

Director's^a Sub Delegation Scheme of: **Director of Children's Services**^b

Signed:



Dated: 22/4/15

Due date for next review	Date scheme reviewed	Signed
June 2015		

Please use the [Guidance Notes](#) for completion of this scheme which are located at the end of the document. It is not necessary to print these Guidance Notes when printing your completed scheme.

Director's Sub Delegation Scheme

DIRECTOR OF CHILDREN'S SERVICES

Contents:

Page 3	Explanation of the Scheme Explanation of responsibilities of officers with sub-delegated authority
Page 4	Delegation of functions in the absence of the DCS
Page 6	Definitions of officers with sub-delegation under the scheme
Page 8	Council Functions – Specific to the DCS
Page 8-11	Council Functions – General
Page 12	Executive Functions – Specific to the DCS
Page 44	Executive Functions – General project delegations to officers
Page 56	Executive Functions – General
Page 62	Delegation of Functions under Articles
Page 63	Delegation of Functions (miscellaneous)
Page 64	Signature and Review Date

Director of Children's Services: Sub-delegation scheme

The **Director of Children's Services** is authorised to carry out functions on behalf of the authority.

This sub-delegation scheme sets out:

- which functions have been sub-delegated by the **Director of Children's Services**;
- which officers^c have been authorised by the **Director of Children's Services** to carry out functions; and
- any terms or conditions^d attached to the authority sub-delegated by the **Director of Children's Services**.

Any decision taken by an officer acting under authority from the **Director of Children's Services** remains the personal responsibility of the **Director of Children's Services**¹.

Officers with sub-delegated authority under this scheme

An officer to whom authority has been sub-delegated under this scheme may decide not to exercise their authority in relation to a particular matter. They should refer any such matter to the **Director of Children's Services**².

An officer to whom authority has been sub-delegated under this scheme must follow the employee code of conduct and any other rules or requirements in relation to personal conflicts of interest which apply to them.

¹ Paragraph 8.2 Guidance notes on delegated decision making, Part 3 Section 5 of the constitution.

² The **Director of Children's Services** may in turn decide to refer such a matter to the relevant committee or the Executive Board, as appropriate.

Absence of the **Director of Children's Services**^e

Delegation of functions

In the absence of the **Director of Children's Services** from illness or leave, where a decision cannot reasonably be delayed until the return of the **Director of Children's Services**, the **Director of Children's Services** sub-delegates their functions as follows:

Function	Officer to whom sub-delegated	Terms and conditions
The authority's role as children's services authority, including functions in relation to: <ul style="list-style-type: none"> • Arrangements to promote co-operation to improve well-being of children; • Arrangements to safeguard and promote welfare of children; • Information databases; • The Local Safeguarding Children Board.³ 	Deputy Director Safeguarding, Specialist and Targeted Services	Within their area of responsibility subject to consultation with the relevant Executive Member when taking Key Decisions.
	Deputy Director Learning	Within their area of responsibility subject to consultation with the relevant Executive Member when taking Key Decisions.
	Chief Officer Partnership Development and Business Support	Within their area of responsibility subject to consultation with the relevant Executive Member when taking Key Decisions.
All other functions	Deputy Director Learning	Within their area of responsibility subject to consultation with the relevant Executive Member when taking Key Decisions.

³ For clarification this does not include functions set out in paragraphs b, c, d, and e below.

Function	Officer to whom sub-delegated	Terms and conditions
	Deputy Director Safeguarding, Specialist and Targeted Services	Within their area of responsibility subject to consultation with the relevant Executive Member when taking Key Decisions.
	Chief Officer Partnership Development and Business Support	Within their area of responsibility subject to consultation with the relevant Executive Member when taking Key Decisions.

Sub-delegation to other officers (other than in the absence of the Director of Children’s Services)

For the purpose of this sub-delegation scheme the following definitions apply ^f :

Definition	Post-holders
Deputy Directors	<ul style="list-style-type: none"> • Deputy Director Safeguarding, Specialist and Targeted Services • Deputy Director Learning
Chief Officers	<ul style="list-style-type: none"> • Chief Officer Partnership Development and Business Support • Chief Officer Children’s Social Work Service (city wide)
Heads of Service Safeguarding, Specialist and Targeted Services	<ul style="list-style-type: none"> • Head of Quality & Practice Improvement Services • Head of Service Complex Needs • Head of Service Targeted Services • Head of Looked After Children’s Services • Head of Children’s Social Work (3 posts – ENE, WNW and South)
Lead Officers Safeguarding, Specialist and Targeted Services	<ul style="list-style-type: none"> • Assistant Head of Looked After Children • Area Head of Targeted Services (3 posts – ENE, WNW and South) • Statutory Assessment and Provision Lead • Complex Needs Area Lead (3 posts – ENE, WNW and South) • Sensory Service Lead • Youth Offending Service Lead • Principal Educational Psychologist/Best Practice Development Lead • Built Environment Lead (aka Revenue Reduction Lead)
Heads of Service Learning	<ul style="list-style-type: none"> • Head of Service Learning for Life • Head of Learning Improvement • Head of Service Learning Systems • Head of Service Inclusive Learning
Lead Officers Learning, Skills and Universal Services	<ul style="list-style-type: none"> • Youth Offer Lead • Children’s Centres and Early Start Lead

Definition	Post-holders
	<ul style="list-style-type: none"> • 11-19 Leadership and Management Lead • Schools in Challenging Circumstances Lead • Inclusion Lead • Health Wellbeing Lead • Children Missing out on Education and Exclusions Monitoring Lead • Virtual School Lead
Heads of Service, Partnership Development and Business Support	<ul style="list-style-type: none"> • Head of Service Children’s Workforce Development • Head of Information Management and Technology • Head of Service Commissioning and Market Management
Lead Officers, Partnership Development and Business Support	<ul style="list-style-type: none"> • Customer Relations Lead • Information Knowledge and Procedures Lead • Leadership Support and Communications Lead • Voice and Influence Lead • Practice and Development and Partnership Training Lead • Strategic Investment, Contracting and Procurement Lead
Programme Manager	Programme Manager, Built Environment
Senior Partnership Manager	Senior Partnership Manager
Child Employment Officer	Child Employment Officer
Administrative Officer Attendance	Administrative Officer Attendance
Head of Human Resources	Head of Human Resources (Children’s Services)
Head of Finance	Head of Finance (Children’s Services)

The **Director of Children's Services** sub-delegates authority as follows:

Council functions^g – specific to **Director of Children's Services**⁴

	Function sub-delegated by Director of Children's Services	Officer to whom sub-delegated	Terms and conditions
1.	To license the employment of children (under part 2 of The Children's and Young Person's Act 1933 by-laws made under that part, and part 2 of the Children's and Young Person's Act 1963.)	<ul style="list-style-type: none"> • Deputy Director Safeguarding, Specialist and Targeted Services • Targeted Services Area Lead (ENE) • Child Employment Officer • Administrative Officer Attendance 	Only in the absence of the Child Employment Officer

Council functions - general⁵

1. In relation to approvals, licences, permissions or registrations which come within the **Director of Children's Services's** authority^h :

	Function	Approval, licence, permit or registration - see table above	Officer to whom sub-delegated	Terms and conditions
(a)	To impose conditions, limitations or restrictions	To licence the employment of children.	<ul style="list-style-type: none"> • Deputy Director Safeguarding, Specialist and Targeted Services 	

⁴ Under Part 3 Section 2C of the constitution

⁵ Under Section 2C of Part 3 of the constitution

	Function	Approval, licence, permit or registration - see table above	Officer to whom sub-delegated	Terms and conditions
			<ul style="list-style-type: none"> • Targeted Services Area Lead (ENE) • Child Employment Officer • Administrative Officer Attendance 	Only in the absence of the Child Employment Officer
(b)	To determine any terms to which they are subject	To licence the employment of children.	<ul style="list-style-type: none"> • Deputy Director Safeguarding, Specialist and Targeted Services • Targeted Services Area Lead (ENE) • Child Employment Officer • Administrative Officer Attendance 	Only in the absence of the Child Employment Officer
(c)	To determine whether and how to enforce any failure to comply	To licence the employment of children.	<ul style="list-style-type: none"> • Deputy Director Safeguarding, Specialist and Targeted Services • Targeted Services Lead (ENE) • Child Employment Officer • Administrative Officer Attendance 	Only in the absence of the Child Employment Officer
(d)	To amend, modify vary or revoke	To licence the employment of children.	<ul style="list-style-type: none"> • Deputy Director Safeguarding, Specialist and Targeted Services • Targeted Services Lead (ENE) 	

	Function	Approval, licence, permit or registration - see table above	Officer to whom sub-delegated	Terms and conditions
			<ul style="list-style-type: none"> • Child Employment Officer • Administrative Officer Attendance 	Only in the absence of the Child Employment Officer
(e)	To determine whether a charge should be made and the amount of such a charge	To licence the employment of children.	<ul style="list-style-type: none"> • Deputy Director Safeguarding, Specialist and Targeted Services • Targeted Services lead (ENE) • Child Employment Officer • Administrative Officer attendance 	Only in the absence of the Child Employment Officer

2. Maladministration/health and safety/personnel matters/byelawsⁱ

	Function	Officer to whom sub-delegated	Terms and conditions
(a)	To make payments or provide other benefits in cases of maladministration ⁶	<ul style="list-style-type: none"> • Deputy Directors • Chief Officers 	Up to £40,000 in their area of responsibility and in accordance with guidance notes jointly prepared by the City Solicitor and the Director of Resources
(b)	Functions relating to health and safety under any relevant statutory provision within the meaning of Part 1 of the Health and Safety at Work Act 1974, to the extent that these functions are discharged otherwise than in the Council's capacity as employer.	<ul style="list-style-type: none"> • Deputy Directors • Chief Officers • Heads of Service Safeguarding, Specialist and Targeted Services • Heads of Service Learning • Heads of Service, Partnership Development and Business Support 	In relation to those areas within their remit, with the exception of the overall management of fire safety which remains with the Chief Officer.
(c)(i)	To appoint staff within the approved establishment - i.e. to approve the filling of a vacancy and instigate the recruitment process	<ul style="list-style-type: none"> • Deputy Directors • Chief Officers • Heads of Service Safeguarding, Specialist and Targeted Services • Heads of Service Learning • Heads of Service, Partnership Development and Business Support 	Within their area of responsibility and in consultation with Head of Finance (Children's Services) the Head of Human Resources (Children's Services) and subject to there being budgetary provision. Such staff should be employed in terms set out in the guidance issued by the Director of Resources.
(ii)	To appoint staff on a temporary basis	<ul style="list-style-type: none"> • Deputy Directors 	Within their area of

⁶ Item 48 of Schedule 1 Local Authorities (Functions and Responsibilities) Regulations 2000

