

H&F Children and Young People’s Service Departmental Register of Authority

Part 1: Functions Delegated to The Director

The Director for Children’s Service may exercise the following functions. Additionally, the Director may authorise other officers to undertake the delegation on their behalf as set out in this register. Where post titles have been amended the authority can be exercised by the new equivalent post until the register is amended.

If the Director for Children’s Service is unable to act for any reason, The Director of Education or the Operational Director for Children and Young People’s Service, the Chief Executive or the Chief Executive’s nominated SLT member/s may discharge all of the functions set out below.

For the avoidance of doubt, in all cases where the exercise of executive functions is not specifically reserved to the Executive, those functions are deemed to be delegated to the Chief Executive and the Chief Officer with responsibility for the relevant function.

The Director for Children’s Service may authorise proper officers employed by other local authorities to exercise these functions under agreed joint arrangements.

SPECIFIC DECISION AND FUNCTIONS DELEGATED IN CHILD PROTECTION AND CHILD IN NEED INCLUDING DISABLED CHILDREN’S TEAM (DCT)	
Decision/Function	Authorised Officers
To make arrangements for the provision of services and assistance whether in kind or in cash to children in need, their families and others, pursuant to S.17 of the Act, or direct payment to qualifying persons under S.17A. (Children Act 1989) subject to the financial limits	Operational Director, Children and Young People Service (CYPS) up to £10,000 Head of Service up to £5,000 Team Manager/DTM/PSW up to £500

<p>To make arrangements for the provision of services and assistance for eligible disabled children whether in kind or in cash to children in need, their families and others, pursuant to S.17 of the Children Act 1989, or direct payment to qualifying persons under S.17A. and in line with statutory duties on the Chronically Sick and Disabled Persons Act 1970 subject to the financial limits and Short Breaks Panel process</p>	<p>Short Breaks Panel Chairs (The Chairs can be Service Manager Short Breaks, Service Manager DCT, AD Education and Disability, Team Manager DCT, Centre Manager Stephen Wiltshire Centre)</p> <p>Outside of panel up to a £5,000 limit Service Manager DCT/Service Manager Short Breaks/Team Manager DCT/Centre Manager Stephen Wiltshire Centre</p>
<p>Decisions to provide ongoing accommodation and subsistence for persons with no recourse to public funds under S.17</p>	<p>Head of Service Family Support and Child Protection Head of Looked After Children (LAC) and Care Leavers Head of Service Contact & Assessment (CAS) Head of Service Family Assist Service Manager DCT</p>
<p>Decision to initiate S.47 enquiries</p>	<p>Team Manager CAS Team Manager FSCP Team Manager LAC Team Manager DCT</p>
<p>Decision to take no further action following S.47 enquiries</p>	<p>Team Manager CAS Team Manager FSCP</p>

	Team Manager LAC Team Manager DCT
Decision to convene a Child Protection Conference following S.47 enquiries	Team Manager CAS Team Manager FSCP Team Manager LAC Team Manager DCT
Decision to terminate a Child Protection Plan	Multi-agency decision ratified by Child Protection Chair/Advisor
Decision to transfer case responsibility for a child/young person from one local authority to another	Team Manager CAS Team Manager FSCP Team Manager LAC Team Manager DCT
SPECIFIC DECISION AND FUNCTIONS DELEGATED IN INITIATING LEGAL PROCEEDINGS INCLUDING DCT	
Decision/Function	Officer Responsible
Authorise the institution of legal proceedings for Emergency Protection Order, Interim Care Order, Interim Supervision Order under the Children Act 1989 and associated legislation and provide continuing instructions in the proceedings, unless such authorisation is specifically reserved to a more senior officer.	Head of Service FSCP Head of LAC and Care Leavers Head of Service Contact & Assessment Head of Service Family Assist Service Manager DCT

