

Directorate Scheme of Delegations: Children & Education

Introduction

In the Constitution Full Council delegate certain powers and functions to Executive Directors.

This is the Children and Education Directorate Scheme of Delegation to officers. It:

- i) Summarises the powers and functions delegated to the Executive Director, Children and Education in Part 1
- ii) Describes how the Executive Director has delegated these powers and functions to officers in their Directorate to exercise on their behalf, in Part 2.

This scheme is subject to the [Council's Constitution](#), including the Council Schemes of Delegation and the Procurement Rules, the Financial Regulations and Standing Orders. This Scheme of Delegation will be read in conjunction with the [Finance Scheme of Delegation](#)

The Executive Director will delegate to the post that's most appropriate for the exercise of the function. Any direct line manager between the Executive Director and the post delegated the function is also entitled to perform that function, unless otherwise stated in the scheme.

In the event of a civil emergency or a business continuity disruption, all authorities relevant to the management of the incident are delegated to named duty officers, officers attending multi-agency coordination group meetings or officers chairing an Incident Management Team, as appropriate.

Although Executive Directors can delegate functions they remain responsible for and accountable to the Council for the exercise of their delegated powers. On occasions they may still decide to take decisions themselves. Officers may decide to refer delegated powers back to the Executive Director or Full Council. Full Council can also decide to reserve a particular decision to themselves.

This Scheme of Delegation will remain in force until it is amended or revoked by the Executive Director, Children and Education or via changes to the Council Schemes of Delegation.

Guidance for managers and staff on how to use Schemes of Delegation is available on The Source.

Part 1: Functions delegated from the Constitution to the Executive Director of Children and Education

Any function of a Committee falling within the portfolio of the Children and Education Directorate including functions relating to:

- (a) Children and Families;
- (b) Education and Skills;
- (c) Strategic Improvement and Commissioning

shall be executed by the Executive Director – Children and Education notwithstanding its onward delegation in the officer schemes of delegation.

Part 2: Delegations to Officers from the Executive Director

1. Governance

a) **Function:** Performance Meetings

Individual performance meetings will be set up in each division. The relevant director, HR Business Partner and a relevant quality assurance officer (where appropriate) will attend to monitor individual performance (absence management included) measures and actions taken; exception reports will be provided to Executive Director Meetings for senior team scrutiny

Post holder authorised to carry out function: Director Children and Families, Director Education & Skills and Director Strategic Improvement and Collaboration

b) **Function:** Reporting Reputational Risk

Where an officer has identified a serious issue which could potentially present significant reputational risk to the council, the officer identifying the risk must inform their Director, and the Director inform the Executive Director for discussion of next steps, which may include

- Informing the relevant Lead Member
- Informing the Head of Paid Service
- Informing the Leader of the Council

Post holder authorised to carry out function: All Officers

2. Children and Families Services

This scheme of delegation is to be used in conjunction with and to support the Placement and Legal Panel processes.

- *For a child who is ‘accommodated’ under a section 20 voluntary arrangement (‘a looked after child’), the local authority does not have parental responsibility for the child – parental responsibility remains with the parents. However, the authority must comply with the duties set out in the 1989 Act and with the relevant Regulations. Given the legal context we should work in partnership with parents.*
- *Although a Care Order gives the local authority parental responsibility for the child, any person who is a parent or guardian, Special Guardian, or a step parent who has acquired PR through Court Order or agreement also retains their parental responsibility and may continue to exercise it to the extent that*

their actions are not incompatible with the Care Order (as set out in section 2(8) and section 33(3)(b) of the 1989 Act).