	Function	Officer to whom sub-delegated	Terms and conditions
		<ul style="list-style-type: none"> • Chief Officers • Heads of Service Safeguarding, Specialist and Targeted Services • Heads of Service Learning • Heads of Service, Partnership Development and Business Support 	responsibility and in consultation with Head of Finance (Children's Services) the Head of Human Resources (Children's Services)
(iii)	To determine issues relating to officers' terms and conditions of employment and enter into such agreement as may be required to give effect to such determinations	<ul style="list-style-type: none"> • Deputy Directors • Chief Officers • Heads of Service Safeguarding, Specialist and Targeted Services • Heads of Service Learning • Heads of Service, Partnership Development and Business Support 	Within their area of responsibility and in consultation with Head of Finance (Children's Services) the Head of Human Resources (Children's Services)
(d)	To enforce byelaws	<ul style="list-style-type: none"> ▪ Chief Officer Partnership Development and Business Support 	

Executive functions^j – specific to **Director of Children’s Services**⁷

Exceptions from delegation:-

These functions **cannot** be exercised where an appropriate Executive Member has directed the **Director of Children’s Services** that the delegated authority should not be exercised and that the matter should be referred to the Executive Board for consideration.^k

	Ref Number	Function sub-delegated by Director of Children’s Services	Officer to whom sub-delegated	Terms and conditions
(a)		The authority’s role as children’s services authority, including functions in relation to: <ul style="list-style-type: none"> • Arrangements to promote co-operation to improve well-being of children; • Arrangements to safeguard and promote welfare of children; • Information databases; • The Local Safeguarding Children Board.⁸ 	Not delegated	
(b)(i)		Social Services Functions so far as they relate to i) children, including those functions related to the protection and safeguarding of children	Deputy Director Safeguarding, Specialist and Targeted Services	Decisions in relation to individual child placements £250,000 or over each year shall be referred to the Director of Children’s Services. All other decisions which will result in the authority incurring expenditure

⁷ Under Section 3E of Part 3 of the constitution. These include local choice functions which are the responsibility of the Executive Board, and which have been specifically delegated to the **Director of Children’s Services**.

⁸ For clarification this does not include functions set out in paragraphs b, c, d, and e below.

	Ref Number	Function sub-delegated by Director of Children's Services	Officer to whom sub-delegated	Terms and conditions
				£250,000 or over each year shall be referred to the Director of Children's Services.
			Chief Officer Children's Social Work Service (city wide)	Decisions in relation to individual child placements £250,000 or over each year shall be referred to the Director of Children's Services. All other decisions which will result in the authority incurring expenditure £100,000 or over each year shall be referred to the Deputy Director of Children's Services, Safeguarding, Specialist and Targeted Services
			Head of Looked After Children's Services	Decisions in relation to individual child placements over £175,000 each year shall be referred to the Deputy Director Safeguarding, Specialist and Targeted Services or

	Ref Number	Function sub-delegated by Director of Children's Services	Officer to whom sub-delegated	Terms and conditions
				Chief Officer Childrens Social Work Services
			Assistant Head of Looked After Children's Services	Decisions in relation to individual child placements over £100,000 each year shall be referred to the Head of Looked After Children's Services
(b)(ii)		Social Services Functions so far as they relate to ii) young people leaving care including those functions related to the protection and safeguarding of children	Deputy Director Safeguarding, Specialist and Targeted Services	Decisions in relation to individual child placements £250,000 or over each year shall be referred to the Director of Children's Services. All other decisions which will result in the authority incurring expenditure or making savings £250,000 or over each year shall be referred to the Director of Children's Services
			Chief Officer Children's Social Work Service (city wide)	Decisions in relation to individual child placements £250,000 or over each year shall be referred to the

	Ref Number	Function sub-delegated by Director of Children's Services	Officer to whom sub-delegated	Terms and conditions
				Deputy Director Safeguarding, Specialist and Targeted Services. All other decisions which will result in the authority incurring expenditure £100,000 or over each year shall be referred to the Deputy Director of Children's Services, Safeguarding, Specialist and Targeted Services
			Head of Looked After Children's Services	Decisions in relation to individual child placements over £175,000 each year shall be referred to the Deputy Director Safeguarding, Specialist and Targeted Services or Chief Officer Childrens Social Work Services
			Assistant Head of Looked After Children's Services	Decisions in relation to individual child placements over £100,000 each year

	Ref Number	Function sub-delegated by Director of Children's Services	Officer to whom sub-delegated	Terms and conditions
				shall be referred to the Head of Looked After Children's Services
	DFE_003	Children Act 1989 Section 33.	<ul style="list-style-type: none"> • Chief Officer Children's Social Work (City wide) • Head of Looked after Children • Assistant Head of Looked after Children • Head of Children's Social Work (3 posts) 	Within their area of responsibility
	DFE_004	Children Act 1989 and those in Parts 4 and 5 under section 24D Sections 26(3) and 24D. Secondary - Children Act 1989 Representations Procedure (England) Regulations 2006.	<ul style="list-style-type: none"> • Chief Officer Children's Social Work (City wide) • Head of Looked after Children • Assistant Head of Looked after Children • Head of Children's Social Work (3 posts) 	Within their area of responsibility
	DFE_005	Children Act 1989 Section 17(1)	<ul style="list-style-type: none"> • Chief Officer Children's Social Work (City wide) • Head of Looked 	Within their area of responsibility

	Ref Number	Function sub-delegated by Director of Children's Services	Officer to whom sub-delegated	Terms and conditions
			<ul style="list-style-type: none"> • after Children • Assistant Head of Looked after Children • Head of Children's Social Work (3 posts) 	
	DFE_006	Children Act 1989 as amended by Sections 17A (inserted by the Health and Social Care Act 2001) and 17B (inserted by the Carers and Disabled Children Act 2000). Secondary - The Community Care, Services for Carers and Children's Services (Direct Payments) (England) Regulations 2009 and the Carers and Disabled Children (Vouchers) (England) Regulation 2003.	<ul style="list-style-type: none"> • Chief Officer Children's Social Work (City wide) • Head of Looked after Children • Assistant Head of Looked after Children • Head of Children's Social Work (3 posts) 	Within their area of responsibility
	DFE_007	Children Act 1989, as amended by Section 25 of the Children and Young Persons Act 2008, Paragraph 6(1)(c) of Schedule 2. It is proposed to bring this amendment into force on 1 April 2011. Secondary -The Breaks for Carers of Disabled Children Regulations 2010, which have been laid before Parliament and should come into force on 1 April 2011.	<ul style="list-style-type: none"> • Chief Officer Children's Social Work (City wide) • Head of Looked after Children • Assistant Head of Looked after Children • Head of Children's Social Work (3 posts) 	Within their area of responsibility

	Ref Number	Function sub-delegated by Director of Children's Services	Officer to whom sub-delegated	Terms and conditions
	DFE_008	Children Act 1989 Section 47	<ul style="list-style-type: none"> • Chief Officer Children's Social Work (City wide) • Head of Looked after Children • Assistant Head of Looked after Children • Head of Children's Social Work (3 posts) 	Within their area of responsibility
	DFE_009	Children Act 1989 Section 16	<ul style="list-style-type: none"> • Chief Officer Children's Social Work (City wide) • Head of Looked after Children • Assistant Head of Looked after Children • Head of Children's Social Work (3 posts) 	Within their area of responsibility
	DFE_010	Children Act 1989 Section 37	<ul style="list-style-type: none"> • Chief Officer Children's Social Work (City wide) • Head of Looked after Children • Assistant Head of Looked after 	Within their area of responsibility

	Ref Number	Function sub-delegated by Director of Children's Services	Officer to whom sub-delegated	Terms and conditions
			Children <ul style="list-style-type: none"> • Head of Children's Social Work (3 posts) 	
	DFE_011	Children Act 1989 Section 31A	<ul style="list-style-type: none"> • Chief Officer Children's Social Work (City wide) • Head of Looked after Children • Assistant Head of Looked after Children • Head of Children's Social Work (3 posts) 	Within their area of responsibility
	DFE_012	Children Act 1989 Sections 85, 86 and 86A of, and paragraph 8A of Schedule 2, amended by Children and Young Persons Act 2008. Secondary - The Visits to Children in Long-Term Residential Care Regulations 2011 (due to come into force on 1 April 2011).	<ul style="list-style-type: none"> • Chief Officer Children's Social Work (City wide) • Head of Looked after Children • Assistant Head of Looked after Children • Head of Children's Social Work (3 posts) 	Within their area of responsibility
	DFE_013	Children Act 1989 Section 67 and Part 9 of, and Schedule 8. Secondary - The Children (Private Arrangements for Fostering) Regulations 2005.	<ul style="list-style-type: none"> • Chief Officer Children's Social Work (City wide) 	Within their area of responsibility

	Ref Number	Function sub-delegated by Director of Children's Services	Officer to whom sub-delegated	Terms and conditions
			<ul style="list-style-type: none"> • Head of Looked after Children • Assistant Head of Looked after Children • Head of Children's Social Work (3 posts) 	
	DFE_014	Children Act 1989, Section 17 (and related duties in Schedule 2 to the Act)	<ul style="list-style-type: none"> • Chief Officer Children's Social Work (City wide) • Head of Looked after Children • Assistant Head of Looked after Children • Head of Children's Social Work (3 posts) 	Within their area of responsibility
	DFE_015	Children Act 1989. Section 26 Secondary - the Review of Children's Cases Regulations 1991 (SI 1991/895). [From 1 April 2011, the duty to appoint an IRO is set out in Section 25A of the Children Act 1989, as amended by Children and Young Persons Act 2008. Part 6 of the Care Planning, Placement and Case Review (England) Regulations 2010 will replace the 1991 Regulations in respect of looked after children case reviews.]	<ul style="list-style-type: none"> • Chief Officer Children's Social Work (City wide) • Head of Looked after Children • Assistant Head of Looked after Children • Head of Children's Social Work (3 	Within their area of responsibility

	Ref Number	Function sub-delegated by Director of Children's Services	Officer to whom sub-delegated	Terms and conditions
			posts)	
	DFE_016	Children Act 1989. Section 34 Secondary - Contact with Children Regulations 1991 (SI1991/891) . From 1 April 2011, provision is made in Care Planning, Placements and Case Review (England) Regulations 2010.	<ul style="list-style-type: none"> • Chief Officer Children's Social Work (City wide) • Head of Looked after Children • Assistant Head of Looked after Children • Head of Children's Social Work (3 posts) 	Within their area of responsibility
	DFE_017	Children Act 1989 Schedule 2, paragraph 17 has been replaced by section 23ZB inserted by the Children and Young Persons Act 2008. Secondary - The Definition of Independent Visitors (Children) Regulations 1991 (SI 1991 892) - replaced by regulation 47 of The Care planning, Placement and Case Review (England) Regulations 2010.	<ul style="list-style-type: none"> • Chief Officer Children's Social Work (City wide) • Head of Looked after Children • Assistant Head of Looked after Children • Head of Children's Social Work (3 posts) 	Within their area of responsibility
	DFE_018	Education Act (EA) 1996 Section 13A. -Section 13A was inserted by Section 1 of Education and Inspections Act (EIA) 2006 – duty to promote high standards and the fulfilment of potential. – Amended by Para 3, Schedule 2 of Apprenticeship, Skills, Children and Learning Act (ASCL) 2009.	<ul style="list-style-type: none"> • Chief Officer Children's Social Work (City wide) • Head of Looked after Children • Assistant Head of 	Within their area of responsibility

