Introduction

The Strategic Director of Children and Young People's Services is authorised in accordance with the Officer Delegation Scheme to carry out functions on behalf of Council and the Executive. Each Strategic Director has the benefit of a number of delegations – these are set out separately in two schemes; one for Council functions (delegated by Council) and one for Executive Functions (delegated by the Leader of Council). Each scheme is further separated into the general functions which are shared so that all Directors can carry out those functions in relation to areas within their remit, and specific functions which may only be carried out by or on behalf of the named Director. Details of those delegations can be found in Appendix 9 of the Constitution – Scheme of Delegation.

The Strategic Director has chosen to sub-delegate some or all of those functions to officers of suitable experience and seniority in his/her own directorate or in another directorate. These officers are identified by reference to their job title rather than by name. If the Strategic Director delegates functions to a fellow Strategic Director he/she makes it clear in this sub-delegation scheme whether that Strategic Director can sub-delegate those functions.

This scheme details the officers who can carry out each function on the Strategic Director's behalf, together with the details of any terms and conditions which the Strategic Director has imposed on that sub-delegation (examples can be found in footnote below). All officers are bound by the Employee Code of Conduct and should consider these together with any other rules or requirements in relation to personal conflicts of interest which may apply to them when exercising authority delegated under this scheme.

Even though the Strategic Director has sub-delegated the functions he/she remains accountable for all decisions taken in accordance with this scheme. An officer with sub-delegated authority may decide not to exercise that authority, or the Strategic Director may indicate that the authority should not be exercised, in respect of any individual matter. In either case that matter should be referred to the Strategic Director for a decision or for referral to the relevant Committee if appropriate.

In some circumstances not all Strategic Directors have functions delegated to him/her in the delegation scheme. In these cases the relevant part of this sub-delegation scheme is marked as 'not applicable'. Where the Strategic Director has chosen not to sub-delegate his/her authority, this is clearly stated within the scheme. Decisions in relation to those functions should be taken by the Strategic Director unless the absence provisions at the end of this scheme apply.

Glossary

Council	Functions which must be carried out by or on behalf of the Council. Functions which are reserved to Council can be
Functions	found here. Other Council functions are delegated to Committees of Elected Members or to individual officers.
Elected Members	Councillors elected by the citizens of Rotherham.
Cabinet	The group of 8 Elected Members including and selected by the Leader, responsible for carrying out Executive
	functions.
Executive	Functions which must be carried out by or on behalf of the Executive (Cabinet).
Functions	
Council	The meeting of all 63 Elected Members of Rotherham Metropolitan Borough Council
Functions	Things which Rotherham Metropolitan Borough Council must or may do. All functions are set out in legislation which
	will state whether the function is permissive or mandatory.
Leader	The Leader of Council, elected by all 63 Members of Council. (Usually the chosen leader of the largest political group
	represented on the Council.)
Local Choice	The Council must decide whether these functions should be treated as Council functions or Executive functions.
Functions	Details of the responsibility for these functions can be found here.
Relevant Cabinet	The Leader gives Portfolios of responsibility to individual members of Cabinet. Details of specific responsibilities are
Member	set out in the Cabinet Members Portfolios.

Group Delegations – Definitions and Priorities

The Strategic Director has chosen to delegate a number of functions to groups of officers. Where the same group of officers receive a number of separate delegations, in order to save space within the sub-delegation scheme, those groups of officers have been given a title. The following table sets out the title of each group of officers and lists the officers within each group. It also provides details of how it should be determined which of the officers within the group should take any given decision.

Group Title	Officers included in group authorisation	Order of responsibility
Assistant Directors	 Assistant Director – Safeguarding Assistant Director – Early Help & Family Engagement Assistant Director – Commissioning, Performance & Inclusion Assistant Director – Education 	
Heads of Service	 Head of Service – First Response Head of Service – Locality Social Work and Disability Services Head of Service – Looked After Children Head of Service – Safeguarding, Quality and Learning Head of Service – Early Help and Engagement Head of Service – Performance Head of Service – Commissioning Head of Service – Inclusion Head of Service – School Planning, Appeals and Admissions Head of Service – Early Years Head of Service – Education and ROSiS 	

Council Functions –

Introduction

The functions set out in this part of the sub-delegation scheme are Council Functions as defined by the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended)⁸ which have been delegated to the Director by Full Council, or by a Council Committee.

