

Sub-Scheme of Delegation Executive Director of Children and Young People's Services

The Executive 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 Executive 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](#).

The Executive 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 Executive Director delegates functions to a fellow Executive Director he/she makes it clear in this sub-delegation scheme whether that Executive Director can sub-delegate those functions.

This scheme details the officers who can carry out each function on the Executive Director's behalf, together with the details of any terms and conditions which the Executive Director has imposed on that sub-delegation. All officers are bound by the Officer Employment Procedure Rules 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 Executive 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 Executive 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 Executive Director for a decision or for referral to the relevant Committee if appropriate.

In some circumstances not all Executive 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 Executive 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 Executive Director unless the absence provisions at the end of this scheme apply.

Group Delegations – Definitions and Priorities

The Executive 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.

Group Title	Officers included in group authorisation	Responsibility
Service Directors	Service Director – Safeguarding Service Director – Early Help & Family Engagement Service Director – Commissioning, Performance & Inclusion Service Director – Education	Each to act in relation to matters within their remit unless absent in which case any other Service Director may act. <ol style="list-style-type: none"> 1. In respect of all financial matters: <ul style="list-style-type: none"> • Authorisation to spend within approved budgets subject to the policies, Financial and Procurement Procedure Rules of the Council • Authorisation for the virement of revenue budgets in according with the Financial and Procurement Procedure Rules of the Council 2. In respect of departmental assets: <ul style="list-style-type: none"> • The purchase of replacement vehicles, plant or equipment, including computer hardware and software for which financial provision has been made in accordance with the Financial and Procurement Procedure Rules of the Council. • Declaring obsolete furniture and equipment, and other materials surplus to requirements provided that the estimated value of any one item or group of items is not more than £1,000. 3. In respect of procurement, contract administration and best value: <ul style="list-style-type: none"> • In accordance with Financial and Procurement Procedure Rules, matters relating to the specification for works, goods and services, the seeking of estimates, quotations and tenders, the evaluation of the same and acceptance of tenders relating to contracts for works, goods and services in accordance with approved budgets or supplementary estimates.

		<ul style="list-style-type: none"> • Where a contract for support and maintenance is renewed within five years of the original contract, authority to award such a contract. <p>4. In respect of in-house service providers:</p> <p>5. Human Resources functions delegated:</p> <p>Subject to the next following bullet points, the following HR functions are delegated to Executive and Service Directors:</p> <ul style="list-style-type: none"> • Establishment of posts • Changes to establishment/restructuring • Transfer of posts between service sections and units • Approval to fill vacant posts within approved establishment, including posts externally funded (where directors delegate this responsibility to senior managers in the service a list of authorised officers for this should be maintained by the directorate HR manager) • Appointment to posts below Service Director, with approved establishment (where this is delegated to senior managers, a list of authorised officers should be maintained by the directorate HR manager) • Use of the re-location scheme for new appointments (the standard pro-forma should be used) • Transfer of staff internally to equivalently graded posts • Approving the recruitment of additional temporary staff for maternity leave cover • Approving the recruitment of additional temporary staff to meet work demands/ seasonal fluctuations (all arrangements should be registered and recorded appropriately by the service). • Agreeing applications for job share and filling of resultant vacancies (the standard pro forma should be used by the service and retained as a record of an agreed job share arrangement).
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		<ul style="list-style-type: none"> • Approving attendance on full time training courses, conferences etc. or to give lectures (not exceeding one week duration) • Authorising the acceptance of gifts/legacies and hospitality offered to staff • Authorising requests from staff to undertake additional employment (the authority delegated to Service Directors allows them to authorise additional employment for staff above SCP28) • Authorising overtime payments for staff (in accordance with corporate guidelines to ensure consistency and maintain equality) • Granting of special leave without pay • Granting of special leave with pay, including trade union time off • Considering applications to extend the period of paid sickness absence (this relates to the extension of the period of half pay; it is only at the point when employees are reaching the end of the period of half pay that such consideration can be given) • Authorising payment of compromise agreements or other forms of settlement of the termination of contract of employment • Authorising payment of 'buy-out' compensation (any 'buy-out' arrangements must be consistently applied in line with the philosophy of a single employer) • Issuing compulsory redundancy notices (in consultation with the Service Director of Human Resources) • Approval of excess travel expenses (where council policy is not appropriate, any arrangements must be consistently applied in line with the philosophy of a single employer) • Approving requests for re-employment from persons having previously taken early release from the Council's employment. <p>The HR functions listed above are delegated to Executive and Service Directors subject to their consulting the Service Director of Human Resources in order to ensure that such functions are discharged in compliance with national/national agreements, equal pay requirements, and are consistent across directorates and accord with the philosophy of a single employer.</p>
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		<p>The preceding general delegation only applies where the matter under consideration falls within the terms of an existing council policy. Where, the matter under consideration falls outside the particular council policy, in consultation with the Service Director of Human Resources, the Executive or Service Director concerned must prepare and submit a report outlining the issues for consideration and his or her recommendations for consideration by the Strategic Leadership Team.</p> <p>6. Other functions</p> <p>Any function not otherwise reserved to the full Council, the Cabinet, a committee of the Cabinet, a member of the Cabinet, a joint committee discharging executive functions or another local authority, relevant to the Service Director's portfolio.</p> <p>Compensation payments up to £500, in accordance with the Council's Customer Complaints Code of Practice for Officers and the Council's Financial and Procurement Procedure Rules.</p>
<p>Heads of Service (M3 Managers)</p>	<p>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</p>	