	Ref Number	Function sub-delegated by Director of Children's Services	Officer to whom sub-delegated	Terms and conditions
			Looked after Children <ul style="list-style-type: none"> • Head of Children's Social Work (3 posts) 	
	DFE_019	Education Act (EA) 1996 Section 14 . General duty on local authorities to secure sufficient schools in their area. Section 14 (3A) added by Section 2 of Education and Inspections Act (EIA) 2006 – to secure diversity of provision of schools and increasing opportunities for parental choice. Secondary legislation - The Information as to Provision of Education (England) Regulations 2008	<ul style="list-style-type: none"> • Chief Officer Children's Social Work (City wide) • Head of Looked after Children • Assistant Head of Looked after Children • Head of Children's Social Work (3 posts) 	Within their area of responsibility
	DFE_063	Children Act 1989 Section 23A(3). Secondary - Regulation 4 of the Children (Leaving Care) (England) Regulations 2001. From 1 April 2011 this group of children will be covered in the Care Leavers (England) Regulations 2010.	<ul style="list-style-type: none"> • Chief Officer Children's Social Work (City wide) • Head of Looked after Children • Assistant Head of Looked after Children • Head of Children's Social Work (3 posts) 	Within their area of responsibility
	DFE_085	Adoption and Children Act 2002 Section 3. Secondary - Adoption Agencies Regulations	<ul style="list-style-type: none"> • Chief Officer Children's Social 	Within their area of responsibility

	Ref Number	Function sub-delegated by Director of Children's Services	Officer to whom sub-delegated	Terms and conditions
		2005 (SI 2005/389). Local Authority Adoption Service (England) Regulations 2003 (SI 2003/370)	Work (City wide) <ul style="list-style-type: none"> • Head of Looked after Children • Assistant Head of Looked after Children • Head of Children's Social Work (3 posts) 	
	DFE_086	Adoption and Children Act 2002 Section 3, 4(5). Secondary - The Adoption Support Services Regulations (SI 2005/691) set out which types of support services must be extended to which categories of persons.	<ul style="list-style-type: none"> • Chief Officer Children's Social Work (City wide) • Head of Looked after Children • Assistant Head of Looked after Children • Head of Children's Social Work (3 posts) 	Within their area of responsibility
	DFE_087	Adoption and Children Act 2002 Sections 2, 18, 19, 22, 30-35. Secondary - Adoption Agencies Regulations 2005 (SI 2005/351) (made under s.9 of the 2002 Act)	<ul style="list-style-type: none"> • Chief Officer Children's Social Work (City wide) • Head of Looked after Children • Assistant Head of Looked after Children • Head of Children's 	Within their area of responsibility

	Ref Number	Function sub-delegated by Director of Children's Services	Officer to whom sub-delegated	Terms and conditions
			Social Work (3 posts)	
	DFE_088	Adoption and Children Act 2002 Section 56. Secondary - (see the Disclosure of Adoption Information (Post-Commencement Adoptions) Regs 2005 (SI 2005/888)..	<ul style="list-style-type: none"> • Chief Officer Children's Social Work (City wide) • Head of Looked after Children • Assistant Head of Looked after Children • Head of Children's Social Work (3 posts) 	Within their area of responsibility
	DFE_092	Education Act 2002 (introduced 1 June 2004) Section 175	Head of Quality & Practice Improvement Services	
	DFE_111	Private Fostering Regulations 2005	<ul style="list-style-type: none"> • Chief Officer Children's Social Work (City wide) • Head of Looked after Children • Assistant Head of Looked after Children • Head of Children's Social Work (3 posts) 	Within their area of responsibility
	DFE_161	Children Act 1989 Section 22 including 22(3)(a)	<ul style="list-style-type: none"> • Chief Officer 	Within their area of

	Ref Number	Function sub-delegated by Director of Children's Services	Officer to whom sub-delegated	Terms and conditions
		and 22(3A) as amended by Section 52 of the Children Act 2004.	Children's Social Work (City wide) <ul style="list-style-type: none"> • Head of Looked after Children • Assistant Head of Looked after Children • Head of Children's Social Work (3 posts) 	responsibility
	DFE_163	Children Act 1989 Schedule 2 paragraph 15.	<ul style="list-style-type: none"> • Chief Officer Children's Social Work (City wide) • Head of Looked after Children • Assistant Head of Looked after Children • Head of Children's Social Work (3 posts) 	Within their area of responsibility
	DFE_164	Children Act 1989 Schedule 2, paragraph 19.	<ul style="list-style-type: none"> • Chief Officer Children's Social Work (City wide) • Head of Looked after Children • Assistant Head of Looked after Children 	Within their area of responsibility

	Ref Number	Function sub-delegated by Director of Children's Services	Officer to whom sub-delegated	Terms and conditions
			<ul style="list-style-type: none"> • Head of Children's Social Work (3 posts) 	
	DFE_162	Children Act 1989 section 23	<ul style="list-style-type: none"> • Chief Officer Children's Social Work (City wide) • Head of Looked after Children • Assistant Head of Looked after Children • Head of Children's Social Work (3 posts) 	Within their area of responsibility
	DFE_163	Children Act 1989 Schedule 2 paragraph 15.	<ul style="list-style-type: none"> • Chief Officer Children's Social Work (City wide) • Head of Looked after Children • Assistant Head of Looked after Children • Head of Children's Social Work (3 posts) 	Within their area of responsibility
	DFE_164	Children Act 1989 Schedule 2, paragraph 19.	<ul style="list-style-type: none"> • Chief Officer Children's Social Work (City wide) • Head of Looked 	Within their area of responsibility

	Ref Number	Function sub-delegated by Director of Children's Services	Officer to whom sub-delegated	Terms and conditions
			<ul style="list-style-type: none"> after Children • Assistant Head of Looked after Children • Head of Children's Social Work (3 posts) 	
	DFE_165	Children Act 1989 Sections 25A, 25B and 25C , inserted by Children and Young Persons Act 2008, coming into force on 1 April 2011 – to replace the duty under section 26 Secondary - Care Planning, Placements and Case Review (England) Regulations 2010	<ul style="list-style-type: none"> • Chief Officer Children's Social Work (City wide) • Head of Looked after Children • Assistant Head of Looked after Children • Head of Children's Social Work (3 posts) 	Within their area of responsibility
	DFE_166	Children Act 1989 Section 23ZA, inserted by Children and Young Persons Act 2008. Secondary - Care Planning, Placement and Case Review (England) Regulations 2010 and Visits to Former Looked After Children in Detention (England) Regulations 2010 (both to come into force on 1 April 2011).	<ul style="list-style-type: none"> • Chief Officer Children's Social Work (City wide) • Head of Looked after Children • Assistant Head of Looked after Children • Head of Children's Social Work (3 posts) 	Within their area of responsibility

	Ref Number	Function sub-delegated by Director of Children's Services	Officer to whom sub-delegated	Terms and conditions
	DFE_167	Section 23ZB inserted by the Children and Young People's Act (this replaces Schedule 2, paragraph 17)	<ul style="list-style-type: none"> • Chief Officer Children's Social Work (City wide) • Head of Looked after Children • Assistant Head of Looked after Children • Head of Children's Social Work (3 posts) 	Within their area of responsibility
	DFE_168	Children Act 1989 Sections 23A to 24B Secondary - Children (Leaving Care) (England) Regulations 2001 which are to be replaced from 1 April 2011 with new Care Leavers (England) Regulations 2010.	<ul style="list-style-type: none"> • Chief Officer Children's Social Work (City wide) • Head of Looked after Children • Assistant Head of Looked after Children • Head of Children's Social Work (3 posts) 	Within their area of responsibility
	DFE_169	Children Act 1989 sections 23C and 24B	<ul style="list-style-type: none"> • Chief Officer Children's Social Work (City wide) • Head of Looked after Children • Assistant Head of Looked after 	Within their area of responsibility

	Ref Number	Function sub-delegated by Director of Children's Services	Officer to whom sub-delegated	Terms and conditions
			Children <ul style="list-style-type: none"> • Head of Children's Social Work (3 posts) 	
	DFE_170	Children Act 1989 Section 24C	<ul style="list-style-type: none"> • Chief Officer Children's Social Work (City wide) • Head of Looked after Children • Assistant Head of Looked after Children • Head of Children's Social Work (3 posts) 	Within their area of responsibility
	DFE_171	Children Act 1989 Part 3 and Parts 4 and 5 under section 24D of the Children Act 1989	<ul style="list-style-type: none"> • Chief Officer Children's Social Work (City wide) • Head of Looked after Children • Assistant Head of Looked after Children • Head of Children's Social Work (3 posts) 	Within their area of responsibility
	DFE_172	Children Act 1989 Section 26A Secondary - Advocacy Services and Representations Procedure (Children)	<ul style="list-style-type: none"> • Chief Officer Children's Social Work (City wide) 	Within their area of responsibility

	Ref Number	Function sub-delegated by Director of Children's Services	Officer to whom sub-delegated	Terms and conditions
		Amendment Regulations 2004.	<ul style="list-style-type: none"> • Head of Looked after Children • Assistant Head of Looked after Children • Head of Children's Social Work (3 posts) 	
	DFE_173	Adoption and Children Act 2002 Section 2(8).	<ul style="list-style-type: none"> • Chief Officer Children's Social Work (City wide) • Head of Looked after Children • Assistant Head of Looked after Children • Head of Children's Social Work (3 posts) 	Within their area of responsibility
	DFE_174	Children Act 1989 section 22	<ul style="list-style-type: none"> • Chief Officer Children's Social Work (City wide) • Head of Looked after Children • Assistant Head of Looked after Children • Head of Children's Social Work (3 posts) 	Within their area of responsibility