A. Legal Decisions

- 1) **Function:** Decision to instruct Legal Services to initiate pre-proceedings or family law proceedings, to include applications for:
 - Care Order
 - Supervision Order
 - Discharge of Care Order
 - Order for permission to deprive liberty (DoLO / CoP)
 - Child Assessment Order
 - Permission to refuse contact with a child in care
 - Forced Marriage Protection Order
 - Female Genital Mutilation Protection Order**Post holder authorised to carry out function:** Head of Service at Legal Panel, following approval to submit to panel by Service Manager (decisions to apply for orders in respect of children who are looked after to be ratified by Head of Service)
- 2) **Function:** Signing of care plans to court
Post holder authorised to carry out function: Service Manager
- 3) **Function:** Decision to instruct Legal Services to apply for / to revoke a placement order
Post holder authorised to carry out function: Adoption Agency Decision Maker
- 4) **Function:** Decision to instruct Legal Services to issue proceedings in the Court of Protection
Post holder authorised to carry out function: Head of Service at Legal Panel
- 5) **Function:** Planned accommodation under Section 20 Children Act 1989
Post holder authorised to carry out function: Head of Service and then ratification at Legal Panel
- 6) **Function:** Unplanned accommodation under Section 20 Children Act 1989
Post holder authorised to carry out function: Head of Service
- 7) **Function:** Decision to instruct Legal Services to apply for an Emergency Protection Order
Post holder authorised to carry out function: Head of Service
- 8) **Function:** Approval for Secure Accommodation Order
Post holder authorised to carry out function: Director Children and Families (must have Executive Director approval if the child is under 13 years)
- 9) **Function:** Decision to use secure accommodation without the authorisation of a court (up to 72 hours in aggregate over a 28-day period)
Post holder authorised to carry out function: Executive Director Children and Education (DCS) (must have Secretary of State's agreement if the child is under 13 years).

- 10) **Function:** Decision to end period in Secure Accommodation whilst Court Order is in place
Post holder authorised to carry out function: Director Children and Families
- 11) **Function:** Decision to place a child on a Care Order or an Interim Care Order at home with parents or person with parental responsibility
Post holder authorised to carry out function: Head of Service
- 12) **Function:** Decision to instruct Legal Services to apply to the Court for authority to refuse contact with a child in care under Section 34(4) Children Act 1989
Post holder authorised to carry out function: Service Manager and above

***NB** Decisions in respect of children who are the subject of Court Proceedings (Civil or Criminal) are not delegated within the department as they remain within the jurisdiction of the Court. Children on a Care Order are those who are on a Care Order*

B. Functions related to children in need and in need of protection

- 1) **Function:** Decisions on outcome of referrals and assessments
Post holder authorised to carry out function: Consultant Social Worker / Practice Lead / Local Area Designated Officer / Team Manager and above
- 2) **Function:** Responsibility to assess case
Post holder authorised to carry out function: Social Worker to assess and- Consultant Social Worker/Team Manager to sign off
- 3) **Function:** Responsibility to call a child's care planning or review meeting
Post holder authorised to carry out function: Consultant Social Worker / Practice Lead/ Local Area Designated Officer / Team Manager and above
- 4) **Function:** Chairing of child's care planning (CIN) meeting / Chairing a non-CLA review meeting
Post holder authorised to carry out function: Consultant Social Worker / Practice Lead / Local Area Designated Officer / Team Manager and above
- 5) **Function:** Decision to close a case or transfer a case to another team
Post holder authorised to carry out function: Consultant Social Worker / Practice Lead / Team Manager and above
- 6) **Function:** Section 17 Payments
Cash payments may be made to the families of Children in need under Section 17 of the Children Act 1989, limited to emergency/exceptional situations, which are not covered by national income maintenance arrangements:
 - a) Up to £20 per case per annum
 - b) Up to £200 per case per annum
 - c) Up to £2,000 per case per annum
 - d) To make preventative aid payments up to the appropriate foster rate, inclusive of allowances, for a period of 12 months in any one case**Post holder authorised to carry out function:** Consultant Social Worker / Practice Lead / Team Manager and above

C. Functions related to child protection

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:

