

**AUTHORISATIONS UNDER SCHEME OF DELEGATION TO OFFICERS FROM THE
COMMISSIONING DIRECTOR: CHILDREN AND FAMILIES (& Director of Children’s Services)**

NB: Where more than one officer is authorised under this scheme in respect of a particular function, any one of those officers may exercise that delegation
All decisions shall be made in accordance with Contract Standing Orders, Financial Regulations and council policy.
Officers’ attention is drawn to Section 5.1 to 5.12 of the Council Constitution which sets out the principles applicable to the scheme of delegation

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Version 14: November 2015
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1 Powers related to schools and Governing bodies			
1.1	Additional Governors and Withdrawal of Delegated Budget from Special Measures Schools and Notice to Improve, Formal Warning Notice. To take action (in accordance with Sections 59-66 Part 4 of Education and Inspections Act (2006) including the power of the LA to intervene, to appoint additional Governors, to suspend the right to a Delegated budget, make Application to Secretary of State for an Interim Executive Board (IEB)	Director Education, Learning and Libraries	DCS, Schools Finance Manager, Head of Education Performance and Intervention
1.2	Appointment of LA representatives on school Governing bodies To make any order under Section 20 Education Act 2002 to approve or revise the Instrument of government for schools maintained by the Local Authority.	Strategic Lead for Governance	Head of Education Performance and Intervention
1.3	Instrument of Government To make any order under Section 20 Education Act 2002 to approve or revise the Instrument of Government for schools maintained by the Local Authority	Strategic Lead for Governance	Head of Education Performance and Intervention
1.4	To agree the syllabus for religious education	Director Education, Learning and Libraries	SACRE
1.5	To endorse the governors action plan in respect of any school requiring Special Measures or Notice to Improve after an inspection by Ofsted under the Education Acts	Head of Education Performance and Intervention	Strategic Lead for Intervention Strategic Lead for Governance.

2 Admissions Criteria, including powers under Section 89 of the School Standards and Framework Act 1998			
2.1	To authorise variations to the wording of the model admission criteria for schools in accordance with the principles of the Statutory guidance.	Head of Extended Learning	Relevant Governing Body
2.2	To agree the position of the religious criterion In the admissions criteria of Voluntary Controlled Schools on the basis of current practice.	Head of Extended Learning	Relevant Governing Body

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3 Financial Assistance for Pupils and students, transport			
3.1	To make decisions under the Scholarships and Other Benefits Regulations 1977 (made under Section 518 of the Education Act, 1996) to provide financial assistance toward pupils' expenses, other than in relation to CYPD 3.4 and CYPD 3.5 below.	Head of Extended Learning	
3.2	To make any decision relating to the Local Authority's discretionary scheme of Assistance under the Scholarships and Other Benefits Regulations 1977 (made under Section 518 of the 1996 Education Act) to assist with any clothing and footwear expenses for a pupil attending a maintained School.	Head of Extended Learning	Most of this funding is now delegated to schools
3.3	To make any decision relating to the Local Authority's discretionary scheme of assistance under the Scholarships and Other Benefits Regulations 1977 (made under Section 518 of the 1996 Education Act) to Financial support a child's boarding Education.	Head of Extended Learning	
3.4	Financial Support for Higher Education Students: To exercise the power delegated to the LA by the Secretary of State under Section 23(1) of the Teaching and Higher Education Act 1998 to determine financial support for students on designated courses.	Head of Extended Learning	
3.5	To make any decision under Section 509 of the 1996 Education Act to pay the whole of part of any travelling expenses for the purpose of enabling a child to attend school.	Head of Extended Learning	Senior Officer Review Group

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4 Attendance including Child Employment and Children in Entertainment

4.1	<p>To ensure regular school attendance or 'otherwise' and parental responsibility, and make operational decisions to initiate legal proceedings for failure to do so.</p> <p>Education Act 1996, s444 437 & 447</p> <p>Anti-Social Behaviour Act 2003 s19 20 & 26</p> <p>Education Act 2005 s116</p> <p>Education & Inspections Act 2006 s103</p>	Strategic Lead for Education, Entitlement and Inclusion (Cheltenham)	Head of Legal Services (whose decision it is to initiate proceedings)
4.2	<p>To monitor the part-time employment of children and to serve a notice in writing on an employer prohibiting him or restricting him from employing a child and to serve notice on a parent requiring information as to employment of a child in accordance with Section 559 of the 1996 Education Act.</p>	Strategic Lead for Education, Entitlement and Inclusion (Cheltenham)	Head of Legal Services
4.3	<p>To licence the employment of children in Entertainment in accordance with the various requirements of the Children and Young Persons Acts of 1933 and 1963 Sections 37-42 and the Children (Performance) Regulations 1968 as Amended.</p>	Strategic Lead for Education, Entitlement and Inclusion (Cheltenham)	