	Ref Number	Function sub-delegated by Director of Children's Services	Officer to whom sub-delegated	Terms and conditions
			posts)	
	DFE_175	Children Act 1989 sections 30-35	<ul style="list-style-type: none"> • Chief Officer Children's Social Work (City wide) • Head of Looked after Children • Assistant Head of Looked after Children • Head of Children's Social Work (3 posts) 	Within their area of responsibility
	DFE_176	Adoption and Children Act 2002 Section 58, 60.	<ul style="list-style-type: none"> • Chief Officer Children's Social Work (City wide) • Head of Looked after Children • Assistant Head of Looked after Children • Head of Children's Social Work (3 posts) 	Within their area of responsibility
	DFE_177	Adoption and Children Act 2002 Sections 4(1). Secondary - The Adoption Support Services Regulations (SI 2005/691) - set out procedure for assessment	<ul style="list-style-type: none"> • Chief Officer Children's Social Work (City wide) • Head of Looked after Children • Assistant Head of 	Within their area of responsibility

	Ref Number	Function sub-delegated by Director of Children's Services	Officer to whom sub-delegated	Terms and conditions
			Looked after Children <ul style="list-style-type: none"> • Head of Children's Social Work (3 posts) 	
	DFE_178	Hague Convention cases The relevant Regulations are the Adoptions with a Foreign Element Regulations 2005, as amended by the Adoptions with a Foreign Element (Amendment) Regulations 2009.	<ul style="list-style-type: none"> • Chief Officer Children's Social Work (City wide) • Head of Looked after Children • Assistant Head of Looked after Children • Head of Children's Social Work (3 posts) 	Within their area of responsibility
	DFE_179	Adoption and Children Act 2002 Sections 42, 43, 44 .	<ul style="list-style-type: none"> • Chief Officer Children's Social Work (City wide) • Head of Looked after Children • Assistant Head of Looked after Children • Head of Children's Social Work (3 posts) 	Within their area of responsibility
	DFE_180	Children Act 1989 Section 20.	<ul style="list-style-type: none"> • Chief Officer Children's Social 	Within their area of responsibility

	Ref Number	Function sub-delegated by Director of Children's Services	Officer to whom sub-delegated	Terms and conditions
			Work (City wide) <ul style="list-style-type: none"> • Head of Looked after Children • Assistant Head of Looked after Children • Head of Children's Social Work (3 posts) 	
	DFE_181	Children Act 1989 Section 21	<ul style="list-style-type: none"> • Chief Officer Children's Social Work (City wide) • Head of Looked after Children • Assistant Head of Looked after Children • Head of Children's Social Work (3 posts) 	Within their area of responsibility
	DFE_182	Children Act section 25. Secondary - Children (Secure Accommodation) Regulations 1991 (SI 1991/1505) and Children (Secure Accommodation) (No. 2) Regulations (SI 1991/2034).	<ul style="list-style-type: none"> • Chief Officer Children's Social Work (City wide) • Head of Looked after Children • Assistant Head of Looked after Children • Head of Children's 	Within their area of responsibility

	Ref Number	Function sub-delegated by Director of Children's Services	Officer to whom sub-delegated	Terms and conditions
			Social Work (3 posts)	
	DFE_183	Children Act 1989 sections 44, 44A, 44B and 45	<ul style="list-style-type: none"> • Chief Officer Children's Social Work (City wide) • Head of Looked after Children • Assistant Head of Looked after Children • Head of Children's Social Work (3 posts) 	Within their area of responsibility
	DFE_184	Children Act 1989 Sections 62, 64.	<ul style="list-style-type: none"> • Chief Officer Children's Social Work (City wide) • Head of Looked after Children • Assistant Head of Looked after Children • Head of Children's Social Work (3 posts) 	Within their area of responsibility
	DFE_185	Children Act 1989 Section 22G	<ul style="list-style-type: none"> • Chief Officer Children's Social Work (City wide) • Head of Looked after Children 	Within their area of responsibility

	Ref Number	Function sub-delegated by Director of Children's Services	Officer to whom sub-delegated	Terms and conditions
			<ul style="list-style-type: none"> • Assistant Head of Looked after Children • Head of Children's Social Work (3 posts) 	
	DFE_186	Children Act 1989 Section 22C, 22D, 23 Secondary - Arrangements for Placement of Children (General) Regulations 1991 (SI 1991/890) . Placement of Children with Parents etc Regulations 1991 (SI1991/893) Fostering Services Regulations 2002 (SI 2002 /57) - Parts 4,5 and 6.	<ul style="list-style-type: none"> • Chief Officer Children's Social Work (City wide) • Head of Looked after Children • Assistant Head of Looked after Children • Head of Children's Social Work (3 posts) 	Within their area of responsibility
	DFE_187	Children Act 1989 Section 53 . Part 2 of the Care Standards Act 2000. Secondary - Children's Homes Regulations 2001 (soon to be replaced by the Children's Homes 2001 Amendment Regulations).	<ul style="list-style-type: none"> • Chief Officer Children's Social Work (City wide) • Head of Looked after Children • Assistant Head of Looked after Children • Head of Children's Social Work (3 posts) 	Within their area of responsibility
	DFE_189	Children Act 1989 Section 14A(8) subsection(9)	<ul style="list-style-type: none"> • Chief Officer 	Within their area of

	Ref Number	Function sub-delegated by Director of Children's Services	Officer to whom sub-delegated	Terms and conditions
		Secondary - Special Guardianship Regulations 2005 (SI 2005/1109).	Children's Social Work (City wide) <ul style="list-style-type: none"> • Head of Looked after Children • Assistant Head of Looked after Children • Head of Children's Social Work (3 posts) 	responsibility
	DFE_190	Children Act 1989 Section 14F. Secondary - The Special Guardianship Regulations 2005.	<ul style="list-style-type: none"> • Chief Officer Children's Social Work (City wide) • Head of Looked after Children • Assistant Head of Looked after Children • Head of Children's Social Work (3 posts) 	Within their area of responsibility
(c)		Authority functions exercisable on behalf of a NHS body, so far as they relate to children. ⁹	Deputy Director Safeguarding, Specialist and Targeted Services	Decisions which will result in the authority incurring expenditure or making savings over £100,000 each year shall be referred to the Director of Children's

⁹ This relates specifically to Pooled Fund Agreements set up under S75 on the National Health Service Act 2006.

	Ref Number	Function sub-delegated by Director of Children's Services	Officer to whom sub-delegated	Terms and conditions
				Services.
(d)(i) (d)(ii) (d)(iii)		Education Including: <ul style="list-style-type: none"> • Early years development, childcare planning and youth services, and • Vocational training and allied services where they relate to children of compulsory school age. 	Deputy Director Learning	Decisions which will result in the authority incurring expenditure or making savings of £250,000 or over each year shall be referred to the Director of Children's Services.
(d)(i)1	DFE_002	Children Act 1989 as amended by section 52 of the Children Act 2004 Section 22(3) a. Secondary - Section 22(3) a of the Children Act 1989 placed a duty on local authorities to safeguard and promote the welfare of a child looked after by them. Section 52 of the Children Act 2004 amended that to include a particular duty on local authorities to promote their educational achievement.	Virtual School Lead	
(d)(i)2	DFE_004	Children Act 1989 and those in Parts 4 and 5 under section 24D Sections 26(3) and 24D Secondary - Children Act 1989 Representations Procedure (England) Regulations 2006.	<ul style="list-style-type: none"> • Chief Officer Partnership Development and Business Support • Customer Relations Lead 	
(d)(i)3	DFE_018	Education Act (EA) 1996 Section 13A. Section 13A was inserted by Section 1 of Education and Inspections Act (EIA) 2006 – duty to promote high standards and the fulfilment of potential. –	<ul style="list-style-type: none"> • Head of Service Learning Systems 	

	Ref Number	Function sub-delegated by Director of Children's Services	Officer to whom sub-delegated	Terms and conditions
		Amended by Para 3, Schedule 2 of Apprenticeship, Skills, Children and Learning Act (ASCL) 2009.		
(d)(i)4	DFE_019	Education Act (EA) 1996 Section 14. General duty on local authorities to secure sufficient schools in their area. Section 14 (3A) added by Section 2 of Education and Inspections Act (EIA) 2006 – to secure diversity of provision of schools and increasing opportunities for parental choice. Secondary legislation - The Information as to Provision of Education (England) Regulations 2008	<ul style="list-style-type: none"> • Head of Service Learning Systems 	
(d)(i)5	DFE_020	Education Act (EA) 1996 Section 14A, added by Section 3 of Education and Inspections Act (EIA) 2006.	<ul style="list-style-type: none"> • Head of Service Learning Systems • Capacity Planning and Sufficiency Lead 	
(d)(i)6	DFE_021	Education Act 1996 Section 457	Head of Learning Improvement	
(d)(i)7	DFE_022	Education Act 1996 Section 458 Charges for board and lodging at boarding schools	Deputy Director Safeguarding, Specialist and Targeted Services	Decisions in relation to individual child placements over £300,000 each year shall be referred to the Director of Children's Services
			Head of Service Complex Needs	Decisions in relation to individual child placements over

	Ref Number	Function sub-delegated by Director of Children's Services	Officer to whom sub-delegated	Terms and conditions
				£200,000 each year shall be referred to the Deputy Director Safeguarding, Specialist and Targeted Services
(d)(i)8	DFE_023	Education Act 1996 Section 499. Secondary - Parent Governor Representatives (England) Regulations 2001	Head of School Improvement	
(d)(i)9	DFE_025	Education Act 1996 Section 390-391, Schedule 31. Section 375, Education Act 1996.	<ul style="list-style-type: none"> • Head of School Improvement • 11-19 Leadership and Management Lead 	
(d)(i)10	DFE_026 and DFE_028	Education Act 1996 Section 19 (3A) and (3B). Secondary: Education (Provision of Full-Time Education for Excluded Pupils) England Regs 2007(SI 2007/1870) Education Act 1996 Sections 3A and 19 and schedule 1, amended by section 3 of the Children Schools and Families Act 2010. Secondary - Enactment regulations apply other areas of education law to Pupil Referral Unit (PRU).	Head of Service Learning for Life	
(d)(i)11	DFE_027	Secondary - The School Finance (England) Regulations 2012	<ul style="list-style-type: none"> • Head of Service Learning for Life • Head of Finance Children's Services 	
	DFE_028	See above 026		
(d)(i)12	DFE_029	Education Act 1996, schedule 1.	Head of Learning	