Authorise the institution of proceedings to apply for a secure accommodation order under Section 25 of the Act and extension of such orders	Operational Director CYPS
Authority to decide on a placement in Secure Accommodation without an Order for up to 72 hours	Operational Director CYPS
Authority to apply for a Placement Order	Operational Director CYPS Head of Service Performance & Improvement Head of Safeguarding
Decisions to approve payment of the legal expenses of applicants for a Child Arrangement Order or other Section 8 Orders in respect of children in care to the extent that they are not met by Legal Aid	Head of Service FSCP Head of LAC and Care Leavers Head of Service Contact & Assessment Head of Service Family Assist Service Manager DCT (subject to funding approval rates)
Endorsing the Care Plan for the final hearing	Head of Service FSCP Head of LAC and Care Leavers Head of Service Contact & Assessment Head of Service Family Assist Service Manager DCT
Decision to apply for discharge or variation of a Care Order or Supervision Order (including extension of a Supervision Order)	Head of Service FSCP Head of LAC and Care Leavers Head of Service Contact & Assessment

	Head of Service Family Assist Service Manager DCT
SPECIFIC DECISION AND FUNCTIONS DELEGATED IN CHILDREN LOOKED AFTER INCLUDING CASES HELD IN THE DISABLED CHILDREN'S TEAM	
Decision/Function	Officer Responsible
Decision to accommodate a child	Operational Director CYPS AD, Education and Disabilities DCT
Authorise placements of Looked After children with "in-house" providers/foster carers	Head of Service FSCP Head of LAC and Care Leavers Head of Service Contact & Assessment Head of Service Family Assist Service Manager DCT
Authorise placements of Looked After children with external providers of residential care or foster carers from an independent fostering agency	Operational Director CYPS
Authorise placements of Looked After children with external providers of residential special schools for disabled children held in the DCT.	AD, Education and Disabilities
Decision to place a child who is the subject of a Care Order or Interim Care Order with parents or persons with Parental Responsibility	Operational Director CYPS

<p>Agreement to a young person remanded to local authority care being placed at home or with friends</p>	<p>Operational Director CYPS</p>
<p>Notification to discharge from care a child/young person aged 16 or 17 who has been accommodated under Section 20</p>	<p>Operational Director CYPS</p>
<p>Temporary approval of Family and Friends under Reg 24 (Connected FC)</p>	<p>Operational Director CYPS</p>
<p>Permission to go abroad (for a child subject of a Care Order, s33 (8) Children Act 1989)</p>	<p>Operational Director CYPS</p>
<p>Consent to termination of pregnancy for children in care subject to consideration of whether the child can give consent, ensuring that the LA has parental responsibility for the child and that it is reasonable for the LA to give consent, without making an application to the High Court</p>	<p>Operational Director CYPS</p>
<p>Change of Name of a Looked After Child</p>	<p>Operational Director CYPS</p>
<p>Permission for a child subject of a Care Order to marry</p>	<p>Operational Director CYPS</p>

<p>Decision to apply for a Recovery Order, s50 Children Act 1989, for a child who is in care, the subject of an EPO or in Police protection.</p>	<p>Head of Service FSCP Head of LAC and Care Leavers Head of Service Contact & Assessment Head of Service Family Assist Service Manager DCT</p>
<p>Authority to apply for a Deprivation of Liberty Order</p>	<p>Operational Director CYPS</p>
<p>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</p>	<p>Head of Service FSCP Head of LAC and Care Leavers Head of Service Contact & Assessment Head of Service Family Assist Service Manager DCT</p>
<p>Decision to apply for an Order authorising the Authority to refuse contact s34 (4) Children Act 1989</p>	<p>Head of Service FSCP Head of LAC and Care Leavers Head of Service Contact & Assessment Head of Service Family Assist Service Manager DCT</p>
<p>Medical consent for a child subject of Care Order: Routine medical treatment</p>	<p>Team Manager CAS Team Manager FSCP Team Manager LAC Team Manager DCT</p>
<p>Emergency medical treatment which may or may not involve general anaesthetic</p>	<p>Head of Service FSCP Head of LAC and Care Leavers Head of Service Contact & Assessment</p>