5 Permanently Excluded Pupils

5.1	To carry out the LA's duty to review all permanent exclusions.	Head of Education Performance and Intervention	
5.2	To ensure the preparation of an education action plan with short and long-term goals for each permanently excluded pupil's educational provision.	Strategic Lead for Education, Entitlement and Inclusion (Stroud and Cotswolds)	
5.3	To oversee the monitoring of the education action plan and to co-ordinate reviews at timetable intervals.	Strategic Lead for Education, Entitlement and Inclusion (Stroud and Cotswolds)	

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6 Special Educational Needs			
6.1	To ensure that arrangements are in place to meet the requirements of the Education Act 1996 (see Appendix 1) where these are not covered by specific delegations CYPD	Head of SEN	
6.2	To make any operational decision to take legal action under Paragraph 5(1) of Schedule 26 of the 1996 Education Act against a parent who fails to comply with the requirements of a notice served under paragraph 4 of the same schedule.	Head of SEN	Head of Legal Services
6.3	To make any decision under Section 18 of the 1996 Education Act to authorise the placement of a child with special educational needs at a non-maintained special school, or at an independent school which has been either approved by the Secretary of State under Section 347(1) of the 1996 Education Act or at which the Secretary of State has specifically approved the child's placement under Section 347(5) of the 1996 Education Act.	Head of SEN	
6.4	To make any decision under the Scholarships and Other Benefits Regulations 1977 (made under Section 518 of the 1996 Education Act) to pay the whole or part of the tuition, boarding or lodging fees and expenses in respect of children with special educational needs who attend a non-maintained special school or an independent school which has been specifically approved by the Secretary of State under Section 347(1) of the 1996 Education Act or whose placement at such a school has been specifically approved by the Secretary of State under Section 347(5) of the 1996 Education Act.	Head of SEN	CYPEN

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6.5	To make any decision under Section 509(1) of The 1996 Education Act to pay the whole or part of any travelling expenses relating to a child with Special educational needs who attends a non-Maintained special school or an independent School which has been specifically approved by the Secretary of State under Section 347 (1) of the 1996 Education Act or whose placement at such a school has been specifically approved by the Secretary of State under Section 347 (5) of the 1996 Education Act.	Head of SEN	
6.6	To make any decision under Section 111 of The Local Government Act 1972 or Section 2 Local Government Act 2000 to pay the whole or part of the cost to parents visits to pupils placed by the Local Education Authority in a non-maintained special school or an independent school located outside Gloucestershire which has been specifically approved by the Secretary of State under Section 347 (1) of the 1996 Education Act or whose placement at such a school has been specifically approved by the Secretary of State under Section 347 (5) of the 1996 Education Act.	Head of SEN	
6.7	Special Education Provision Outside England and Wales To approve placements for pupils with Special educational needs outside England and Wales.	Head of SEN	
6.8	To secure enough suitable education and training to meet the reasonable needs of 16-19 year olds as well as those aged 19-25 who are subject to a learning difficulty assessment. (Section 15ZA of the Education Act 1996, inserted by the Apprenticeship, Skills, Children and Learning Act)	Head of SEN	Head of Extended Learning

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7 Other powers under 1996 Education Act			
7.1	Education Otherwise than at School To make any decision under Section 19 of the 1996 Education Act to provide education otherwise than at school for children of compulsory school age who, by reason of illness, exclusion from school or otherwise, may not for any period receive suitable education unless such arrangements are made.	Head of Education Performance and Intervention	
7.2	Travel Assistance for Students attending Colleges of Further Education To make any decision under Section 518 of the 1996 Education Act (as amended) on applications for travelling expenses to enable students with disabilities to attend colleges of further education.	Head of Extended Learning	Senior Officer Review Group

8 Financial Assistance under Children Act 1989 to Families			
8.1	Grant assistance to families in need within current allocated budget. (Section 17 budgets)	Team Manager, Safeguarding & Care	See Financial Regulations
8.2	Grant one off assistance to extended family/friends of children in need within current allocated budget (Section 17 budgets)	Team Manager, Safeguarding & Care	See relevant policy