	Ref Number	Function sub-delegated by Director of Children's Services	Officer to whom sub-delegated	Terms and conditions
		Secondary - Education (Pupil Referral Units) (Management Committees etc.) England Regulations 2007. Education (Pupil Exclusions and Appeals) (Pupil Referral Units) England Regulations 2008.	Improvement	
(d)(i)13	DFE_030	Education Act 1996 Section 447	Head of Learning Improvement	
(d)(i)14	DFE_031	Education Act 1996 Section 436A.	Head of Learning Improvement	
(d)(i)15	DFE_032	Education Act 1996 Section 437.	Head of Learning Improvement	
(d)(i)16	DFE_033	Education Act 1996 Section 543. Secondary - The Education (School Premises) Regulations 1999 and the Education (School Premises) (England) Regulations 2012 1999.	Head of Service Learning Systems	
(d)(i)17	DFE_034	Education Act 1996 Part IV, Chapter 1 (sections 312-332B) and Schedules 26 and 27. Secondary - The Education (Special Educational Needs) (England) (Consolidation) Regulations 2001 (SI 2001/3455).	<ul style="list-style-type: none"> • Head of Service Complex Needs • Statutory Assessment and Provision Lead 	
(d)(i)18	DFE_035	Education Act 1996 Section 14	Head of Service Learning Systems	
(d)(i)19	DFE_036	Education Act 1996 Section 512(3) as amended by Education Act 2002.	Head of Learning Improvement	
(d)(i)20	DFE_037	Education Act 1996 Section 508B. Inserted by section 77 of the Education and Inspections Act 2006.	<ul style="list-style-type: none"> • Chief Officer Partnership Development and 	

	Ref Number	Function sub-delegated by Director of Children's Services	Officer to whom sub-delegated	Terms and conditions
			<ul style="list-style-type: none"> Business Support • Head of Service Commissioning and Market Management 	
(d)(i)21	DFE_038	Education Act 1996 Section 508A . Secondary - Statutory Instrument 2008 No 3093 The School Information (England) Regulations 2008.	<ul style="list-style-type: none"> • Chief Officer Partnership Development and Business Support • Head of Service Commissioning and Market Management 	
(d)(i)22	DFE_041	Education Act 1996 Section 509AB.	<ul style="list-style-type: none"> • Chief Officer Partnership Development and Business Support • Head of Service Commissioning and Market Management 	
(d)(i)23	DFE_042	Education Act 1996 Section 509AA. Amended with additional criteria for local authority post 16 transport policy statements in Education and Skills Act 2002, Education and Inspections Act 2006, Education and Skills Act 2008 and Apprenticeships, Skills, Children and Learning Act 2009	<ul style="list-style-type: none"> • Chief Officer Partnership Development and Business Support • Head of Service Commissioning and Market Management 	
(d)(i)24	DFE_044	Education Act 1996 Section 507B - introduced	Youth Offer Lead	

	Ref Number	Function sub-delegated by Director of Children's Services	Officer to whom sub-delegated	Terms and conditions
		through section 6 of the Education and Inspections Act 2006.		
(d)(i)25	DFE_047	School Standards and Framework Act 1998 Section 86(1A) as amended by section 42 of the Education and Inspections Act 2006.	Head of Service Learning Systems	
(d)(i)26	DFE_048	School Standards and Framework Act 1998 Section 88P amended by Education Act 2011 section 34.	Head of Service Learning Systems	
(d)(i)27	DFE_049	School Standards and Framework Act 1998 Section 92. Substituted by Education Act 2002.	Head of Service Learning Systems	
(d)(i)28	DFE_050	School Standards and Framework Act 1998. School Admission Appeals Code Section 94.	Head of Service Learning Systems	
(d)(i)29	DFE_051	School Standards and Framework Act 1998 Section 69.	<ul style="list-style-type: none"> • Head of Learning Improvement • 11-19 Leadership and Management Lead 	
(d)(i)30	DFE_052	School Standards and Framework Act 1998 Section 70.	<ul style="list-style-type: none"> • Head of Learning Improvement • 11-19 Leadership and Management Lead 	
(d)(i)31	DFE_055	School Standards and Framework Act 1998 Sections 45, 45A, 45AA, 46, 47, 47ZA, 47A and 48 and Schedule 14, as amended by Education Act 2011 sections 46 and 50. Secondary - School Finance (England) Regulations 2011, School Finance (England) Regulations 2012	Head of Learning Improvement	
(d)(i)32	DFE_056	Education Act 2002 Part 8 Sections 135A-135C and 141A-141E, inserted by Education Act 2011	Head of Learning Improvement	

	Ref Number	Function sub-delegated by Director of Children's Services	Officer to whom sub-delegated	Terms and conditions
		sections 8 and 9		
(d)(i)33	DFE_057	Teaching and Higher Education Act 1998 Section 19 (teachers in Wales)	<ul style="list-style-type: none"> • Head of Learning Improvement • 11-19 Leadership and Management Lead 	
(d)(i)34	DFE_058	School Standards and Framework Act 1998 Section 114A. Secondary - Education (Nutritional Standards and Requirements for School Food) (England) Regulations 2007. (England) Regulations 2010.	<ul style="list-style-type: none"> • Head of Service Learning for Life • Health and Wellbeing Lead 	
(d)(i)35	DFE_059	Learning and Skills Act 2000 Section 139A (as amended by Education and Skills Act 2008, Section 80)	<ul style="list-style-type: none"> • Head of Service Complex Needs • Statutory Assessment and Provision Lead 	
(d)(i)36	DFE_060	Care Standards Act 2000. Secondary - Includes regulations governing children's homes and secure units (e.g. Children's Homes Regulations 2001).	Head of Service Learning Systems	
(d)(i)37	DFE_061	The Special Educational Needs (Provision of Information by Local Education Authorities) (England) Regulations 2001 (SI 2001/2218).	<ul style="list-style-type: none"> • Head of Service Complex Needs • Statutory Assessment and Provision Lead 	
(d)(i)38	DFE_065	The Education (Special Educational Needs) (City Colleges) (England) Regulations 2002 (SI 2002/2071).	Head of Service Complex Needs	

	Ref Number	Function sub-delegated by Director of Children's Services	Officer to whom sub-delegated	Terms and conditions
(d)(i)39	DFE_068	Section 22 of the Education Act 2002.	Head of Learning Improvement	
(d)(i)40	DFE_069	Education Act 2002 section 34. Secondary - School Governance (New Schools) (England) Regulations 2007.	Head of Learning Improvement	
(d)(i)41	DFE_070	The Education (National Curriculum) (Key Stage 1 Assessment Arrangements) (England) Order 2004 (article 6) (made under section 87 of the Education Act 2002).	Head of Learning Improvement	
(d)(i)42	DFE_072	Assessment and reporting arrangements for Early Years Foundation Stage and Key Stage 1 – document has statutory force by virtue of section 87(11) of the Education Act 2002 and article 9 of SI 2004/2783, but also includes non-statutory guidance.	Head of Learning Improvement	
(d)(i)43	DFE_073	Assessment and reporting arrangements for Early Years Foundation Stage and Key Stage 1 – document has statutory force by virtue of section 87(11) of the Education Act 2002 and article 9 of SI 2004/2783, but also includes non-statutory guidance.	Head of Learning Improvement	
(d)(i)44	DFE_074	The Education (National Curriculum) (Key Stage 2 Assessment Arrangements) (England) Order 2003 (article 6) (made under section 87 of the Education Act 2002 and article 11 of the Order).	Head of Learning Improvement	
(d)(i)45	DFE_075	Education Act 2002 Section 79	Head of Learning Improvement	
(d)(i)46	DFE_076	Education Act 2002 Section 85(9)	Head of Learning Improvement	
(d)(i)47	DFE_078	Education Act 2002 Section 88 (1A)	Head of Learning	

	Ref Number	Function sub-delegated by Director of Children's Services	Officer to whom sub-delegated	Terms and conditions
			Improvement	
(d)(i)48	DFE_081	Education Act 2002 Section 32	Chief Officer Partnership Development and Business Support	
(d)(i)49	DFE_082	Education Act 2002 Section 44 enables the Secretary of State to make regulations to: require maintained schools to supply accounting information to the LA which maintains them; and to require Local authorities to provide accounting information provided by the schools to the Secretary of State. Secondary - The Consistent Financial Report (England) Regulations 2012 -	Head of Finance Children's Services	
(d)(i)50	DFE_083	Education Act 2002, Part 8 s122 gives the Secretary of State a power to prescribe pay and conditions for teachers in maintained schools by Order. Secondary - The School Teachers' Pay and Conditions Order 2012 makes provision for the pay and conditions of teachers by reference to a document entitled "The School Teachers' Pay and Conditions Document" (STPCD).	Head of Finance Children's Services	
(d)(i)51	DFE_084	Education Act 2002 Sections 21, 131 and 210 . Secondary - 'The Education (School Teacher Performance Management) (England) Regulations 2012	Head of Learning Improvement	
(d)(i)52	DFE_093	Education Act 2002 Sections 79 (6) and (7).	Head of Learning Improvement	
(d)(i)53	DFE_095	The Education (Health Standards) (England) Regulations 2003	Head of Learning Improvement	
(d)(i)54	DFE_115	Education and Inspections Act 2006 Section 60	Head of Learning	

	Ref Number	Function sub-delegated by Director of Children's Services	Officer to whom sub-delegated	Terms and conditions
			Improvement	
(d)(i)55	DFE_116	Education and Inspections Act 2006 Section 63	Head of Learning Improvement	
(d)(i)56	DFE_117	Education and Inspections Act 2006 Section 64	Head of Learning Improvement	
(d)(i)57	DFE_118	Education and Inspections Act 2006 Section 65	Head of Learning Improvement	
(d)(i)58	DFE_119	Education and Inspections Act 2006 Section 66	Head of Learning Improvement	
(d)(i)59	DFE_120	Sections 18, 19, 21, 22, 23, 24, 31, 181 and 183 Education and Inspections Act 2006. Secondary - The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007.	Chief Officer Strategy, Performance and Commissioning	
(d)(i)60	DFE_121	Safeguarding Vulnerable Groups Act 2006	Chief Officer Partnership development and Business Support	
(d)(i)61	DFE_122	Education and Inspections Act 2006 Sections 60A and 69B.	Head of Learning Improvement	In consultation with the Deputy Director Learning
(d)(i)62	DFE_139	The Information as to Provision of Education (England) Regulations 2008	Head of Service Learning Systems	
(d)(i)63	DFE_140	The Education (Induction Arrangements for School Teachers) (England) Regulations 2012	Head of Learning Improvement	In consultation with the Head of Human Resources (Children's Services)
(d)(i)64	DFE_141	The School Information (England) Regulations 2008 SI 2008/3093 Regulation 5.	Head of Service Learning Systems	
(d)(i)65	DFE_142	The School Information (England) Regulations	Head of Service	