Where a Delegated Decision is taken in relation to a Council Function it should be supported by a report to the decision maker on the corporate report template and recorded on a Delegated Decision Record. The decision may be implemented immediately. The report supporting the decision should be published together with the Delegated Decision Record on the Council's website as soon as practicable after the decision has been taken.

Where an Administrative Decision is taken in relation to a Council Function you should keep a written record for audit purposes.

Council Functions –

General Delegations

	Function Delegated	Officer to whom delegated	Terms and Conditions
Gener	ral		
(a)	To make payments or provide other benefits in cases of maladministration.	Strategic Director of Finance and Customer Services	In accordance with provisions of the Financial and Procurement Procedure Rules.
(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.	Assistant DirectorsHeads of Service	In relation to those areas within their remit, with the exception of the overall management of fire safety which remains with the Strategic Director.
(c)(i)	To appoint staff within the approved establishment in accordance with the Council's Recruitment and Selection Procedure.	Assistant DirectorsHeads of ServiceOperational ManagersTeam Managers	In accordance with the policy and provisions of Appendix 9 in respect of functions reserved to the Staffing Committee and Senior Officer Appointments Panel.
(c)(ii)	To appoint staff on a temporary basis to provide cover for absences or cater for peaks in workload subject to there being budgetary provision.	Assistant DirectorsHeads of Service	 Subject to there being budgetary provision. Such staff should be employed on terms set out in the guidance issued by the Assistant Director of Human Resources

(c)(iii)	To determine issues relating to officers' terms and conditions of employment and to take such action and enter into such agreement as may be required to give effect to such determinations.	Assistant DirectorsHeads of Service	
Byela	nws		'
(d)	The enforcement of byelaws.	Assistant DirectorsHeads of Service	In relation to maters within their remit.

Local Choice Functions -

The Strategic Director of Children and Young People's Services is authorised to discharge the following Local Choice Functions which have been assigned to full Council (see Appendix 9 Section 3D of the Constitution):

	Function Delegated	Officer to whom delegated	Terms and Conditions
(a)	To make arrangements for appeals by governing bodies ¹²	 Assistant Director of Education and Skills Head of Service 	

Council Functions –

Specific Delegations

The sub-delegation scheme for Council functions set out below includes a number of powers authorising the named officer to make decisions in relation to approvals, licenses, permissions and registrations. In accordance with his/her general delegations, and unless otherwise stated, the Strategic Director includes in relation to those authorisations the power to:-

- a) Impose conditions, limitation or restrictions;
- b) Determine any terms to which they are subject;
- c) Determine whether and how to enforce any failure to comply;
- d) Amend, modify, vary or revoke; and
- e) Determine whether a charge should be made or the amount of such a charge.

	Function Delegated	Officer to whom delegated	Terms and Conditions
(a)	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.).	 Assistant Director of Early Help and Engagement Head of Service – Early Help and Engagement 	

Executive Functions –

Introduction

The functions set out in this part of the sub-delegation scheme are Executive Functions as defined by the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) which have been delegated to the Strategic Director by the Leader of Council. If the Leader or relevant Cabinet Member directs that the Strategic Director should not exercise his/her delegated authority in respect of any Executive function, then the officer with sub-delegated authority may not exercise that authority, and the matter must be referred to the Cabinet.

Decisions taken in respect of these functions must be taken in accordance with the Executive Procedure Rules and Access to Information Procedure Rules.

Where a Delegated Decision is taken in relation to an Executive Function it should be supported by a report to the decision maker on the corporate report template and recorded on a Delegated Decision Record. The report supporting the decision should be published together with the Delegated Decision Record on the Council's website as soon as practicable after the decision has been taken. Such decisions may be implemented immediately.

Where an Administrative Decision is taken in relation to a Council Function you should keep a written record for audit purposes. You can use a Delegated Decision Record to make this written record if it is helpful to do so. There is no requirement to publish the decision and it may be implemented immediately.