	Head of Service Family Assist Service Manager DCT
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 Director CYPS AD Education and Disabilities DCT
Change in school without a change of placement	Head of Service FSCP Head of LAC and Care Leavers Head of Service Contact & Assessment Head of Service Family Assist Service Manager DCT
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	Operational Director CYPS
CYPS – SPECIFIC DECISION AND FUNCTIONS DELEGATED IN FOSTERING/ADOPTION/PERMANENCE	
Decision/Function	Authorised Officers
Authorise Fostering for Adoption	Operational Director CYPS

Approval (and de-registration) of adopters	Operational Director CYPS Head of Service Performance & Improvement Head of Safeguarding upon ALW Panel's recommendation
Approval (and de-registration) of foster carers	Operational Director CYPS Head of Service Performance & Improvement Head of Safeguarding upon ALW Panel's recommendation
Decision to present adoptive parent application to Adoption and Fostering Panel	Operational Director CYPS
Clearance of adoption/permanency applications where offences are identified on DBS checks	Head of Service FSCP Head of LAC and Care Leavers Head of Service Contact & Assessment Head of Service Family Assist
Decision that adoption is in the best interest of the child	Operational Director CYPS Head of Service Performance & Improvement Head of Safeguarding
Authorise any exemptions from the usual fostering limit for foster carers living in the local authority area	Operational Director CYPS Head of Service Performance & Improvement Head of Safeguarding

Approval of Foster Carer Reviews (Year 1 and where circumstances have changed, and approval varied)	Operational Director CYPS Head of Service Performance & Improvement Head of Safeguarding
Approval of Foster Carer Reviews (cases which are not required to be presented to Fostering Panel)	Fostering IRO Operational Director CYPS Head of Service Performance & Improvement Head of Safeguarding
Decision to present foster carer application to Fostering Panel	Team Manager CAS Team Manager FSCP Team Manager LAC Team Manager DCT
Clearance of foster carer applications where offences are identified on DBS checks	Head of Service FSCP Head of LAC and Care Leavers Head of Service Contact & Assessment Head of Service Family Assist
Authorise Special Guardianship as the permanence plan for a Looked After child	Head of Service FSCP Head of LAC and Care Leavers Head of Service Contact & Assessment Head of Service Family Assist
Authorise the level of special guardianship support to be provided, including financial support to special guardians	Head of Service FSCP Head of LAC and Care Leavers Head of Service Contact & Assessment Head of Service Family Assist

<p>CHILDREN'S SERVICES INCLUDING COMMISSIONING, EDUCATION AND SPECIAL EDUCATIONAL NEEDS & DISABILITIES</p>	<p>Authorised Officers</p>
<p>a) Capital expenditure</p> <ul style="list-style-type: none"> • Approval of planned and reactive spend for schools within the school capital programme on the Council's contract framework • Urgent reactive works that have H&S or business continuity implications within the reactive maintenance budget approved <p>b) Urgent reactive works that have H&S or business continuity implications within the reactive maintenance budget approved</p>	<p>a) Director of Education Operational Director CYPS AD Education and Disabilities AD Commissioning AD Performance & Improvement up to £100,000</p> <p>b) Strategic Lead Education, Assets and Operations up to £60,000</p> <p>c) Service Manager Education Operations up to £40,000</p>
<p>Authority to award contracts up to the EU threshold in compliance with the Contract Standing Orders</p>	<p>Director of Education Operational Director CYPS AD Education and Disabilities AD Commissioning AD Performance & Improvement following the Commissioning & Transformation Board</p>
<p>EHCPs - AUTHORISATION TO FINALISE EDUCATION, HEALTH AND CARE PLAN (EHCPs) and SPECIFY RESOURCES in Section F, Part 3 – Children and Families Act 2014 Sections 36, 39, 40, 42 and 63 of the Children and Families Act 2014 and Regulations 13 and 14 of the Special Education Needs and Disabilities Regulations 2014</p>	
<p>Decision/ Function</p>	<p>Authorised Officers</p>
<p>In line with EHCP Panel process</p>	