	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	
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Council (Non-Executive Functions)

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) which have been delegated to the Chief Executive by Council, or by a Council Committee.

Decisions in relation to these functions should be categorised in accordance with Article 5 and taken in accordance with the Access to Information Procedure Rules which can be found in Appendix 3 of the Constitution.

Where a significant decision is taken using delegated powers from the Constitution, the Council or a committee, or this sub-scheme of delegation, 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. You can use a Delegated Decision Record to make this written record if it is helpful to do so. The decision may be implemented immediately.

**Council Functions
General Delegations**

	Function Delegated	Officer to whom delegated	Terms and Conditions
General			
(a)	To make payments or provide other benefits in cases of maladministration	Not delegated	
(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	Service Directors Heads of Service M2 Managers	
Personnel			
(c)(i)	To appoint staff within the approved establishment in accordance with the Council's Recruitment and Selection Procedure	Service Directors Heads of Service M2 Managers	
(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.	Not delegated	<ol style="list-style-type: none"> 1. Subject to there being budgetary provision. 2. Such staff should be employed on terms set out in the guidance issued by the Service Director of Human Resources.

	Function Delegated	Officer to whom delegated	Terms and Conditions
(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.	Not delegated	
Byelaws			
(d)	The enforcement of byelaws.	Not delegated	

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 Executive Director of Children and Young People’s Services 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.).	<ul style="list-style-type: none"> • Service Director of Early Help and Engagement • Head of Service – Early Help and Engagement 	
(b)	To make arrangements for appeals by governing bodies	Not Delegated	

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 Executive Director of Children and Young People's Services by the Leader of Council.

If the Leader or relevant Cabinet Member directs that the Executive Director of Children and Young People's Services 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 Cabinet.

Decisions in relation to these functions should be categorised in accordance with Article 5 and taken in accordance with the Executive Procedure Rules which can be found in Appendix 1 of the Constitution.

Where a decision is proposed 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. Once the decision has been taken, it may be implemented immediately.

Where an Administrative Decision is taken in relation to an Executive 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
Financial			
(a)	To incur expenditure and to generate and collect income in line with Finance and Procurement Procedure Rules and within approved revenue and capital estimates.	Service Directors Heads of Service	
(b)	In an emergency to incur any immediate and necessary expenditure required. Such expenditure must be reported to the Chief Finance Officer at the first opportunity.	Service Directors	
Procurement			
(c)	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.	Service Directors Heads of Service	
Communications and Media			
(d)	To issue statements to the press and other news media about their delegated functions within the Council's adopted Budget and Policy Framework.	Not delegated	
Authorising Officers			