- 1) **Function:** Decision to hold Child Protection strategy meeting
Post holder authorised to carry out function: Consultant Social Worker / Practice Lead / Team Manager and above or Deputy Team Manager within First Assessment Service
- 2) **Function:** Initiate Section 47 Child Protection enquiries including direct work with the family
Post holder authorised to carry out function: Team Manager and above
- 3) **Function:** Conclude Section 47 enquiries
Post holder authorised to carry out function: Team Manager and above
- 4) **Function:** Decision to convene an Initial Child Protection Conference
Post holder authorised to carry out function: Team Manager and above
- 5) **Function:** Decision to hold Review Child Protection Conference out of timescales
Post holder authorised to carry out function: Service Manager and Head of Service must be informed
- 6) **Function:** Chairing of Child Protection Conferences
Post holder authorised to carry out function: Child Protection Conference Chair / Head of Service
- 7) **Function:** Cessation of Child Protection Plans
Post holder authorised to carry out function: Recommendation at Child Protection Conference. Service Manager Team Manager Decision with Multi Agency partners
- 8) **Function:** Risk decision in relation to DBS Checks
Post holder authorised to carry out function: Service Manager / Head of Service

D. Consent decisions relating to children in care

***Note:** the views of the child, anybody with PR, carers and the Independent Reviewing Officer must always be considered in making consent decisions.*

- 1) **Function:** Authority to exercise all the duties and functions of the Authority regarding children and young people under Sections 22 to 24D of the Children Act 1989 and all other enabling powers (maintenance, advice, etc.) including making any decisions reasonably necessary for their health and well-being
Post holder authorised to carry out function: Social Worker and above
- 2) **Function:** Authorisation to place a child outside the area of the responsible

authority but within the neighbouring authorities

Post holder authorised to carry out function: Service Manager / Through Care Service Manager and above

- 3) **Function:** Authorisation to place a child outside the area of the responsible authority and where that placement is a distant one
Post holder authorised to carry out function: DCS (in line with statutory requirements)
- 4) **Function:** Authorisation of Placement of Children in Care with parents etc
Post holder authorised to carry out function: Service Manager in consultation with Head of Service with Court approval if care proceedings are ongoing
- 5) **Function:** Sign Passport Applications as person with parental responsibility
Post holder authorised to carry out function: Team Manager and above
- 6) **Function:** Consent to holidays or trips abroad in school holidays lasting under a month
Post holder authorised to carry out function: Team Manager and above
- 7) **Function:** Consent for a child who is subject to a Care Order to leave the jurisdiction of the Court for more than a month
Post holder authorised to carry out function: Service Manager with written consent of all persons with PR or leave of the Court
- 8) **Function:** 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.
Post holder authorised to carry out function: Court decision
- 9) **Function:** Consent to support a young person on a Care Order changing their name
Post holder authorised to carry out function: Service Manager/Through Care Service Manager with written consent of all persons with PR or leave of the Court to change surname
- 10) **Function:** Consent to join the Armed Forces
Post holder authorised to carry out function: Service Manager/Through Care Service Manager and above]
- 11) **Function:** Consent to marriage of 16 or 17 year-old on a Care Order
Post holder authorised to carry out function: Director Children and Families
- 12) **Function:** Consent for 16- or 17-year-old on a Care Order to live independently
Post holder authorised to carry out function: Team Manager and above
- 13) **Function:** 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
Post holder authorised to carry out function: Agency Decision Maker for Adoption
- 14) **Function:** Authorisation to cease being looked after for children (aged 0-15

who have been in care over 20 days) who are going home or going to live with family or friends

Post holder authorised to carry out function: Service Manager / Through Care Service Manager and above

15)**Function:** 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

Post holder authorised to carry out function: Service Manager/Through Care Service Manager and above

16)**Function:** Authorisation to cease being looked after for young people aged 16 & 17

Post holder authorised to carry out function: DCS in line with statutory requirements

17)**Function:** Young person continues to be accommodated after their 18th birthday where in residential provision

Post holder authorised to carry out function: Head of Service

18)**Function:** Young person remains in an extended foster placement or a formal 'Staying Put' arrangement

Post holder authorised to carry out function: Head of Service via placement panel

19)**Function:** Consent to routine planned health assessments or treatment for looked after children where the Local Authority has parental responsibility.

Post holder authorised to carry out function: Delegated to foster carer or children's home as part of Placement Plan

20)**Function:** Consent to common (age-related) health remedies including non-prescription drugs such as ibuprofen and paracetamol.