<p>Finalise and sign EHC Plans and Top-up ages 0-25 Change of mainstream placement EHCP Top-up ages 0-25 Change of placement specified in Section I of EHC Plans from mainstream settings to special or additionally resourced provision ages 0-25 Commission Home Tuition Service ages 0-25</p>	<p>Director of Education AD, Education and Disabilities EHC Casework Service Manager EHC Casework Team Manager EHC Casework Team Leader Service Manager DCT</p>
EDUCATION	
<p>The purchase of hearing impaired and visual impaired equipment</p>	<p>Director of Education up to £189,000 Strategic Lead, Early Years up to £10,000 Head of Service, Early Years up to £3,000</p>
<p>Authorise SENIF (Special Educational Needs Inclusion Fund) Funding for Early Years providers. Education and Skills Funding Agency: Operational Guide Early Years Entitlements: Local Authority funding of providers</p>	<p>Director of Education up to £189,000 AD, Education and Disabilities up to £100,000 Strategic Lead for Education, Assets and Operation, Early Years & Transformation and Inclusion up to £20,000 EHCP Panel Chair (Service Manager EHC Casework, Team Manager EHC Casework, Service Manager DCT, Strategic Lead Education, AD Education and Disabilities) up to £8,000 per decision</p>

<p>Authorise SEN Inclusion and Contingency funding to mainstream, maintained and academy schools in all phases except Early Years – interventions at a whole school level Children’s and Families Act 2014</p>	<p>Director of Education up to £189,000 Strategic Lead, Early Years up to £10,000 Head of Service, Early Years up to £3,000</p>
<p>To assist the department with coordinating all aspects of the Children Act 1989 Representations Procedure (England) Regulations 2006, including:</p> <ul style="list-style-type: none"> • Appoint Investigating Officers, Review Panel lists and Independent Persons. • Appoint independent mediators to support the resolution of resident concerns 	<p>Strategic Lead Education, Assets and Operations Customer Care and Data Protection Manager</p>

<p>To institute proceedings on behalf of the Authority against the parent of a child of compulsory school age in respect of the failure of such child to attend regularly at the school at which he/she is a registered pupil, where the following circumstances obtain:</p> <p>(a) where there has been a continuing pattern of failure by the child to attend the school regularly otherwise than by reason of absence with leave or for the reasons set out in sub-section (3)(a) and (b)(c) or 4 of the said Section 444 and such pattern of failure extends over a period of not less than one month and;</p> <p>(b) where there is evidence of a lack of co-operation in the matter of school attendance by the parent of the child or by both the parent and the child and;</p> <p>(c) where one written warning has been given on behalf of the local authority that proceedings may be instituted, provided that no proceedings shall be instituted until after the expiry of ten days from the date of the written warning.</p>	<p>Director of Education Head of Attendance, Child Employment (ACE) & Admissions</p>
<p>To serve school attendance orders on the parents of any children failing to perform their duty to secure the education of their children and to institute proceedings against any parent who fails to comply with the requirements of such an order.</p>	<p>Director of Education Head of ACE & Admissions</p>
<p>Provided the health of the child will not suffer, to grant licences to children resident in the Borough who are taking part in public entertainment.</p>	<p>Director of Education Head of ACE & Admissions</p>
<p>To recommend institution of proceedings where such action is warranted and the AD of Legal Services advises that there is sufficient evidence to do so.</p>	<p>Director of Education</p>
<p>To issue licences in respect of the employment of children.</p>	<p>Director of Education</p>

	Head of ACE & Admissions
To institute proceedings under any employment of children bye-laws.	Director of Education Head of ACE & Admissions
In schools without delegated budgets, to decide on the suspension of a schoolteacher and whether the circumstances warranted suspension with or without pay.	Director of Education
To appoint or dismiss the clerks of governing bodies of county schools without delegated budgets.	Director of Education
To authorise the implementation of the pay discretions for schoolteachers in accordance with the local authority's schoolteachers Pay Policy.	Director of Education
To hire and dismiss headteachers across Local Authority maintained schools	Director of Education

Part 2: Functions delegated to the Director in consultation / conjunction with other officers

The Director of Children's Services may authorise proper officers employed by other local authorities to exercise these functions on their behalf under agreed joint arrangements.