9 Legal Proceedings			
9.1	Operational decision to Initiate Emergency Protection Orders under s44 Children Act 1989	Case Responsible Service Leader, Safeguarding & Care	Head of Legal Services (whose decision it is to initiate proceedings)
9.2	Operational decision to Initiate Proceedings for a Care or Supervision Order under s31 Children Act 1989	Case responsible Service Leader, Safeguarding & Care	Head of Legal Services (whose decision it is to initiate proceedings)

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9.3	Operational decision to Initiate application for the discharge of a Care or Supervision Order	Case responsible Service Leader, Safeguarding & Care	Head of Legal Services (whose decision it is to initiate proceedings)
9.4	Restriction of contact with a child subject to a care order (or Interim Care Order) to a person who has PR in an emergency for up to 7 days	Case responsible Service Leader	
9.5	Decision for the child to be placed for adoption	Case responsible Service Leader	Adoption Panel Policy and Procedures Agency Advisor
9.6	Approve Care Plans for submission to the Court In proceedings in respect of children.	Team Manager	

10 Adoption			
10.1	Approve recommendations from Adoption Panel	Service Leaders: Safeguarding and Care	Adoption Panel Policy and Procedures Agency Advisor Adoption Decision Maker
10.2	Approve referral of applicants to the Adoption Panel. (Prospective Adopters Report)	Team manager	
10.3	Approve referral of applicants to the Adoption Panel. (Child's Permanence Report)	Team manager	
10.4	Authorise the payment of reasonable costs of legal representation of prospective adopters in contested proceedings, including Residence Orders and Special Guardianship Orders.	Service Leader Fostering and Adoption	Director of Safeguarding and Care
10.5	Approval of costs for Adoption Panels	Team manager	
10.6	Approval of Allowances for Adoption Orders, Special Guardianship Orders and Residence Orders	Service Leader Fostering and Adoption together with Case responsible Service Leader	Finance, Assessments and Benefits Manager

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11 Foster Carers (not specific to an individual child)			
11.1	Approve individual as foster carer	Service Leader Fostering and Adoption	Following recommendation by the Foster Care Panel
11.2	Agree to foster carers operating outside Panel approval limit for exemptions and variations	Service Leader Fostering and Adoption	
11.3	Equipment for foster carers	Team Manager	Scheme of Allowances
11.4	Recruitment and advertising costs for foster carers	Team Manager	
11.5	Approval of costs of training/seminars for new and existing foster carers	Team Manager	
11.6	Approval costs for Foster Care Panel	Team Manager	
11.7	Travelling expenses for applicants to attend training	Team Manager	
11.8	Car loans/grants and property alterations for foster carers	Service Leader Fostering and Adoption (up to certain amount)	Director of Safeguarding and Care (above a certain amount)
11.9	Approval under Regulation 24 Care Planning, Placement and Case Review (England) Regulations (2010): Regulation 24 - Temporary approval of relative, friend or other person connected to the child	Service Leader Fostering and Adoption	Case responsible Service Leader

12 Looked After Children in Foster/Residential Care			
12.1	Decision to accommodate a child:- <ul style="list-style-type: none"> • Emergency (1 working day) • Planned 	In both cases, Case responsible Service Leader	Record of discussion/decision to be completed and sent to Service Leader Children in Care
12.2	Exceptional Holiday Grant	Service Leader, Children in Care	
12.3	Request other Local Authorities to act on our behalf	Case responsible Team Manager	Case responsible, Service Leader

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12.4	Decision to apply for Criminal Injuries Compensation Agency (CICA) on behalf of Child subject to a Care Order	Case responsible Service Leader	
12.5	Sign to accept a CICA offer or award	Case responsible Service Leader	Subject to Legal advice
12.6	Remand to Local Authority Accommodation: permission to place in Non-Local Authority accommodation	Director of Safeguarding and Care	
12.7	Compensation for theft from foster carers or damage to property	Service Leader Fostering and Adoption	Service Leader, Children in Care
12.8	Agree to pay legal fees associated with Foster Carer applications for Residence Order	Service Leader Fostering and Adoption	Service Leader, Children in Care

13 Private Fostering			
13.1	Agreement to arrangements of Private Fostering	Service Leader Fostering and Adoption	Service Leader, Children in Care
13.2	Decision to apply for prohibition on a Private Fostering arrangement	Service Leader, Children in Care	Service Leader Fostering and Adoption
13.3	Decision to apply restrictions or specific requirements to private foster carers	Service Leader Fostering and Adoption	Director of Safeguarding and Care