	Function Delegated	Officer to whom delegated	Terms and Conditions
(e)	To authorise officers possessing such qualification 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	
Corporate Procedures			
(f)	To take any action remitted to the Director of Policy, Strategy and Engagement under corporate procedures	Not delegated	
Local Choice Functions			
(g)	Functions under a local act, unless specified in Regulation 2 or Schedule 1 of the Local Authorities (Functions and Responsibilities) Regulations 2000	Not delegated	
(h)	To obtain particulars of persons interested in land	Not delegated	
(i)	To make arrangements for appeals against exclusion of pupils from maintained schools	Not delegated	
(j)	To make arrangements for appeals regarding school admissions ¹	Not delegated	
Budget and Policy Framework			
(k)	To canvas views of local stakeholders, formulate initial proposals within the budget and policy framework	Not delegated	
Employment			

¹ S94(1), (1A) AND (4) School Standards and Framework Act 1998

	Function Delegated	Officer to whom delegated	Terms and Conditions
(l)	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	Service Directors	
(m)	Decisions in relation to restructures, except where the decision: <ul style="list-style-type: none"> (i) Involves changes to existing national or local agreements and policies; and/or (ii) Cannot be achieved within delegated powers in respect of budgets 	Not delegated	Decisions are subject to: <ul style="list-style-type: none"> (i) Appropriate professional advice be 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 (iv) 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.
Provision of Statutory Returns			
(n)	To provide such statutory returns as are necessary within the Executive Director of Children and Young People's remit	Not delegated	

**Executive Functions
Specific Delegations**

	Function Delegated	Officer to whom delegated	Terms and Conditions
	Any function of the Leader and Cabinet not otherwise delegated to an Executive Director in relation to:		
1	Children's Social Care		
	(a) Preventative Services including: Taking account of the benefits of prevention and early intervention and the importance of co-operating with other agencies to offer early help to children, young people and families to: i) Understand local need; and ii) Secure provision of services.	Service Director Heads of Service	
	(b) Safeguarding and Child Protection including: i) Leading on multiagency arrangements to ensure that resources are coordinated and deployed in safeguarding and vulnerable children ii) Provision of safeguarding training to ensure that staff are equipped to recognise and address child abuse iii) Acting as corporate parents for looked after children iv) Provision of placements for looked after children; and v) Implementing planned transition for young people leaving care.	Service Director Heads of Service	
	(c) Assessment and Care Management including: i) Assessment of children who may have social care needs; and ii) Co-ordination, management and review of care package to meet assessed needs.	Service Director Heads of Service	

	Function Delegated	Officer to whom delegated	Terms and Conditions
	(d) Complex Needs including: i) 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.	Service Director Heads of Service	
	(e) Residential and Respite Care including: i) Provision and commissioning of residential placements; and ii) Provision and commissioning of respite.	Service Director Heads of Service	
	(f) Support for Carers including: i) Provision or commissioning of training, advice and practical help for carers.	Service Director Heads of Service	
	(g) Youth Offending Services including: i) Provision of education for children in custody; and ii) Safeguarding arrangements for children in custody	Service Director Heads of Service	

	Function Delegated	Officer to whom delegated	Terms and Conditions
	<p>(h) Legal decisions</p> <ul style="list-style-type: none"> i) To initiate family court proceedings ii) Signing of applications to court iii) Signing of care plans to court iv) Court directed placements v) Decision to apply for discharge of care order vi) Planned accommodation under Section 20 Children Act 1989 vii) Application for an Emergency Protection Order viii) Application for a Child Assessment Order ix) Approval to apply to Secure Accommodation Panel x) Approval for secure accommodation (welfare or otherwise) xi) Decision to use secure accommodation without the authorisation of a court (up to 72 hours in aggregate over a 28 day period) xii) Decision to end period in Secure Accommodation whilst Court Order is in place xiii) Decision to place a child on a Care Order or an Interim Care Order at home with parents or person with parental responsibility xiv) Application to the Court for authority to refuse contact with a child in care under Section 34(4) Children Act 1989 		
	<p>(i) Children in Need and in need of protection</p>		
	<ul style="list-style-type: none"> i) Decisions on outcome of referrals and assessments ii) Responsibility to assess case iii) Responsibility to call a child's care planning or review meeting iv) Chairing of child's care planning (CIN) meeting/ chairing a non CLA review meeting v) Decision to close a case or transfer a case to another team 		