Legislation	Function	In consultation / conjunction with
Non-statutory	To enter into any arrangements with the Royal Borough of Kensington and Chelsea, the City of Westminster and other agencies on any outstanding general financial issues that relate to the former responsibilities of the London Residuary Body.	Chief Executive
Non-statutory	To enter into any arrangements with the Royal Borough of Kensington and Chelsea, Westminster City Council or other agencies on any outstanding general non-financial issues relating to any former responsibilities from the London Residuary Body. Any such arrangements will be reported to the Cabinet Member for Children's Services for information.	Other relevant Directors
Non-statutory	To respond to outside bodies including Central Government Departments on matters of a professional or operational nature, within the department's remit and within established Council policy.	Other relevant Directors
Non-statutory	To respond to Government Circulars and new aspects of current legislation which fall within the portfolios of the Cabinet member for Children's Services where the Council has already established its overall policy framework. Details of the response are to be sent to the relevant opposition representatives.	Other relevant Directors and the appropriate Cabinet Member
Non-statutory	To undertake consultation and liaison relating to the nature of the service in the authority and to proposed changes in any policy.	The appropriate Cabinet Member and Deputy Leader
Non-statutory	To authorise the publication and dissemination of information and publicity relating to the Children's Services in the authority, in accordance with the Strategic Plan and any other Policy agreed by the Council.	The corporate Communications team and with the Cabinet Member for publications listed in the corporate communications protocol.
1996 Education Act and Regulations	To authorise school licensed deficit applications.	Director of Finance

made thereunder		
1997 Education Act and Regulations made thereunder	To respond to appeals made by parents to the Special Educational Needs Tribunal.	AD Legal Services
1998 Education Act and Regulations made thereunder	To determine the resourcing of educational establishments and the creation of posts and staffing complements in educational establishments which do not have delegated budgets within the approved budget and policies of the service.	Head of Finance
1999 Education Act and Regulations made thereunder	To approve requests for the change of use of grants by voluntary organisations up to 10% of the total grant or a maximum sum of £5,000, whichever is the lesser.	Chief Executive
2000 Education Act and Regulations made thereunder	To authorise supplementary payments of grant-aid to voluntary organisations in relation to an unforeseen increase in costs which have already been approved as part of a grant (e.g. salaries, rent), subject to money being identified within an existing budget.	Chief Executive
Local Government (Miscellaneous Provisions) Act 1982	Section 40 - To institute legal proceedings against an individual who is unlawfully present on education premises and who is causing or permitting a nuisance or disturbance on said property.	AD Legal Services
Children Act 1989	Section 36 - To apply to the Family Proceedings Court for an Education Supervision Order.	AD Legal Services
Children Act 1989	Schedule 3, Part 111 - To exercise the powers of the LEA in respect of Education Supervision Orders and to institute proceedings in the Magistrates' Court if the parent fails to comply with the directions of the Order.	AD Legal Services
Local Government Act 1972	To authorise officers to appear on behalf of the Authority in proceedings being conducted in the Magistrates Court.	AD Legal Services
Local Government Act 1972	To sign all legal and quasi-legal agreements between the Council and outside parties.	AD Legal Services
Local Government Act 1972	To enter into contracts for the provision of services to outside bodies, including Governing Bodies.	AD Legal Services
Local Government Act 1972	To approve the letting of premises held by the Children's Services Department for periods not exceeding two years, provided that	Director of Children's Services and Strategic Director for Economy

	such lettings do not create security of tenure.	
Local Government Act 1972	To appoint to School Governing Bodies in situations where a vacancy needs to be filled in less than three weeks.	Cabinet Member for Children and Education
Local Government Act 1972	To agree appointments to the Standing Advisory Council for Religious Education.	Cabinet Member for Children and Education
Local Government Act 1972	To set levels of fees and charges for services up to £10,000 per annum within approved estimates.	Cabinet Member for Children and Education
Local Government Act 1972	To authorise funding for placements of children in Out of Borough special boarding schools.	Chief Executive
Local Government Act 1972	To agree affiliation to appropriate educational establishments.	Cabinet Member for Children and Education
Local Government Act 1972	To agree minor changes to the names of existing schools.	Cabinet Member for Children and Education
Local Government Act 1972	To establish temporary school Governing bodies.	Cabinet Member for Children and Education