering arrangement is one that is made privately, without the involvement of the local authority) for the care of a child under the age of 16 (under 18 if disabled) by someone other than a parent or close relative with the intention it should last for 28 days or more.
----------------------------------	-----	-----	---

[Back to content page](#)

DECISION TO BE DELEGATED	DELEGATED TO	WILL TAKE DECISION IN ABSENCE OF PERSON WITH DELEGATED AUTHORITY	COMMENTS/ GUIDANCE
--------------------------	--------------	--	--------------------

**Holidays abroad and passports**

Procedures: Holidays and school trips outside the UK

Permission to go abroad (for a period of less than one month) including signing passport application for child subject of a care order	Head of Service	Another Head of Service	S33 (8) Children Act 1989
Permission for a child to attend a school trip/short holiday in the UK	Head of Service	Another Head of Service	



DECISION TO BE DELEGATED	DELEGATED TO	WILL TAKE DECISION IN ABSENCE OF PERSON WITH DELEGATED AUTHORITY	COMMENTS/ GUIDANCE
Authorise application for a passport for a LAC	Head of Service	Another Head of Service	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. Guidance for social services departments when applying for passports on behalf of LAC

[Back to content page](#)

DECISION TO BE DELEGATED	DELEGATED TO	WILL TAKE DECISION IN ABSENCE OF PERSON WITH DELEGATED AUTHORITY	COMMENTS/ GUIDANCE
--------------------------	--------------	--	--------------------

#### Application for a child to live outside England and Wales

Procedures: Placement outside England and Wales

Decision to apply for leave of the Court for a child in care to live outside England or Wales	Chief Children and Families Officer	Chief Children and Families Officer	S33 (7) (b) Children Act 1989. This may have substantial financial implications and therefore delegation should reflect this
---	-------------------------------------	-------------------------------------	--

[Back to content page](#)

DECISION TO BE DELEGATED	DELEGATED TO	WILL TAKE DECISION IN ABSENCE OF PERSON WITH DELEGATED AUTHORITY	COMMENTS/ GUIDANCE
--------------------------	--------------	--	--------------------

#### Change of name for looked after child

Procedures: 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 or leave of the Court)	Chief Children and Families Officer	Chief Children and Families Officer	S33 (7) (a) Children Act 1989
---	-------------------------------------	-------------------------------------	-------------------------------

[Back to content page](#)

DECISION TO BE DELEGATED	DELEGATED TO	WILL TAKE DECISION IN ABSENCE OF PERSON WITH DELEGATED AUTHORITY	COMMENTS/ GUIDANCE
--------------------------	--------------	--	-----------------------

### Marriage of a looked after child

### Procedures: Marriage of a looked after child

Permission for a child subject of a care order to marry	Chief Children and Families Officer	Chief Children and Families Officer	S33 (3) Children Act 1989
---	-------------------------------------	-------------------------------------	---------------------------

[Back to content page](#)

DECISION TO BE DELEGATED	DELEGATED TO	WILL TAKE DECISION IN ABSENCE OF PERSON WITH DELEGATED AUTHORITY	COMMENTS/ GUIDANCE
--------------------------	--------------	--	--------------------

## Overnight stays and school outings

Procedures: Contact with relatives, friends, visitors and overnight stays

Decision for a child looked after to have a normal social visit overnight	Delegated to foster carer as part of placement plan		CLA (2004) 4 Decisions on overnight stays should in most circumstances be delegated to foster carers and residential care staff and arrangements for such decision written into the placement plan 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
	Head of Service (in exceptional circumstances)	Other Head of Service	

DECISION TO BE DELEGATED	DELEGATED TO	WILL TAKE DECISION IN ABSENCE OF PERSON WITH DELEGATED AUTHORITY	COMMENTS/ GUIDANCE
Decision for a child to attend day trips or activities			Where a trip involves an element of risk (i.e.: canoeing, rock climbing) the decision to agree should be take in consultation with the social worker

[Back to content page](#)

DECISION TO BE DELEGATED	DELEGATED TO	WILL TAKE DECISION IN ABSENCE OF PERSON WITH DELEGATED AUTHORITY	COMMENTS/ GUIDANCE
--------------------------	--------------	--	--------------------

#### Recovery order

Procedures: Abduction and recovery of LAC

Decision to apply for a recovery order for a child who is in care, the subject of an EPO or in police protection	Chief Children and Families Officer	Chief Children and Families Officer	S50 Children Act 1989
--	-------------------------------------	-------------------------------------	-----------------------

[Back to content page](#)

DECISION TO BE DELEGATED	DELEGATED TO	WILL TAKE DECISION IN ABSENCE OF PERSON WITH DELEGATED AUTHORITY	COMMENTS/ GUIDANCE
--------------------------	--------------	--	--------------------

#### Informing 3<sup>rd</sup> party about a person considered to be a risk to children

Procedures;

Decision to inform a third party of the identity and concerns about a person who is considered a risk to children	Chief Children and Families Officer	Chief Children and Families Officer	S33 (3) Children Act 2989 and S22 (3) Children Act 1989 for LAC, S17 Children Act 1989 for children in need and S47 Children Act 1989 for children at risk
---	-------------------------------------	-------------------------------------	--