	Function Delegated	Officer to whom delegated	Terms and Conditions
	<p>(j) Functions related to child protection <i>Authority to exercise all the duties and functions of the Authority under Parts IV and V of the Children Act 1989, sections 31 – 52 [including section 47 – local authority’s duty to investigate] and all other enabling powers with regard to the care, supervision and protection of children and young people, including determining applications for Residence Orders under Section 8 Children Act 1989. This includes:-</i></p> <ul style="list-style-type: none"> i) Decision to hold Child Protection strategy meeting ii) Initiate Section 47 Child Protection enquiries including direct work with the family iii) Conclude Section 47 enquiries iv) Decision to convene an Initial Child Protection Conference v) Decision to hold Review Child Protection Conference out of timescales vi) Chairing of Child Protection Conferences vii) Cessation of Child Protection Plans viii) Risk decision re: DBS checks 		
	(k) Consent decisions relating to children in care		

	Function Delegated	Officer to whom delegated	Terms and Conditions
	<ul style="list-style-type: none"> i) Authority to exercise all the duties and functions of the Authority with regard to children and young people under Sections 22 to 24D of the Children Act 1989 and all other enabling powers (maintenance, advice etc) including making decisions reasonably necessary for their health and well-being ii) Authorisation to place a child outside the area of the responsible authority but within the neighbouring authorities iii) Authorisation to place a child outside the area of the responsible authority and where that placement is a distant one iv) Authorisation of Placement of Children Looked After with Parents etc. v) Sign Passport Applications as person with parental responsibility vi) Consent to holidays or trips abroad in school holidays lasting under a month vii) Consent for a child who is subject to a Care Order to leave the jurisdiction of the Court for more than a month viii) Consent to seek agreement for a child who is subject to an interim care order or the subject of court proceedings on no order, to leave the jurisdiction of the Court ix) Consent to support a young person on a Care Order changing their name x) Consent to join the Armed Forces xi) Consent to marriage of 16 or 17 year old on a Care Order xii) Consent for 16 or 17 year old on a Care Order to live independently xiii) Authorisation to cease being looked after for children (aged 0-15 who have been in care over 20 days) who are being placed for adoption xiv) Authorisation to cease being looked after for children (aged 0-15 who have been in care for over 20 days) who are going home or going to live with family or friends 		

	Function Delegated	Officer to whom delegated	Terms and Conditions
	<ul style="list-style-type: none"> xv) Authorisation of the support plan where a child is to cease being looked after for children (aged 0-15 who have been in care over 20 days) who are subject to special guardianship or child arrangement orders. xvi) Authorisation to cease being looked after for young people aged 16 & 17 xvii) Young person continues to be accommodated after their 18th birthday where in residential provisions xviii) Young person remains in an extended foster placement or a formal 'Staying Put' arrangement xix) Consent to routine planned health assessments or treatment for looked after children where the Local Authority has parental responsibility xx) Consent to common (age-related) health remedies including non-prescription drugs, such as ibuprofen and paracetamol xxi) Consent to health assessments, treatment or other interventions including general anaesthetic for a child on a care order where the parent is in disagreement xxii) Consent to health assessments, treatment or other interventions including general anaesthetic for a child accommodated by the Authority which does not have parental responsibility xxiii) Consent to medical interventions to deal with life threatening situations xxiv) Where there is a high risk associated with medical treatment or procedure and this is a planned intervention xxv) Consent to medical interventions to deal with life threatening situations or where there is a high risk associated with the treatment or procedure where the parent or other persons with parental responsibility oppose the intervention xxvi) Acting as a parent for children subject to care orders for the purposes of sectioning under the Mental Health Act 1983 and 2007 xxvii) Engagement in potentially hazardous leisure or sports activity 		

	Function Delegated	Officer to whom delegated	Terms and Conditions
	xxviii) Decisions about staying with friends overnight xxix) Decisions about contact arrangements xxx) Decisions about looked after children under 16 subject to a care order having non-intimate body piercing xxxi) Agreement that long term fostering is plan for the child xxxii) Agreement that foster placements are permanent placements for looked after children xxxiii) Decision to consent to looked after children’s photographs being used in external publications xxxiv) Decisions re: DBS disclosures on Family and Friends, Foster Carers and SGO Carers xxxv) Consent to use publicity for child missing from care xxxvi) Delay outside statutory timescale for LAC reviews xxxvii) Death of a child in care:- <ul style="list-style-type: none"> - Notifying the Cabinet Member - Notifying the Head of Service - Notifying the Team Management - Notifying the Head of Service responsible for Youth Offending 		
	(l) Fostering and adoption agency decisions		