Post holder authorised to carry out function: Delegated to foster carer or children's home as part of Placement Plan

21)**Function:** Consent to health assessments, treatment or other interventions including general anaesthetic for a child on a care order where the parent agrees

Post holder authorised to carry out function: Delegated to Service Manager and Parents with PR should be asked where possible

22)**Function:** Consent to health assessments, treatment or other interventions including general anaesthetic for a child on a care order where the parent disagrees

Post holder authorised to carry out function: Head of Service (Director Children and Families must be informed)

23)**Function:** Consent to health assessments, treatment or other interventions including general anaesthetic for a child accommodated by the Local Authority which does not have parental responsibility

Post holder authorised to carry out function: Parent or other person with parental responsibility (reasonable effort to secure their agreement is required, however the interests of the child are paramount (see below where parent opposes). In urgent cases seek legal advice if consent is unreasonably

withheld. If the child is competent their consent will be sought by health professionals.

24)**Function:** Consent to medical interventions to deal with life threatening situations

Post holder authorised to carry out function: Delegated to foster carer who can consent to urgent medical treatment – if a General anaesthetic is needed then it would revert to the guidance above

25)**Function:** Where there is a high risk associated with medical treatment or procedure and this is a planned intervention

Post holder authorised to carry out function: Executive Director of Children and Education should be informed via Director and Head of Service. If the child is competent to do so their consent will be sought by health professionals

26)**Function:** 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

Post holder authorised to carry out function: Director Children and Families

27)**Function:** Acting as a parent for children subject to care orders for the purposes of sectioning under the Mental Health Act 1983 & 2007

Post holder authorised to carry out function: Service Manager or Through Care Service Manager who will seek the views of the nearest relative.

28)**Function:** Engagement in potentially hazardous leisure or sports activity

Post holder authorised to carry out function: Delegated to foster carer or children's home as part of Placement Plan. Consent from parents must be sought and the Head of Service advised.

29)**Function:** Decisions about staying with friends overnight

Post holder authorised to carry out function: Delegated to foster carer or children's home as part of Placement Plan.

30)**Function:** Decisions about contact arrangements

Post holder authorised to carry out function: Consultant Social Worker / Practice Lead (in consultation with IRO) or delegated to foster carer or children's home as part of Placement Plan.

31)**Function:** Decisions about looked after children under 16 and subject to a care order having non-intimate body piercing

Post holder authorised to carry out function: Delegated to foster carer or children's home as part of Placement Plan

32)**Function:** Agreement that long term fostering is the plan for the child.

Post holder authorised to carry out function: Consultant Social Worker / Practice Lead in consultation with IRO ratification of s20 at Legal Panel

33)**Function:** Agreement that foster placements are permanent placements for looked after children

Post holder authorised to carry out function: Agency Decision Maker Fostering via Permanency Panel

- 34) **Function:** Decision to consent to looked after children's photographs being used in external publications
Post holder authorised to carry out function: Consent from the person with PR, Service Manager and the child.
- 35) **Function:** Decisions re DBS disclosures on Family and Friends, Foster Carers and SGO carers
Post holder authorised to carry out function: Service Manager or Through Care Service Manager
- 36) **Function:** Consent to use publicity for a child missing from care
Post holder authorised to carry out function: Agreed via Missing Procedures by Consultant Social Worker / Practice Lead with Police. The Service Manager must be alerted. The Director Children and Families must brief the Executive Director Children and Education, Members and the Media Team
- 37) **Function:** Delay outside stat. time for LAC REVIEWS
Post holder authorised to carry out function: Service Manager and Director Children and Families must be informed
- 38) **Function:** Authorise Care Plans and Pathway Plans on LCS
Post holder authorised to carry out function: Practice Lead / Consultant Social Worker. Area Service Managers in respect of care plans for court