Executive Functions –

General Delegations

	Function Delegated	Officer to whom delegated	Terms and Conditions
1 Fin	ancial ¹⁵		
а	To incur expenditure and to generate and collect income in line with Financial and Procurement Procedure Rules and within approved revenue and capital estimates.		
	Revenue	Assistant Directors	In relation to matters within their remit, decisions which will result in the authority incurring expenditure or making savings of £250,000 and above should be referred to the Strategic Director of Children and Young People's Services.
		Heads of Service	In relation to matters within their remit, decisions which will result in the authority incurring expenditure or making savings over £?? each year shall be referred to the relevant Assistant Director.
	Capital	Assistant Director	Decisions which will result in the authority incurring expenditure or making savings over £250,000 each year shall be referred to the Strategic Director of Children and Young People's Services.
b	In an emergency to incur any immediate and necessary expenditure required. Such expenditure must be reported to the Strategic Director of Finance and Customer Services at the first opportunity.	Assistant Director	In accordance with Finance and Procurement Procedure Rules.

	Function Delegated	Officer to whom delegated	Terms and Conditions
2 Pro	curement		
а	To make decisions in relation to commissioning and procurement activity. Such activity should be carried out in accordance with the Finance and Procurement Procedure Rules	Assistant Directors Head of Service	In relation to matters within their remit, decisions which will result in the authority incurring expenditure or making savings over £250,000 each year shall be referred to the Strategic Director of Children and Young People's Services.
b	To approve all matters relating to operational PFI projects, including (without limitation) variations to project documents and refinancing.	Assistant Directors	
С	Subject to the approval of the Strategic Director of Finance and Customer Services and the Assistant Director of Legal Services, to sign certificates under the 1997 Act in relation to contracts.	NOT TO BE SUB-DELEGATED	
3 Ger	neral		

	Function Delegated	Officer to whom delegated	Terms and Conditions
а	Data Protection, Human Rights, Surveillance activities, and Freedom of Information	Caldicott guardian	
	 i) To implement and ensure compliance with: 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 SIRO on these matters. 	 Assistant Directors Heads of Service 	In relation to matters within their remit
	ii) To designate officers with specific responsibilities for these matters.	Assistant DirectorsHeads of Service	In relation to matters within their remit
	iii) To advise the SIRO 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.	Assistant DirectorsHeads of Service	In relation to matters within their remit
b	i) To issue statements to the press and other news media about their delegated functions within the adopted Budget and Policy Framework i) To issue statements to the press and other news media about their delegated functions within the adopted Budget and Policy Framework	Assistant Directors	In relation to matters within their remit and only following consultation with the Strategic Director. The relevant Cabinet Member must be made aware of all press and other news media statements.

	Function Delegated	Officer to whom delegated	Terms and Conditions
С	i) 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	Not delegated	
d	necessary certificates of authority. Corporate procedures To take any action remitted to the Strategic Director under corporate procedures.	Assistant DirectorsHeads of Service	In relation to matters within their remit.
4 Em	oloyment		
а	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.	 Assistant Directors Heads of Service 	In relation to maters within their remit and in consultation with the Assistant Director of Human Resources.

	Function Delegated	Officer to whom delegated	Terms and Conditions
b	i) Decisions can be taken in relation to restructures ²⁴ except where the decision: Involves changes to existing National or Local Agreements and policies; and/or Cannot be achieved within delegated powers in respect of budgets	Assistant Directors	In relation to matters within their remit. Decisions are subject to: 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 referred to the Council or appropriate committee.
С	Workforce Development	Assistant DirectorsHeads of Service	In relation to matters within their remit

	Function Delegated	Officer to whom delegated	Terms and Conditions
3	i) To understand relevant information in relation to local population and communities and to identify emerging trends; ii) To identify and review provision and to ensure it is appropriately matched to current and anticipated level of need; iii) To engage with locality management teams to maximise value of local experience and engagement; and iv) To work appropriately within the locality model to ensure local democratic engagement in needs analysis and service provision	 Assistant Directors Heads of Service 	In relation to matters within their remit
	Partnerships i) To engage in partnerships with organisations in public, private, and voluntary sector ii) To promote and influence partnership working with organisations across the borough; and iii) To work in partnership beyond the borough boundaries to support and participate in regional and sub-regional arrangements.	 Assistant Directors Heads of Service 	In relation to matters within their remit