[Back to content page](#)

DECISION TO BE DELEGATED	DELEGATED TO	WILL TAKE DECISION IN ABSENCE OF PERSON WITH DELEGATED AUTHORITY	COMMENTS/ GUIDANCE
--------------------------	--------------	--	--------------------

DECISION TO BE DELEGATED	DELEGATED TO	WILL TAKE DECISION IN ABSENCE OF PERSON WITH DELEGATED AUTHORITY	COMMENTS/ GUIDANCE
<b>Section 47 enquiries and child protection conference</b> Procedures: Child protection enquiries			
Decision to initiate S47 enquiries	Team Manager	Other Team Manager	S33 (3) Children Act 1989 and S22 (3) Children Act 1989 for LAC, S17 Children Act 1989 for children in need and S47 Children Act 1989 for children at risk
Decision to take no further action following S47 enquiries	Team Manager	Other Team Manager	S47 Children Act 1989
Decision to convene a child protection conference following S47 enquiries	Team Manager	Other Team Manager	

[Back to content page](#)

DECISION TO BE DELEGATED	DELEGATED TO	WILL TAKE DECISION IN ABSENCE OF PERSON WITH DELEGATED AUTHORITY	COMMENTS/ GUIDANCE
<b>Secure accommodation</b> Procedures: Placements in secure accommodation			
Authority to apply for a secure accommodation order	Chief Children and Families Officer	Chief Children and Families Officer	S24 Children Act 1989 Vol. 4 CA89 Guidance and Regulations 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 Assistant Director level and such a person should be accountable to the Director for that decision
Authority to decide on a placement in secure accommodation without an order for up to 72 hours	Chief Children and Families Officer	Chief Children and Families Officer	S25 Children Act 1989 (see above)

DECISION TO BE DELEGATED	DELEGATED TO	WILL TAKE DECISION IN ABSENCE OF PERSON WITH DELEGATED AUTHORITY	COMMENTS/ GUIDANCE
Review of placement in secure accommodation in community home	Head of Service	Another Head of Service	S15 Children (Secure Accommodation) Regulations 1991 Each local authority looking after a child in secure accommodation in a community home, 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 their 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

[Back to content page](#)

DECISION TO BE DELEGATED	DELEGATED TO	WILL TAKE DECISION IN ABSENCE OF PERSON WITH DELEGATED AUTHORITY	COMMENTS/ GUIDANCE
--------------------------	--------------	--	--------------------

#### Adoption

Procedures: Adopting procedures

Adoption agency decision maker	Chief Children and Families Officer	Chief Children and Families Officer	Adoption and Children Act 2002 Guidance Adoption agencies regulations 27/2 no member of the adoption panel can take part in the agency decision. It should be taken by a senior person in the agency such as the agency's adoption manager or Assistant Director who is not a member of the panel that submitted the recommendation
--------------------------------	-------------------------------------	-------------------------------------	---

DECISION TO BE DELEGATED	DELEGATED TO	WILL TAKE DECISION IN ABSENCE OF PERSON WITH DELEGATED AUTHORITY	COMMENTS/ GUIDANCE
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	Chief Children and Families Officer / Head of Service CLAFH		Adoption and Children Act 2002 Guidance Chapter 3 paragraph 68

[Back to content page](#)

DECISION TO BE DELEGATED	DELEGATED TO	WILL TAKE DECISION IN ABSENCE OF PERSON WITH DELEGATED AUTHORITY	COMMENTS/ GUIDANCE
--------------------------	--------------	--	--------------------

### Fostering

Procedures: Placement policy: Placements in foster car: Foster carer

Fostering panel decision maker	Chief Children and Families Officer	Chief Children and Families Officer	Regulation 28 Fostering Service Regulations 2002 No member of a fostering panel shall take part in any decision by the fostering service provider to approve or set terms of approval for a foster carer
Chair of fostering panel that makes recommendations about approval and any terms of approval	Head of Service (CLAFH)	Another Head of Service	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 of partner or director of the fostering service provider who has the skills and experience necessary for chairing a fostering panel
Manager to authorise increasing the limit of children placed in a fostering placement on a emergency/temp basis – up to 6 weeks	Head of Service (CLAFH)	Another Head of Service	Funding Panel Procedures

DECISION TO BE DELEGATED	DELEGATED TO	WILL TAKE DECISION IN ABSENCE OF PERSON WITH DELEGATED AUTHORITY	COMMENTS/ GUIDANCE
Manager who may 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. Delegated from the Assistant Director	Head of Service (CLAFH)	Another Head of Service	Funding Panel Procedures
Approval for IFAs, residential and specialist assessments	Head of Service	Another Head of Service	Funding Panel Procedures
<b>Emergency Duty Team</b>  The EDT is managed by Adult Social Care and has an experienced team of qualified social workers providing out of hours emergency services across children and adults including mental health.	EDT Team Manager	EDT Team Manager	There is a senior management back up rota of 4 principal Managers available for consultation and contact if there was a serious incident/injury to a child known to the service; child death; media attention or another critical incident

[Back to content page](#)