14 Secure Accommodation			
14.1	To authorise placement of a child in secure accommodation for a period not exceeding 72 hours. S25 Children Act 1989 if the child is under 13 approval of the Secretary of State is required	Service Leader, Children in Care in conjunction with case responsible Service Leader Head of Service Targeted Support	Director of Safeguarding and Care
14.2	Operational decision to authorise a planned application for secure accommodation	Director of Safeguarding and Care or Operations Director Prospects	Head of Legal Service/Legal guidance http://www.secureaccommodation.org.uk/docs/WelfarePlacementGuidance(FINAL).pdf

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15 Agency Placements			
15.1	To authorise an agency placement for a child on social care grounds.	Service Leader, Children in Care (Complex Needs Budget Holder)	NB: See Appendix 2 for Amendment to Authorisation Limits CYPEN
15.2	To authorise an agency placement for a residential placement	Director of Safeguarding and Care	CYPEN
15.3	To authorise an agency placement for a child on social care grounds who will be placed out of area	Director of Children's Services	Service Leader Children in Care
15.4	To authorise an agency placement for a child on educational needs alone	Head of Special Educational Needs and Disability	

16. Children in Care			
(See Appendix 1 for Parental responsibilities)			
16.1	To act as a trustee in respect of trust monies held on behalf of children in the care of the Council.	Participation manager	Head of Legal Services
16.2	To act as "next friend" of any Looked After Child with regard to a claim under the Criminal Injuries Compensation Act 1995.	Social Worker	Team Manager
16.3	Approval of children subject to a legal order to the LA to be placed with their Parents. (The Placement of Children with Parents etc Regulations 1991 in Volume 3 of The Children Act 1989 Guidance and Regulations entitled Family Placements)	Deputy Director – Safeguarding and Care	Director of Safeguarding and Care

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17 Leaving Care			
17.1	Support to care leavers	Team manager Post 16	Head of Service Post 16 Service Manager Post 16

18 Access to Records			
18.1	Access to archived social care records	Team manager, Safeguarding & Care	Information Management Team

19. Powers under S106 of the Town and Country Planning Act 1990			
19.1	To authorise the completion of Agreements made pursuant to TCPA dealing with the provision of educational services up to the value of £500,000	Head of Commissioning for Learning	Commissioning Director: Children & Families

Appendix 1: Parental Responsibilities

The following applies to children and young people on Interim and Full Care Orders

Parental Responsibility			
<p>N.B. When a child/young person is accommodated under S20, the permission of the person(s) with Parental Responsibility is required on <u>all</u> occasions.</p> <ul style="list-style-type: none"> • A Care Order does not remove parental responsibility. The Local Authority may over-ride the parents/those with parental responsibility where it is necessary in order to safeguard or promote the child's welfare. The reason for so doing must be recorded on the child's file. • Where there is agreement, the parent should sign, and the Team Manager should countersign. • Parents should be consulted and kept informed where possible and appropriate, even when they disagree. 			
Where Parent:	Agrees	Disagrees	
Consent to school trips, camps, etc (including consent for necessary medical treatment)	Team Manager	Service Leader	Appropriate risk assessments should be in place.
Consent to participate in hazardous Activities (e.g. rock-climbing or Skiing)	Team Manager	Service Leader	Appropriate risk assessments should be in place.
Decision to change schools	Team Manager	Service Leader	
Consent to medical or dental treatment	Team Manager	Service Leader	Refer to Person Information Record (PIR) on relevant database which includes parental agreement to Emergency and non-routine treatment. However, all reasonable efforts should be made to obtain parental agreement in each instance. To sign on behalf of Head of Service, having had discussion and made decision.
Consent to withholding or Withdrawal of medical treatment Which may lead to the death of A child	Where there is a disagreement between parents, Social Care Services cannot agree to the withholding or withdrawing of medical treatment. Where both parents disagree with the medical recommendation to withhold or withdraw medical treatment, Social Care Services cannot give consent. In both cases the Doctors must seek a ruling from the court if they believe that the parent's decision is not in the child's best interests.		
Decision to terminate pregnancy if Parent/person with PR not in agreement		Director of Safeguarding and Care	The young person's view and level/age of understanding are crucial in taking into account what action should be considered. In such circumstances where there is a disagreement, legal advice must be sought. See BMA.Org
Funeral arrangements for a child in care	Service Leader, Children in Care	Service Leader, Children in Care	
Consent to marriage for a child in care aged 16 or 17	Prospects Head of Service Post 16	Commissioning Director: Children & Families/DCS	
Consent to travel abroad for more than 1 month		Director of Safeguarding and Care	N.B. Travel > 1 month requires consent of court.