	Ref Number	Function sub-delegated by Director of Children's Services	Officer to whom sub-delegated	Terms and conditions
		2008 Regulation 8	Learning Systems	
(d)(i)66	DFE_143	Education and Skills Act 2008 Section 68.	Head of Learning Improvement	
(d)(i)67	DFE_146	The School Staffing (England) Regulations 2009	Head of Learning Improvement	
(d)(i)68	DFE_147	School Staffing (England) Regulations 2009	Head of Learning Improvement	In consultation with Head of Finance (Children's Services) the Head of Human Resources (Children's Services)
(d)(i)69	DFE_153	Apprenticeships, Skills, Children and Learning Act (2009) Part 2 section 46 inserts section 514A - in the Education Act (1996)	Head of Service Complex Needs	
(d)(i)70	DFE_155	Apprenticeships, Skills, Children and Learning Act (2009) Part 2 sections 48-52 insert various clauses into the Education Act (1996). Amended by Education Act 2011 section 30	<ul style="list-style-type: none"> • Head of Service Targeted Service • Youth Offending Service Lead 	
(d)(i)71	DFE_156	Apprenticeships, Skills, Children and Learning Act (2009) Part 2 sections 56-57	<ul style="list-style-type: none"> • Chief Officer Partnership Development and Business Support • Head of Service Commissioning and Market Management 	
(d)(i)72	DFE_157	Teachers' Pensions Regulations 2010	Head of Learning Improvement	
(d)(i)73	DFE_158	Equality Act 2010 Section 88 and Schedule 10. This came into force on 1 October, replicating	Head of Service Complex Needs	

	Ref Number	Function sub-delegated by Director of Children's Services	Officer to whom sub-delegated	Terms and conditions
		duties under the Disability Discrimination Act 1995. The Disability Discrimination (Prescribed Times and Periods for Accessibility Strategies and Plans for Schools) Regulations 2005.		
(d)(i)74	DFE_159	Child Poverty Act 2010	Chief Officer Partnership Development and Business Support	
(d)(i)75	DFE_160	Education Act 1996 Section 390	<ul style="list-style-type: none"> • Head of Learning Improvement • 11-19 Leadership and Management Lead 	
(d)(i)76	DFE_191	Further and Higher Education Act 1992 section 33E, amended by the Apprenticeships, Skills, Children and Learning Act 2009 Schedule 8.	Head of Learning Improvement	
(d)(i)77	DFE_192	Education Act 2005 Section 94, as amended by Education Act 2011 section 15	Head of Learning Improvement	
(d)(i)78	DFE_193	Education Act 1997 section 42A, inserted by Education Act 2011 section 29	Head of Learning Improvement	
(d)(i)79	DFE_194	Apprenticeships, Skills, Children and Learning Act 2009 Schedule 13 inserts section 69A into the Education and Inspections Act 2006, amended by Education Act 2011 section 44.	Head of Learning Improvement	
(d)(i)80	DFE_195	Academies Act 2010 section 6, amended by Education Act 2011 section 58	Head of Learning Improvement	
(d)(i)81	DFE_196	Academies Act 2010 section 7, amended by Education Act 2011 section 57	Head of Learning Improvement	
(d)(i)82	DFE_197	Academies Act 2010 section 8 and schedule, amended by Education Act 2011 sections 59 and	Head of Learning Improvement	

	Ref Number	Function sub-delegated by Director of Children's Services	Officer to whom sub-delegated	Terms and conditions
		63 and schedule 14.		
(d)(i)83	DFE_198	Education Act 2011 section 61 inserts section 10A into Academies Act 2010.	Head of Learning Improvement	
(d)(i)84	DFE_199	Education Act 2011 section 75 inserts sections 532A, 532B and 532C into Education Act 1996	Head of Learning Improvement	
(d)(i)85	DFE_200	The Education (National Curriculum) (Key Stage 1 Assessment Arrangements) (England) Order 2004 article 6A, inserted by the Education (National Curriculum) (Key Stage 1 Assessment Arrangements) (England) (Amendment) Order 2011 (made under section 87 of the Education Act 2002).	Head of Learning Improvement	
(d)(i)86	DFE_201	Assessment and reporting arrangements for Year 1 phonics screening check – document has statutory force by virtue of section 87(11) of the Education Act 2002 and article 9 of SI 2004/2783 as amended by article 7 of SI 2011/3057, but also includes non-statutory guidance to local authorities	Head of Learning Improvement	
(d)(ii)		Early years development, childcare planning, and youth services	Deputy Director Learning	Decisions which will result in the authority incurring expenditure or making savings of £250,000 and above each year shall be referred to the Director of Children's Services.
			Head of Service Learning for Life	Decisions which will result in the authority incurring expenditure

	Ref Number	Function sub-delegated by Director of Children's Services	Officer to whom sub-delegated	Terms and conditions
				or making savings over £20,000 each year shall be referred to the Deputy Director Learning
(d)(ii)1	DFE_123	Childcare Act 2006 Section 1	<ul style="list-style-type: none"> • Head of Service Learning for Life • Children's Centre and Early Years Lead 	
(d)(ii)2	DFE_124	Childcare Act 2006 Section 1(3) and (4). Secondary - Local Authority Targets (Well-Being of Young Children) Regulations 2007 (SI 2007 / 1415) as amended by 2008 regulations.	<ul style="list-style-type: none"> • Head of Service Learning for Life • Children's Centre and Early Years Lead 	
(d)(ii)3	DFE_125	Childcare Act 2006 Section 3	Head of Service Learning for Life	
(d)(ii)4	DFE_126	Childcare Act 2006 Section 4	Head of Service Learning for Life	
(d)(ii)5	DFE_127	Childcare Act 2006 Section 99. Secondary - The Childcare (Provision of Information About Young Children) Regulations 2009 (SI 2009 / 1554).	<ul style="list-style-type: none"> • Head of Service Learning for Life • Children's Centre and Early Years Lead 	
(d)(ii)6	DFE_128	Childcare Act 2006 Section 12. Secondary: The Childcare Act 2006 (Provision of Information to Parents (England) Regulations 2007 (SI 2007 No 349).	<ul style="list-style-type: none"> • Head of Service Learning for Life • Children's Centre and Early Years Lead 	

	Ref Number	Function sub-delegated by Director of Children's Services	Officer to whom sub-delegated	Terms and conditions
(d)(ii)7	DFE_129	Childcare Act 2006 Section 5A	<ul style="list-style-type: none"> • Head of Service Learning for Life • Children's Centre and Early Years Lead 	
(d)(ii)8	DFE_130	Childcare Act 2006 Section 5C	<ul style="list-style-type: none"> • Head of Service Learning for Life • Children's Centre and Early Years Lead 	
(d)(ii)9	DFE_131	Childcare Act 2006 Section 5D	<ul style="list-style-type: none"> • Head of Service Learning for Life • Children's Centre and Early Years Lead 	
(d)(ii)10	DFE_132	Childcare Act 2006 Section 5E(2)	<ul style="list-style-type: none"> • Head of Service Learning for Life • Children's Centre and Early Years Lead 	
(d)(ii)11	DFE_133	Childcare Act 2006 Section 98C(3)	<ul style="list-style-type: none"> • Head of Service Learning for Life • Children's Centre and Early Years Lead 	
(d)(ii)12	DFE_134	Childcare Act 2006 Section 6	<ul style="list-style-type: none"> • Head of Service Learning for Life • Children's Centre and Early Years 	

	Ref Number	Function sub-delegated by Director of Children's Services	Officer to whom sub-delegated	Terms and conditions
			Lead	
(d)(ii)13	DFE_135	Childcare Act 2006 Section 7, as amended by Education Act 2011 Section 1	<ul style="list-style-type: none"> • Head of Service Learning for Life • Children's Centre and Early Years Lead 	
(d)(ii)14	DFE_136	Childcare Act 2006 Section 11	<ul style="list-style-type: none"> • Head of Service Learning for Life • Children's Centre and Early Years Lead 	
(d)(ii)15	DFE_137	Childcare Act 2006 Section 13	<ul style="list-style-type: none"> • Head of Service Learning for Life • Children's Centre and Early Years Lead 	
(d)(ii)16	DFE_138	The Early Years Foundation Stage (Learning and Development Requirements) Order 2007	<ul style="list-style-type: none"> • Head of Service Learning for Life • Children's Centre and Early Years Lead 	
(d)(iii)		Vocational training and allied services where they relate to children of compulsory school age.	Deputy Director Learning	Decisions which will result in the authority incurring expenditure or making savings of £250,000 and above each year shall be referred to the Director of Children's Services.

	Ref Number	Function sub-delegated by Director of Children's Services	Officer to whom sub-delegated	Terms and conditions
			Head of Learning Improvement	Decisions which will result in the authority incurring expenditure or making savings over £20,000 each year shall be referred to the Deputy Director Learning
(d)(iii)1	DFE_151	Apprenticeships, Skills, Children and Learning Act 2009 section 44 inserts section 51A into Further and Higher Education Act 1992	Head of Learning Improvement	
(d)(iii)2	DFE_152	Apprenticeships, Skills, Children and Learning Act 2009 section 45, as amended by Education Act 2011 section 30, inserts section 17A - 17D in the Education Act 1996.	Head of Learning Improvement	
(d)(iii)3	DFE_154	Apprenticeships, Skills, Children and Learning Act (2009) Part 2 section 47 inserts section 560A into the Education Act (1996)	Head of Learning Improvement	
(d)(iii)4	DFE_188	Children Act 1989 section 23CA	Head of Learning Improvement	

	Ref Number	Function sub-delegated by Director of Children's Services	Officer to whom sub-delegated	Terms and conditions
(e)		Provision of services so far as they relate to information, advice and guidance under the Learning and Skills Act 2000	Deputy Director Learning	Decisions which will result in the authority incurring expenditure or making savings of £250,000 and above each year shall be referred to the Director of Children's Services.
			Head of Learning Improvement	Decisions which will result in the authority incurring expenditure or making savings over £20,000 each year shall be referred to the Deputy Director Learning
(e)1	DFE_149	Apprenticeships, Skills, Children and Learning Act 2009 section 41 inserts sections 15ZA and 15ZB into the Education Act (1996)	Head of Learning Improvement	
(e)2	DFE_150	Apprenticeships, Skills, Children and Learning Act 2009 section 42 inserts section 15ZC into Education Act (1996)	Head of Learning Improvement	
(f)		Operational responsibilities for the Youth Offending Service in so far as they relate to the Local Authority.	Deputy Director Safeguarding, Specialist and Targeted Services	Decisions which will result in the authority incurring expenditure or making savings of £250,000 and above each year shall be referred to the Director

	Ref Number	Function sub-delegated by Director of Children's Services	Officer to whom sub-delegated	Terms and conditions
				of Children's Services.
			Head of Service Targeted Services	Decisions which will result in the authority incurring expenditure or making savings over £20,000 each year shall be referred to the Deputy Director Safeguarding, Specialist and Targeted Services
(g)		Specified functions in relation to the Building Hope – Leeds/Sri Lanka Tsunami Appeal charity, and	Not delegated	
(h)		Child poverty	Chief Officer Partnership Development and Business Support	Decisions which will result in the authority incurring expenditure or making savings over £100,000 each year shall be referred to the Director of Children's Services.