	Function Delegated	Officer to whom delegated	Terms and Conditions
	<ul style="list-style-type: none"> i) Foster Agency Decision Maker ii) Approval of Foster Carers following first annual review iii) Continued approval of foster carers following subsequent reviews (unless referred to Fostering Panel) iv) Authorise emergency placements out of the foster carers terms of approval v) Permanent change of approval vi) Temporary Approval of Foster carers (Regulation 24) vii) Approving adopters as Foster to Adopt carers viii) Adoption Agency Decision Maker ix) Approval of new Adopters x) Approval of the plan for a child to be adopted xi) Approval of a match between a child and adopters xii) Revocation of the plan for a child to be adopted xiii) Decision to pay an adoption allowance or lump sum payment xiv) Review of adopters' approval (unless review at Adoption Panel) 		
	(m) Placement Decisions		
	<ul style="list-style-type: none"> i) Agreement to place with Independent Children Home ii) Agreement to place with Independent Fostering Agency iii) Parent and child assessment placement iv) Specialist leaving care accommodation (ESA) v) B&B/ Emergency accommodation 		
	(n) Disabled Children		
	<ul style="list-style-type: none"> i) Agreement to provide a short breaks personal budget for a disabled child ii) Agreement to request overnight short break service for a disabled child iii) Agreement to provide inclusive Play Provision funding to enable settings to meet needs of a specific child 		

	Function Delegated	Officer to whom delegated	Terms and Conditions
	(o) Notifications		
	<ul style="list-style-type: none"> i) Death of a child in care:- <ul style="list-style-type: none"> - If 'out of hours' EDT will inform the Executive Director - Executive Director will inform the Cabinet Member, Leader of the Council and Chief Executive - Executive Director will notify the relevant Service Director and Head of Service - Notification to Ofsted from the Executive Director's office ii) HCPC notifications <ul style="list-style-type: none"> - Disciplinary/ suspension notifications - Concerns regarding safety to practice (ex staff members) iii) Ofsted notifications <ul style="list-style-type: none"> - Serious incident(s) - Serious Case Review – decision to commission - Serious Case Review – publication date 		
	<p>(p) Education Decisions regarding Children in Care <i>Should be discussed at Personal Education Plan Meetings (PEPs) wherever possible</i></p>		

	Function Delegated	Officer to whom delegated	Terms and Conditions
	<ul style="list-style-type: none"> i) Agreement on school placement for those entering the school system – social worker should apply to nearest good or better Ofsted rated school ii) Consultation on Early Years Placement (Childminder, Nursery or Children’s Centre Placement) – must have good or better Ofsted iii) Agreement on school placement for those pupils in transition between key stages where the current school is unable to continue to educate the child (e.g. between primary and secondary school) iv) Agreement to change a child’s school, e.g. due to a care placement move, new to care v) Any planned school move for a pupil in KS4 cannot be agreed without specific permission from Virtual School Head and Service Director vi) LAC Pupil Premium Spend – at the PEP meeting to be approved/ quality assured by Virtual School Head vii) Exceptional Permission for Absence in term time (half a day or more) – only short, unavoidable and rare viii) Permission for a reduced/reintegration/transition timetable (any timetable that is less than statutory required hours) – school to submit paperwork to the Virtual School Head ix) Repeating a school year or placing a child in year group not their chronological age x) Exclusions from school – risk of permanent exclusion from school 		
2	Education and Skills		
	(a) Schools Finance		