	Function Delegated	Officer to whom delegated	Terms and Conditions
С	i) To carry out functions exercisable on behalf of an NHS body under Section 75 National Health Service Act 2006 in relation to matters within their remit.	Assistant Directors	In relation to matters within their remit
d	Provision of Statutory Returns i) To provide such statutory returns as are necessary within the Strategic Director's remit.	Deputy Directors	In relation to matters within their remit

Executive Functions –

Specific Delegations

	Function Delegated	Officer to whom delegated	Terms and Conditions
	Safeguarding, Specialist and Targeted Services	Assistant Director (AB, JL, DM)Heads of Service	
a	Preventative Services including: Taking account of the benefits of prevention and early intervention and the importance of cooperating with other agencies to offer early help to children, young people and families to:	 Assistant Director (AB, JL, DM) Heads of Service 	In relation to matters within their remit
	i) Understand local need; and		In relation to matters within their remit
	ii) Secure provision of services.		In relation to matters within their remit
b	Safeguarding and Child Protection including:	Assistant Director (AB, JL, DM)Heads of Service	
	i) Leading on multiagency arrangements to ensure that resources are coordinated and deployed in safeguarding and vulnerable children;	•	Inreditiondomattesswithinthbeireenitit
	ii) Provision of safeguarding training to ensure		In relation to matters within their remit
	ii) the stational of equipped inget and sure attrates tation and	•	In relation to matters within their remit
	iii) Acting as corporate parents for looked after children;		In relation to matters within their remit
	ivi) Pacvision of placements for looked affer chideen, and	•	ny de la

	v) Implementing planned transition for young people leaving care.		In relation to matters within their remit
С	Assessment and Care Management including:	Assistant Director (AB, JL, DM)Heads of Service	
	i) Assessment of children who may have social care needs; and		
	ii) Co-ordination, management and review of care package to meet assessed needs.		In relation to matters within their remit.
d	Complex Needs including:	Assistant Director (AB, JL, DM)Heads of Service	In relation to matters within their remit.
	Provide and commission services to meet the need of children with complex needs.		
	ii) Provide and commission services to meet the need of children with complex needs.		In relation to matters within their remit.
е	Residential and Respite Care including:	Assistant Director (AB, JL, DM)Heads of Service	In relation to matters within their remit.
	Provision and commissioning of residential placements; and		In relation to matters within their remit.
	ii) Provision and commissioning of respite.		In relation to matters within their remit.
f	Support for Carers including:	Assistant Director (AB, JL, DM)Heads of Service	
	i) Provision or commissioning of training, advice and practical help for carers.		

g	Youth Offending Services including:	Assistant Director (AB, JL, DM)Heads of Service	
	i) Provision of education for children in custody; and		
	ii) Safeguarding arrangements for children in custody		
2	Learning Skills and Universal Services		
а	Early Years Provision including:		
	 i) Provision of information, advice and assistance to parents and prospective parents; 		
	ii) Provision of children's centres;		
	iii) Promotion of child care to ensure sufficient good quality child care to support working parents;		
	iv) Promotion of high quality early years provision;		
	v) Provision of free education for three and four year olds and all disadvantaged two year olds;		
	vi) Support to early years providers meeting requirements of Early Years Foundation Stage statutory framework		
b	Access to education including:		
	 Promote a diverse supply of strong schools, including: Encouraging good schools to expand; and Where there is a need for a new school, seeking proposals for an Academy or Free School 	•	In relation to matters within their remit.