E. Fostering and adoption agency decisions

- 1) **Function:** Fostering Agency Decision Maker
Post holder authorised to carry out function: Service Manager – Placement Services / Through Care Service Manager or Service Manager Disabled Children Specialist Service
- 2) **Function:** Approval of new Foster Carers
Post holder authorised to carry out function: Fostering Agency Decision Maker
- 3) **Function:** Approval of Foster Carers following first annual review
Post holder authorised to carry out function: Fostering Agency Decision Maker
- 4) **Function:** Continued approval of foster carers following subsequent reviews (unless referred to Fostering Panel)
Post holder authorised to carry out function: Fostering Agency Decision Maker
- 5) **Function:** Authorise emergency placements out of the foster carers terms of approval
Post holder authorised to carry out function: Fostering Team Manager
- 6) **Function:** Permanent change of approval
Post holder authorised to carry out function: Fostering Agency Decision Maker
- 7) **Function:** Temporary Approval of Foster carers (Regulation 24)

- Post holder authorised to carry out function:** Fostering Agency Decision Maker
- 8) **Function:** Approving adopters as Foster to Adopt carers
Post holder authorised to carry out function: Adoption West – Regional Adoption Agency
- 9) **Function:** Termination of Foster Carers Approval
Post holder authorised to carry out function: Fostering Agency Decision Maker
- 10) **Function:** Adoption Agency Decision Maker
Post holder authorised to carry out function: Director Children & Families, Head of Service - Family Help, Head of Service - First Assessment and Youth Justice Service and Head of Service – Permanency and Specialist Services
- 11) **Function:** Approval of new Adopters
Post holder authorised to carry out function: Adoption West – Regional Adoption Agency
- 12) **Function:** Approval of the plan for a child to be adopted
Post holder authorised to carry out function: Adoption Agency Decision Maker
- 13) **Function:** Approval of a match between a child and adopters
Post holder authorised to carry out function: Adoption Agency Decision Maker
- 14) **Function:** Approval of a match between a child and adopters
Post holder authorised to carry out function: Adoption Agency Decision Maker
- 15) **Function:** Revocation of the plan for a child to be adopted
Post holder authorised to carry out function: Adoption Agency Decision Maker
- 16) **Function:** Decision to pay an adoption allowance or lump sum payment
Post holder authorised to carry out function: Adoption Business Manager/Service Manager
- 17) **Function:** Review of adopters' approval (unless review at panel)
Post holder authorised to carry out function: Adoption West – Regional Adoption Agency
- 18) **Function:** Revocation of adopters' approval
Post holder authorised to carry out function: Head of Service - Adoption Agency Decision Maker

F. Placement Decisions

- 1) **Function:** Agreement to search for Independent Children's Home / In-house Children's Home
Post holder authorised to carry out function: Head of Service Permanency & Specialist Services

- 2) **Function:** Agreement to place in Independent Children's Home
Post holder authorised to carry out function Executive Director Children and Education (DCS)
- 3) **Function:** Agreement to place with Independent Fostering Agency
Post holder authorised to carry out function Head of Service – Permanency & Specialist Services
- 4) **Function:** Parent and child assessment placement
Post holder authorised to carry out function Head of Service Permanency & Specialist Services
- 5) **Function:** Specialist leaving care accommodation (ESA)
Post holder authorised to carry out function Head of Service Permanency & Specialist Services
- 6) **Function:** B&B/Emergency accommodation
Post holder authorised to carry out function Head of Service Permanency & Specialist Services / Head of Service Safeguarding & Quality Assurance
Director Children and Families must be informed
- 7) **Function:** Authorisation to place a child under 16 in an unregistered children's home
Post holder authorised to carry out function Executive Director Children and Education (DCS)

G. Disabled Children

- 1) **Function:** Agreement to provide a short breaks personal budget for disabled child
Post holder authorised to carry out function Service Manager – Disabled Children's Service (Band 6 or above) / Case Discussion Forum (up to Band 5) / Team Manager Families in Focus / Personal Budgets (up to Band 4)
- 2) **Function:** Agreement to request overnight short-break service for a disabled child
Post holder authorised to carry out function Head of Permanency & Specialist Services Service / Service Manager Disabled Children's Service
- 3) **Function:** Agreement to provide Inclusive Play Provision funding to enable settings to meet needs of a specific child
Post holder authorised to carry out function Team Manager, Families in Focus / Service Manager Disabled Children's Service