	<ul style="list-style-type: none"> i) Education Provision – in consultation with schools and partners, develop and implement an Integrated Education Strategy distributing capital funding to schemes on the basis of need and in accordance with any regulations regarding the use of funding grants ii) Schools Forum – in accordance with s47a of the Education Act 2002, establish and maintain a Schools Forum to advise and agree proposals as prescribed in regulations, on the distribution of money between schools and how much should be spent on certain Authority-wide functions iii) Fair Funding Formula – Children and Young People’s Services directorate, in consultation with schools and Schools Forum, to determine each school’s budget share through the development and implementation of a local Fair Funding Formula, subject to any statutory requirements, including reference to the Schools Regulations 2012. iv) Schools Budget Setting – set school budgets in accordance with regulations, including those relating to minimum schools budgets and ‘passporting’ targets v) Schools Budget Submission to Secretary of State – in accordance with paragraph 66 of schedule 7 to the Local Government Act 2003 submit to the Secretary of State the proposed Schools Budget as required vi) Budget Statements – to manage the delegation of budget shares to schools, produce a financial statement before the beginning of each financial year and after the end of each financial year in accordance with s.52 of the 1998 Act and other related regulations vii) Audit dates to the Secretary of State – in accordance with the Consistent Financial Reporting (England) Regulations 2003 to report to the Secretary of State each schools’ audit date by the August following the end of the financial year. viii) Notice of Concern ix) Staffing and Finance – in accordance with S.35(7) of the Education Act 2002 the arrangement for staffing of schools without delegated budgets shall be determined by the local authority 		
	(b) School Admissions		

	Function Delegated	Officer to whom delegated	Terms and Conditions
	<i>Subject to the Education (Determination of Admissions Arrangements)(England) Regulations 1999 as amended by the Education (Determination of Admissions Arrangements)(Amendment)(England) Regulations 2002 relating to maintained schools:</i>		

	<ul style="list-style-type: none"> i) Consult annually about admissions arrangements with governing bodies of admissions authorities of schools ii) Where there are within year variations to (except in a case where their proposed variations prescribed – see Education (Variations of Admissions Arrangements)(England) Regulations 2002) refer the proposed variations to the adjudicator and notify the bodies whom it consulted of the proposed variations. Where the local authority is the admissions authority for the school, to consult with the governing body before making a reference to the adjudicator iii) When determining admissions arrangements for schools for which the authority is the admissions authority, include determination of the number of pupils in each relevant age group that it is intended to admit to the school in that year, taking into consideration the current capacity of the school and its indicated admission number. iv) Where the authority determines an admission number for a relevant age group which is lower than the school's indicated admission number, the authority must undertake additional publication (reg. 9 of the 1999 Regulations) of a statutory notice. v) Adoption of the Annual Admissions Policy vi) To determine the admissions policy for local authority nursery schools and classes and disseminate to schools vii) To exercise on behalf of the Authority the power under section 98 of the Education Act 1998 to give direction to a governing body that a child be admitted to a named school within the Authority's area. viii) To comply with any requirements made by the Secretary of State to implement a scheme for co-ordinated arrangements for admissions in accordance with the Education Act 2002, Education (Co-ordination of Admissions Arrangements)(Primary Schools)(England) Regulations 2002, as amended by the Education (Co-ordination of Admissions Arrangements)(Primary Schools)(England) (Amendment) Regulations 2003 and the Education (Co-ordination of Admissions Arrangements)(Secondary Schools)(England) Regulations 2002. 		
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	Function Delegated	Officer to whom delegated	Terms and Conditions
	ix) To administer arrangements for the admission of individual pupils to primary and secondary schools, including designated areas and other relevant factors and to present the case on behalf of the Authority to admission appeals panels.		
	(c) Functions related to school governance		
	<ul style="list-style-type: none"> i) Determination of school term dates – in the case of Local Authority, Voluntary Controlled and Special Schools, including residential schools, to determine school term dates after appropriate consultation ii) Changing the character of a school – to authorise commencement of the consultation process to change the character of a school prior to formal report to Cabinet (Education and Inspection Act 2006) iii) To approve instruments of governance for schools iv) To appoint additional governors to schools in special measures v) Exercising any human resources, personnel or staffing functions in relation to schools maintained by the Local Authority that are not exercised by school governing bodies in line with the Education Act 1996 and s. 142 of the Education Act 2002. vi) To provide advice to schools at all proceedings relating to the selection of a headteacher, and of other teaching staff where required vii) To implement decisions for governing bodies of schools relating to the determination of potential dismissals and any subsequent appeals against such dismissals, which are within the Authority’s powers to determine. viii) Where the governing bodies of voluntary aided or foundation schools notifies the LEA of the intention to appoint a person to the post of headteacher or deputy headteacher, the Chief Education Officer will make written representation within 14 days if the applicant is not suitable for appointment. 		