	 Ensure fair access to all schools for every child, including: Provision of appropriate information to parents; and Compliance with the statutory School Admissions and School Admissions Appeal Codes; 	•	In relation to matters within their remit.
	Provision of suitable home to school transport arrangements; and	Head of Service Commissioning and Market Management	In relation to matters within their remit.
	Make arrangements for children outside mainstream education or missing	•	In relation to matters within their remit.
С	Special Educational Needs including;	•	In relation to matters within their remit.
	i) Provide and commission education services to meet the need of children with special educational needs; and	•	In relation to matters within their remit.
	ii) Funding provision for children with statements of special educational needs.	•	In relation to matters within their remit.
d	Promotion of educational excellence including:	•	In relation to matters within their remit.
	i) Support to maintained schools delivering national curriculum;	•	In relation to matters within their remit.
	ii) Development of robust school improvement strategies;	•	In relation to matters within their remit.
	iii) Support of school to school collaboration;	•	In relation to matters within their remit.
	iv) Improvement of poorly performing schools;	•	In relation to matters within their remit.
	v) Establishing a schools forum; and	•	In relation to matters within their remit.
	vi) Maintaining a scheme for financing maintained schools and related provision	•	In relation to matters within their remit.

е	14-16 Skills Development	•	In relation to matters within their remit.
	Support the development of a diverse learning offer including University	•	In relation to matters within their remit.
	Support the development of academic, technical and vocational pathways that	•	In relation to matters within their remit.
	Promote the opportunities available to young people at 14; and	•	In relation to matters within their remit.
	Promotion of business engagement in schools and colleges through high quality	•	In relation to matters within their remit.
f	Development of active citizens including:	•	In relation to matters within their remit.
	i) Promotion of access to educational and recreational leisure time activities for	•	In relation to matters within their remit.
	ii) Promotion of children's participation in public decision making.	•	In relation to matters within their remit.
4 Child	Poverty including:		
а	Establish local co-operation arrangements to reduce child poverty, including:	•	
	i) Preparation and publication of a local child poverty needs assessment; and	•	
	ii) Preparation of a local child poverty strategy.	•	
1) Adop	otion services including:-	1	•
	a) Recruitment and approval of potential adopters;	•	
	 b) Identification of potential matches between children and adopters²⁶; 	•	
	c) Provision of adoption panels; and	•	
	d) Provision of adoption support services ²⁷ to adopters, adoptees, birth families and	•	

Miscellaneous Functions

The functions set out in this part of the Sub-delegation scheme are derived from:-

- Legislation which provides that a function should be the specific responsibility of the Strategic Director;
- Policies and Procedures which form part of the Constitution of Rotherham MBC;
- Sub-delegations made by other Strategic Directors of Rotherham MBC to whom those functions have been delegated; and
- Delegations which have been made to the Director by Full Council or the Executive for a period less than 6 months which are not therefore reflected in the Constitution

Place from where function derived	Function Delegated	Officer to whom delegated	Terms and Conditions
	To receive completed Notification of an Offer forms, and If the offer has been rejected by the employee: Arrange for the central register to be completed; and File the form. If the employee is requesting permission to accept the offer: To decide whether it would be appropriate to accept the offer, and if agreed: 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.	 Deputy Directors Assistant Directors Heads of Service 	In relation to matters within their remit.

Sub-delegated to the Director of Children and Young People's Services by the Chief Executive		
With authority to further sub- delegate to officers of suitable experience and seniority		

Absence Provisions

The table below sets out details of responsibility for those functions which are not sub-delegated by the Strategic Director in the usual course of business. These sub-delegations may only be exercised in the absence of the Strategic Director on leave²⁸ or where the Strategic Director has confirmed in writing that he/she will be absent from the office and these provisions are to apply²⁹.

Function sub-delegated by Strategic Director	Officer with authority to exercise function in absence of Strategic Director.	Terms and Conditions
The authority's role as children's services authority, including functions in relation to: • Arrangements to promote co-	Assistant Directors	
 operation to improve well-being of children; Arrangements to safeguard and promote welfare of children; 	Assistant Directors	
 Information databases; The Local Safeguarding Children Board. 	Assistant Directors	
All other functions	Assistant Directors	

²⁸ Whether annual leave, sick leave or special leave

²⁹ It is recommended that a delegated decision form be used to record and publish this as a Decision.