Executive functions – general delegations to officers

	Function sub-delegated by Director of Children's Services	Officer to whom sub-delegated	Terms and conditions
	FINANCIAL		
1.	To incur expenditure and to generate and collect income in line with Financial Regulations, Contract procedure Rules and within approved revenue and capital estimates.		
1(i)	Revenue	<ul style="list-style-type: none"> Deputy Directors, Chief Officer Partnership Development and Business Support within their area of responsibility 	Key decisions which will result in the authority incurring expenditure or making savings of £250, 000 and above should be referred to the Director of Children's Services.
		<ul style="list-style-type: none"> Chief Officer Children's Social Work Service (City Wide) within their area of responsibility 	Decisions which will result in the authority incurring expenditure or making savings of £100,000 and above each year shall be referred to the Deputy Director Safeguarding, specialist and Targeted Services.
		<ul style="list-style-type: none"> Heads of Service Safeguarding, Specialist and Targeted Services Heads of Service Learning Heads of Service, Partnership Development 	Decisions which will result in the authority incurring expenditure or making savings over £20,000 each year shall be referred to the Deputy Director or Chief Officer within their area of responsibility

	Function sub-delegated by Director of Children's Services	Officer to whom sub-delegated	Terms and conditions
		and Business Support	
	Revenue: Youth Activity Fund	Assistant Chief Executive Citizens & Communities	This function to be used in respect of the delegation to Community Committees to allow urgent decisions relating to the Youth Activity Fund allocated to any such committee, and subject to any conditions stipulated by the Executive or the relevant Community Committee
1.(ii)	Capital	Deputy Director Learning	Decisions which will result in the authority incurring expenditure or making savings over £750,000 each year shall be referred to the Director of Children's Services.
		Head of Service Learning Systems	Decisions which will result in the authority incurring expenditure or making savings over £500,000 each year shall be referred to the Chief Officer Strategy, Performance and Commissioning
		Programme Manager	Decisions which will result in the authority incurring expenditure or making savings over £250,000 each year shall be referred to the Head of Service Learning Systems

	Function sub-delegated by Director of Children's Services	Officer to whom sub-delegated	Terms and conditions
2.	In an emergency to incur any immediate and necessary expenditure required. Such expenditure must be reported to the Deputy Chief Executive at the first opportunity.	<ul style="list-style-type: none"> Deputy Directors, Chief Officer Partnership Development and Business Support within their area of responsibility 	Key decisions which will result in the authority incurring expenditure or making savings of £250, 000 and above should be referred to the Director of Children's Services.
		<ul style="list-style-type: none"> Chief Officer Children's Social Work Service (City Wide) within their area of responsibility 	Decisions which will result in the authority incurring expenditure or making savings of £100,000 and above each year shall be referred to the Deputy Director Safeguarding, specialist and Targeted Services.
		<ul style="list-style-type: none"> Heads of Service Safeguarding, Specialist and Targeted Services Heads of Service Learning Heads of Service, Partnership Development and Business Support 	Decisions which will result in the authority incurring expenditure or making savings over £20,000 each year shall be referred to the Deputy Director or Chief Officer within their area of responsibility
	PROCUREMENT		
3.	To make decisions in relation to commissioning and procurement activity. Such activity should be carried out in accordance with the Contracts Procedure Rules.	Deputy Director Learning	Decisions which will result in the authority incurring expenditure or making savings over £750,000 each year shall be referred to the Director of Children's Services.

	Function sub-delegated by Director of Children's Services	Officer to whom sub-delegated	Terms and conditions
		Head of Service Learning Systems	Decisions which will result in the authority incurring expenditure or making savings over £500,000 each year shall be referred to the Chief Officer Strategy, Performance and Commissioning
		Programme Manager	Decisions which will result in the authority incurring expenditure or making savings over £250,000 each year shall be referred to the Head of Service Learning Systems
4.	To approve all matters relating to operational PFI projects, including (without limitation) variations to project documents and refinancing.	<ul style="list-style-type: none"> • Deputy Director Learning • Head of Service Learning Systems 	
5.	<p>Signature of Certificates for Contracts – Local Government (Contracts) Act 1997 ('the 1991 Act')</p> <p>Subject to the approval of the City Solicitor and the Deputy Chief Executive, to sign certificates under the 1997 Act in relation to contracts.</p>	NOT TO BE SUB-DELEGATED	
	GENERAL		
6.	<p>Community Right to Challenge</p> <p>In consultation with the Chief Officer PPPU and</p>	Deputy Director Learning	

	Function sub-delegated by Director of Children's Services	Officer to whom sub-delegated	Terms and conditions
	Procurement, to make a decision on an expression of interest under community right to challenge.		
7.	<p>Data Protection, Human Rights, Surveillance activities, and Freedom of Information</p> <p>a) To implement and ensure compliance with:</p> <ul style="list-style-type: none"> the rules on data protection, human rights, surveillance activities, and freedom of information the council's policies on these matters guidance and advice from the City Solicitor on these matters. 	<ul style="list-style-type: none"> Deputy Directors Chief Officers 	Within their areas of responsibility
	b) To designate officers with specific responsibilities for these matters.	<ul style="list-style-type: none"> Heads of Service Safeguarding, Specialist and Targeted Services Heads of Service Learning Heads of Service, Partnership Development and Business Support 	In relation to those areas within their remit
	c) to advise the City Solicitor of any new types of data processed, of new ways of processing personal data and of any new persons or organisations to whom data is given.	Chief Officer Partnership Development and Business Support	
8.	<p>Media</p> <p>To issue statements to the press and other news media about their delegated functions within the settled framework of council policy</p>	<ul style="list-style-type: none"> Heads of Service Safeguarding, Specialist and Targeted Services Heads of Service Learning Heads of Service, Partnership Development 	In relation to those areas within their remit and only following consultation with the Deputy Directors or Chief Officers

	Function sub-delegated by Director of Children's Services	Officer to whom sub-delegated	Terms and conditions
		and Business Support	
9.	Authorising officers To authorise officers possessing such qualifications as may be required by law or in accordance with the council's policy, to take samples, carry out inspection, enter premises and generally perform the functions of a duly authorised officer of the council (however described) and to issue any necessary certificates of authority.	Not delegated	
10.	Corporate procedures To take any action remitted to the Director under corporate procedures	Not delegated	
11.	Local Choice Functions (see Section 1, Part 3 of the Constitution) (a) Functions under a local act, unless otherwise specified in Regulation 2 or Schedule 1 of the Local Authorities (Functions and Responsibilities) Regulations 2000	Deputy Director Learning	Where applicable within their areas of responsibility
	(b) To obtain particulars of persons interested in land	Deputy Director Learning	To the extent that this is in pursuance of the Director of Children's Services delegated authority.
12.	Budget and policy framework To formulate initial proposals within the budget and policy framework	<ul style="list-style-type: none"> Deputy Directors Chief Officers 	Within their area of responsibility and in consultation with Head of Finance (Children's Services) and Head of Human Resources

	Function sub-delegated by Director of Children's Services	Officer to whom sub-delegated	Terms and conditions
	PERSONNEL		
13.	<p>Miscellaneous employment issues To deal with employment issues in accordance with agreed procedures and the relevant national conditions of service as modified or extended by any local or national agreements</p>	<ul style="list-style-type: none"> • Deputy Directors • Chief Officers 	In consultation with the Head of Finance (Children's Services) and Head of Human Resources (Children's Services)
		<ul style="list-style-type: none"> • Heads of Service Safeguarding, Specialist and Targeted Services • Heads of Service Learning • Heads of Service, Partnership Development and Business Support 	In consultation with the Chief Officers within their areas of responsibility and Head of Finance (Children's Services) and Head of Human Resources (Children's Services)
14.	<p>Changes to staff structure Decisions in relation to restructures except where the decision:</p> <p>(i) involves changes to existing National or Local Agreements and policies; and/or</p> <p>(ii) cannot be achieved within delegated powers in respect of budgets</p>	<ul style="list-style-type: none"> • Deputy Director Safeguarding, Specialist and Targeted Services • Deputy Director Learning • Chief Officer Partnership Development and Business Support 	Decisions are subject to: <ul style="list-style-type: none"> i. appropriate professional advice being sought, ii. prior consultation with all appropriate parties affected by the decision including all officially recognised trade unions, and iii. appropriate consideration of pay and grading requirements. Proposals which involve additional Council expenditure outside officer delegations or which involve issues outside existing Council policy will be

	Function sub-delegated by Director of Children's Services	Officer to whom sub-delegated	Terms and conditions
			<p>referred to the Council or appropriate committee.</p> <p>Decision only within their area of responsibility subject to consultation with the Head of Finance (Children's Services) and Head of Human Resources (Children's Services)</p> <p>Key decisions which will result in the authority incurring expenditure or making savings of £250, 000 and above should be referred to the Director of Children's Services.</p>

Delegation of functions under Articles¹⁰ⁿ

Article	Function	Officer to whom sub-delegated	Terms and conditions
14.5	All Directors (or other person authorised by a Director) shall be authorised in relation to matters within their remit, to sign as Agent for the Council all contracts of a value below £100,000 agreed to be entered into by the Council or any part of it.	<ul style="list-style-type: none"> • Deputy Directors • Chief Officers 	Within their area of responsibility
14.5	<p>Authentication of Documents for legal proceedings To sign documents which are a necessary step in legal proceedings</p> <p><i>(Sub-delegated to the Director of Children’s Services by the City Solicitor (with power for the DCS to sub-delegate)</i></p>	Deputy Director Learning	To take any action which the City Solicitor can take BUT only with regard to the issuing of proceedings under the Education Act 1996 and the Education and Inspectorates Act 2006

¹⁰ Part 2 of the constitution

Delegation of functions (miscellaneous)

	Function	Officer to whom sub-delegated	Terms and conditions
(a)(ii)	To take any action intended to give effect to a decision of the executive or an officer including the commencement defence, withdrawal or settlement of proceedings <i>(Sub-delegated to the Director of Children's Services by the City Solicitor (with power for the DCS to sub-delegate))</i>	Deputy Director. Learning	To take any action which the City Solicitor can take BUT only with regard to the issuing of proceedings under the Education Act 1996 and the Education and Inspectorates Act 2006
	Employee Code of Conduct		
1.	To ensure that Notification of an Offer forms are available at all appropriate establishments within the relevant Directorate.	Chief Officer Partnership Development and Business Support	
2.	To receive completed Notification of an Offer forms, and <ul style="list-style-type: none"> • If the offer has been rejected by the employee: <ul style="list-style-type: none"> • Arrange for the central register to be completed; and • File the form. • If the employee is requesting permission to accept the offer: <ul style="list-style-type: none"> • To decide whether it would be appropriate to accept the offer, and if agreed: <ol style="list-style-type: none"> i. To sign the form and send a copy to the relevant employee; ii. To enter the details of the Register of Hospitality and Gifts; and iii. File the form. 	Chief Officer Partnership Development and Business Support	

Signature

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke at the end.