	Function Delegated	Officer to whom delegated	Terms and Conditions
	(d) Functions related to school attendance		
	<ul style="list-style-type: none"> <li data-bbox="331 344 1588 528">i) To exercise the powers and duties of the Authority as set out in Section 19 of the Education Act 1996 in respect of making arrangements for the provision of suitable education at school or otherwise for children of compulsory school age who, by reason of illness, exclusion from school or otherwise, may not for any period receive suitable education unless such arrangements are made <li data-bbox="331 528 1588 678">ii) To authorise any proceedings necessary to enforce any enactment relating to the non-attendance of pupils at school, or education other than at school with reference to the Education Act 1996 and the Anti-Social Behaviour Act 2003. 		
	(e) Functions related to school curriculum		

	Function Delegated	Officer to whom delegated	Terms and Conditions
	<ul style="list-style-type: none"> i) Under s.79 of the Education Act 2002, to ensure that every school maintains (including nursery schools and nursery education funded through the LEA) meets the general requirements for the curriculum in particular the National Curriculum (which now includes the Foundation Stage) and religious worship. ii) To monitor the way in which the assessments and foundation stage profiles are being conducted by teachers to ensure consistency and proper implementation of the statutory provisions (The Education (National Curriculum)(Foundation Stage Profile Assessment Arrangements)(England) Order 2003). iii) In accordance with arrangements approved by the Secretary of State under the Education Act 1996 (s.409) to investigate complaints concerning alleged failures of schools to comply with the National Curriculum, including requirements for religious education and collective worship and the arrangements for statutory assessment and moderation of the National Curriculum iv) In accordance with s.90 of the Education Act 2002, to determine whether applications be made to the Secretary of State to direct that a local authority maintained school be authorised to conduct curriculum experiments outside the National Curriculum v) To provide on behalf of the Authority any information which the Secretary of State may by regulation require, including through the Education (School Performance Information)(England) Regulations 2001 and the Education (Pupil Information)(England) Regulations 2000. 		
	(f) Functions related to Special Educational Needs		

	Function Delegated	Officer to whom delegated	Terms and Conditions
	<ul style="list-style-type: none"> i) To arrange for children to be assessed in accordance with the requirements of the Education Act 1996 and the SEN and Disability Act 2001, to determine the special educational provision which should be made for them and to maintain and review statements of special educational need in accordance with any regulations concerning these ii) To represent the Authority at statutory appeal tribunals in connection with the assessment of special educational needs iii) To ensure that the requirements of any statutory Codes of Practice, relevant to SEN, or other regulations are complied with. 		

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 Executive Director of Children and Young People's Services;
- Policies and Procedures which form part of the Constitution of Rotherham Metropolitan Borough Council;
- Sub-delegations made by other Executive Directors of Rotherham Metropolitan Borough Council to whom those functions have been delegated; and
- Delegations which have been made to the Executive Director of Children and Young People's Services by Council or the Cabinet 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

Absence Provisions

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

Function sub-delegated by the Executive Director of Children and Young People's Services	Officer with authority to exercise function in absence of the Executive Director of Finance and Customer Service	Terms and Conditions
All functions which are delegated to the Executive Director of Children and Young People's Services, save for those mentioned specifically below	Service Director – Safeguarding	To, in the absence of the Executive Director of Children and Young People's Services, exercise the functions of the Executive Director of Children and Young People's Services in respect of Safeguarding
	Service Director – Early Help & Family Engagement	To, in the absence of the Executive Director of Children and Young People's Services, exercise the functions of the Executive Director of Children and Young People's Services in respect of Early Help & Family Engagement
	Service Director – Commissioning, Performance & Inclusion	To, in the absence of the Executive Director of Children and Young People's Services, exercise the functions of the Executive Director of Children and Young People's Services in respect of Commissioning, Performance & Inclusion functions

	Service Director – Education	To, in the absence of the Executive Director of Children and Young People’s Services, exercise the functions of the Executive Director of Children and Young People’s Services in respect of Education functions
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