Where Parent:	Agrees	Disagrees	
Consent to enlist in HM forces for a child in care aged 16 or 17	Service Leader, Children in Care Or Head of Service Prospects	Director of Safeguarding and Care or Operations Director Prospects	It would be more usual to seek the discharge of the Care Order
Sign application for passport or citizenship	Team Manager	Service Leader, Operations	See guidance from UK Passport Service. <u>The Identity and Passport Service</u> - <u>Guidance notes for Social Care Services when applying for passports on behalf of 'looked after children'</u>

Appendix 2: Amendment to Authorisation Limits

In accordance with the County Council's scheme of delegation to officers under the constitution the following officers are authorised to exercise powers delegated to me under Delegation GEN 1 in relation to the approval of any contract for works and the supply of goods and services

Officer authorised to exercise power	Description of power(s)
Lead Commissioner	Authorised to award Children and Young People's Contracts in accordance with contract standing orders and financial regulations between £10,000 and £50,000
Service Leader or equivalent	Authorised to award Children and Young People's Contracts in accordance with contract standing orders and financial regulations up to £10,000
The exception to this is as follows:-	
Agency Budget Holder Social Care Service Leader, Children in Care	Authorised to award Individual Children & Young People contracts in respect of placements with Independent Providers of Social Care Services for the provision of fostering, residential and leaving care services for Children in Care. In the absence of the Agency Budget Holder – Social Care authorisation be delegated as follows: <ul style="list-style-type: none"> Fostering and leaving care placements – Service Leader, Children in Care for a period not exceeding 4 weeks (28 days).
Agency Budget Holder Education Lead Commissioner Education & Skills	Authorised to award Individual Children & Young People contracts in respect of education placements with Independent Providers of Special Educational Needs for the provision of day and residential placements. In the absence of the Agency Budget Holder – Education authorisation be delegated as follows: <ul style="list-style-type: none"> Day and residential educational placements – Lead Commissioner Education & Skills
In addition to the above, Agency Budget Holder's for Social Care and Education are authorised to deputise for each other	

For the avoidance of doubt:-

1. Powers delegated to officers set out in this authorisation may not be delegated to any other person and
2. This delegation shall continue in force unless and until it is revoked by me
3. The delegation set out in this authorisation is made to the posts identified above and unless revoked in accordance with paragraph 2 shall continue to be operative despite a change in the post title and shall apply to any new title designated in the place of the post titles referred to above.
4. This delegation shall include the power to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of the powers authorised in this delegation.

Officers' attention is drawn to the:

- Requirement to comply with any obligations imposed under the scheme of delegation to consult with others before exercising this authority.
- The Gateway Review process identified in the Council's Contract Standing Orders & Financial Regulations and
- The requirement to invite tenders for contract as required by the Council's Contract Standing Orders and the publicity requirements relating to certain contracts.

Linda Uren.

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Linda Uren
Commissioning Director: Children & Families
Date:....11/7/12.....

Officers authorised under scheme of delegation – post holders as at 1st November 2015

Post	Post Holder
Director of Children's Services	Linda Uren
Commissioning Director: Children and Families	Linda Uren
Operations Director, Children's Safeguarding and Care	Kathy O'Mahony
Director of Prospects	Alison Williams
Director of Education, Learning and Libraries	Jo Grills
Schools' Finance Manager	Suzanne Hall
Head of Education Performance and Intervention	Jane Lloyd-Davies
Lead Commissioner Education and Skills	Stewart King
Strategic Lead for Governance	Sandra Shepherd
Head of SEND	Tim Browne
Strategic Lead for Education, Entitlement & Inclusion (Cheltenham)	Jackie Ellis
Strategic Lead for Education, Entitlement & Inclusion (Stroud & Cotswolds)	Becky Woollett
Head of Legal Services	Gillian Parkinson
Head of Extended Learning	Peter Holmes
Team Manager, Children's Safeguarding	Various postholders
Service Leader, Children's Safeguarding	Various postholders
Adoption Agency Advisor	Liz Pickering
Adoption Decision Maker	Delia Amos, Ian Godfrey, Karen Goulding, Stella Potente
Service Leader Fostering and Adoption	Delia Amos
Finance, Assessments and Benefits Manager	Richard Thorne
Head of Service, Targeted Youth Support	Mark Bone
Social Worker	Various postholders
Team Manager 16+	Various postholders
Participation Manager	Della Price