Date of signature: 22/4/15

(Director of Children's Services)

Date by which scheme needs to be reviewed: June 2015

Guidance Notes for Completion of Sub Delegation Scheme Template

Introduction

The authority carries out **council** and **executive** functions.

Council functions are specifically identified in regulations issued under the Local Government Act 2000. They are generally quasi-judicial, such as granting planning applications. Full Council and council committees delegate many of their council functions to officers.

All other functions are **executive** functions. The Leader may delegate these to officers. The Executive Board may also delegate executive functions to officers.

Some functions are “**local choice**” functions. This means that the authority decides whether to treat them as council or executive functions¹¹.

Because the authority has council and executive functions, there are two separate parts to the delegation scheme in Part 3 of the constitution:

- officer delegation scheme (**council** functions) – Part 3 Section 2C; and
- officer delegation scheme (**executive** functions) – Part 3 Section 3E.

Both parts of the delegation scheme set out:

- **general** delegations to all directors; and
- delegations to **specific** directors.

Some directors have also been delegated authority under local choice functions – Part 3 Section 1.

All directors have delegated authority under the Articles – Part 2.

¹¹ These are listed in Part 3 Section 1 of the constitution

An officer may carry out their functions through other officers. To do so, they must sub-delegate the functions^p to appropriate officers. These officers must be of suitable experience or seniority¹².

Your sub-delegation scheme sets out how you as the **Director of Children's Services** have sub-delegated your functions, to other officers.

The Template

This template has been designed to ensure consistency of approach by Directors in their sub-delegations to other officers. The template should be followed by:

- **directors;**
- **the Chief Executive;**
- **the Deputy Chief Executive;**
- **the Assistant Chief Executive; and**
- **chief officers with concurrent delegations.**

References to **directors** refer to all of the officers listed above, unless otherwise specified.

Guidance on how to complete this template is inserted as endnotes. These are written in blue, and highlighted in yellow. If you point your cursor over an endnote, the guidance will come up on screen. You may wish to print the guidance out and read through it, before you start to complete the template.

You will also need to refer to the council's constitution. Please use the most up to date version, which is available on the intranet.

This template follows the layout and contents of the officer delegations as they are set out in the constitution.

By using this template, you can be sure your sub-delegation scheme is comprehensive. You will also be able to amend the scheme easily, if the delegations to you set out in the constitution are amended in the future.

¹² Paragraph 8.1 Guidance notes on delegated decision making, Part 3 Section 5 of the constitution.

If there aren't any functions delegated to you in a particular section of the constitution, please keep the table in your scheme, but insert "not applicable". That way, it is clear that all sections have been considered. The table will also serve as a prompt when you come to review the scheme, as you may be delegated functions under one of these sections in the future.

Although your sub-delegation scheme should follow the template, it is up to you whether and how you sub-delegate your functions.

If you decide **not** to sub-delegate a particular function, please list the function in the appropriate place in the scheme, but insert "not delegated" in the column which identifies the officer to whom sub-delegated. If you do this, it will be clear that the function has not simply been overlooked.

We will review this template annually, after the Council's Annual Meeting.

You will need to review your scheme after the annual meeting of the council, each year, when we have sent you the revised template, and the Council and Executive have approved their schemes of delegation. Your revised scheme should be approved the day following the annual meeting, so it is clear that sub-delegations are in place for each municipal year.

You will also need to review your scheme:

- whenever there is a change to your delegation during the year; and
- whenever there is a change to the structure of your directorate.

If you do not keep your sub-delegation scheme up to date, decisions your staff make may be challenged by way of judicial review.

You may wish to timetable a review every 6 months, perhaps at your DMT, to see if any changes are necessary.

Please send a copy of your updated scheme to the Head of Governance Services.

In the interests of saving resources please do not print the Guidance Notes for Completion of Sub Delegation Scheme Template when you print your delegation scheme.

a This form should be used by the Chief Executive, Deputy Chief Executive, the Assistant Chief Executive and Directors

b **Post-holder**

Please replace any reference to **post-holder** with your post-title.

c **Officers**

Please insert the post-title of an officer, and not their name. You may delegate to any officer of suitable experience or seniority – see the Guidance notes on delegated decision making Section 5, Part 3 of the constitution. You may sub-delegate to an officer in your directorate, or another directorate, including to other directors.

You may also sub-delegate the same function to more than one officer.

It is up to you to make sure that officers are clear on the nature of and extent of any authority to carry out functions which are sub-delegated by you to them. Check that the operational position within your directorate is consistent with your sub-delegation scheme. Have you sub-delegated authority to all officers who need it?

Delegations by a director, where functions are concurrently delegated to a chief officer

Directors should not sub-delegate any function to a chief officer who has already been given concurrent delegation for that function under the officer delegation scheme. It is not necessary to do this (as they already have authority) and to do so would blur accountability, as it would not be clear under whose authority a decision is taken.

d **Terms and conditions**

You may limit or restrict a sub-delegation, by imposing a term or condition.

For example you may:

-
- impose a financial limit;
 - impose an exception in relation to any matter where you direct that the matter should be referred to you or to a relevant committee or the Executive Board (depending on whether it is a council or executive function);
 - require particular types of decision to be referred to you;
 - require an officer to consult specified people before making a particular type of decision;
 - sub-delegate a function to a particular officer “in relation to matters within their remit”;
 - state that the function does not extend to making key / major / significant operational decisions; or
 - limit the delegation to apply only in specified circumstances, or in relation to specific functions.

You must make sure that the authority you have sub-delegated is clearly defined. For example, if you wish to restrict an officer’s sub-delegation to preclude decisions about “politically sensitive” matters, or matters which have “significant implications”, then your scheme should be clear how these decisions can be identified.

e Absence of post-holder

You may decide that in your absence:

- particular functions should be carried out by different officers; or
- one officer should carry out all of your functions (for example your deputy director if you have one).

Statutory posts

Article 12, Part 2 of the constitution already sets out who is the deputy for the **statutory posts** of Head of Paid Service, Monitoring Officer and Chief Finance Officer. If you are one of these post-holders, you do not therefore need to include your statutory functions within this scheme of sub-delegation, as these have already been effectively sub-delegated in the constitution. However, you may wish to include them for completeness, with an appropriate reference to Article 12.

f Sub-delegation to other officers - definitions

For brevity, if you delegate a number of different functions to the same group of officers, you may wish to complete this table.

You should:

- insert a generic description (for example, “Chief Officers” or “Managers”) in the first column; and
- list all of the post-holders who come within the description in the second column.

You can then insert the appropriate definition against any function in the scheme which you want to sub-delegate to **all** of the post-holders within the definition.

g Council functions – specific to post-holder

You need to check through Section 2C of Part 3 to see whether you have been specifically delegated any council functions including Local Choice Functions where the decision making body is the Council. Not all directors or chief officers have.

Because they are often quasi-judicial, council functions may be particularly likely to be subject to challenge through the courts. So, please specify in your scheme the post-title of **all** officers to whom you wish to sub-delegate authority for each particular council function. This should include officers who carrying out administrative tasks (for example issuing a licence), where these tasks are council functions.

You may, however, impose different terms and conditions, according to the seniority or experience of a particular post-holder.

You must also include any exceptions which will apply to officers under the sub-delegation scheme, because they apply to you. For example, some licenses can only be granted by a director where no objections have been received. Obviously, you can only delegate authority, where you yourself have authority.

h Council functions in relation to approvals, licences, permissions or registrations which come within the post-holder’s authority:

You will need to complete this table only if you have authority in relation to any approvals, licences, permissions or registrations under your specific delegation in the officer delegation scheme (council functions).

If you do have delegated authority, please insert the type of approval, licence, permissions or registration in column 2, by referring to the number of the function on the table above.

Council functions – Maladministration/health and safety/personnel matters/byelaws

These council functions are delegated to **all** directors and chief officers, so you will need to complete this table.

Executive functions specific to post-holder

You need to include here any local choice functions which are the responsibility of the executive and have been delegated specifically to you. These are listed in the officer delegation scheme (executive functions) with the other executive functions delegated to you by the leader.

The officer delegation scheme (executive functions) sets out delegation to specific post-holders by exception. That is, the delegations are framed very widely, but are subject to any exceptions set out in the footnotes below your delegation in the Constitution.

You should set out the delegations to you in the officer delegation scheme (executive functions), in the order in which they are set out in the constitution. This way, it will be clear that they have all been included.

However, because the descriptions of these functions are very broad, you might need to break them down into more specific services, or provide more detail about them.

It is particularly important make sure you include the post-title of any officer who you wish to authorise to make key, major or significant operational decisions about a function, in your sub-delegation scheme. Delegated decision notices for these types of decisions, should only be signed by officers who are specified as having authority under your scheme.

You should also identify any decisions which officers make under your authority, which are particularly likely to be challenged. These will include decisions which affect the rights of particular individual in any way.

k Under the officer delegation scheme (executive functions), the authority of directors is subject to an exception where an appropriate Executive Member directs that a matter be referred to the Executive Board.

This exception must therefore also apply to any officer who is carrying out a function sub-delegated to them by a director. It must be included in directors' sub-delegation schemes.

Authorising officers

Some legislation requires an officer to be authorised to carry out a particular function, such as entering onto land or appearing in court. These officers should be individually authorised i.e. by name, and should have a signed certificate which they can produce to show that they have been properly authorised.

You should not insert the names of these authorised officers into your sub-delegation scheme here. You should insert the post-title of any officer who is to authorise officers on your behalf.

You should, however, also keep a **separate** record of any officer who is an authorised officer, together with details of:

- who authorised them,
- when they were authorised; and
- the functions for which they are authorised officers.

m Corporate Procedures

You need to include any functions you wish to sub-delegate which you have under, for example,:

- Financial Procedure Rules;
- Contract Procedure Rules; and
- Access to Information Rules

if they haven't been included elsewhere in your scheme.

Functions under employment procedures should not be sub-delegated here, but in 16. below.

n Delegation of functions under Articles

Article 14.5 delegates the signature of contracts as set out in the Article to all directors and chief officers with concurrent delegations.

Articles 14 (finance, contract and legal matters), 15 (review and revision of the constitution) and 16 (suspension, interpretation and publication of the constitution) set out various functions of the Chief Executive and the City Solicitor which may need to be sub-delegated by those officers.

o Delegation of functions (miscellaneous)

Please insert here any other functions which have not been sub-delegated elsewhere in the scheme. These should include:

- functions which legislation specifies are the specific responsibility of a post-holder, and so have not been delegated to the post-holder by the council or executive;
- functions which have been delegated to you under another section of the constitution, for example, the outside bodies procedure rules;
- functions which have been sub-delegated to you by another director, and therefore are not recorded in the constitution; and
- functions which have been sub-delegated to you for less than 6 months and therefore are not recorded in the constitution.

p Functions

Only functions which have been delegated for more than 6 months are legally required to be recorded in the delegation scheme.