H. Notifications

- 1) **Function:** Notification of the death of a child in care
 - If 'out of hours' EDT will inform the Director or DCS (Executive Director Children and Education) if Director unavailable: each will ensure the other is informed
 - Inform parents
 - **Director will notify the lead member & Executive Director Children and Education (DCS)**
 - Director will notify the relevant Head of Service

- Team Manager
- Head of Service
- Director of Education and Skills (director will inform the child's education setting and Education Psychology service to provide support) will notify Ofsted/QA

Post holder authorised to carry out function Director Children and Families
Head of Service Safeguarding and Quality Assurance

- 2) **Function:** Notification of Social Work England disciplinary / suspension or concerns regarding safety to practice (ex-staff members)

Post holder authorised to carry out function Director Children and
Executive Director Children and Education must be informed

- 3) **Function:** Notifications to Ofsted

3.1 Serious incident(s)

Post holder authorised to carry out function Director Children and Families
Executive Director Children and Education must be informed

3.2 Child Safeguarding Practice Reviews – decision to commission

Post holder authorised to carry out function Director Children and Families
following discussion at Keeping Bristol Safe Partnership Board

3.3 Child Safeguarding Practice Reviews – publication date

Post holder authorised to carry out function Executive Director Children
and Education (DCS) following discussion at Keeping Bristol Safe Partnership
Board

I. Complaints

*Complaints are to be managed in accordance with the Department's
Complaints Procedure, in consultation with the Complaints Manager*

- 1) **Function:** Stage 1: review

Post holder authorised to carry out function Team Manager/ Senior
Practitioner

- 2) **Function:** Stage 2: an investigation with an independent person overseeing it

Post holder authorised to carry out function Head of Service

- 3) **Function:** Stage 3: a review panel with an independent chair

Post holder authorised to carry out function Director Children and Families

*Complaints against Children & Young People's Social Care Services:
Complaints are to be managed in accordance with Children's Act 1989
Representations Procedure (England) Regulations 2006, in consultation with
the Complaints and Representations Officer*

J. Education Decisions regarding Children in Care

*Should be discussed at Personal Education Plan Meetings (PEPs) wherever
possible*

- 1) **Function:** Agreement on school placement for those entering the school system. – Social Worker should apply to nearest good or better OFSTED rated school where accessible or discuss with the Virtual School Head
Post holder authorised to carry out function Social Worker in collaboration with the Head of the Virtual School
- 2) **Function:** Consultation on Early Years Placement (Childminder, Nursery or Children’s’ Centre Placement) should have good or better OFSTED unless none such is accessible, then to be discussed with the Virtual School Head
Post holder authorised to carry out function Social Worker in collaboration with Head of the Virtual School and Head of Service School Partnerships
- 3) **Function:** 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)
Post holder authorised to carry out function Social Worker / Virtual School year group lead / Head of the Virtual School
- 4) **Function:** Agreement to change a child’s school, e.g. due to a care placement move, new to care
Post holder authorised to carry out function Team Manager (Social Care) Virtual School lead / Head of the Virtual School
- 5) **Function:** Any Planned school move for a pupil in KS4 cannot be agreed without specific permission from Virtual School Head and Service Director
Post holder authorised to carry out function Head of the Virtual School/ Director Education & Skills on behalf of DCS
- 6) **Function:** LAC Pupil Premium Spend – to be approved/quality assured at the PEP meeting
Post holder authorised to carry out function Head of the Virtual School
- 7) **Function:** Exceptional Permission for absence in term time (half a day or more) - only if short, unavoidable, and rare.
Post holder authorised to carry out function Head of the Virtual School and Head of Permanency and Specialist Services for approval
- 8) **Function:** Permission for a reduced/reintegration/transition timetable (any timetable that is less than the statutory required hours - School to submit paperwork to the VSH
Post holder authorised to carry out function Head of the Virtual School
- 9) **Function:** Repeating a school year or placing child in year group not their chronological age.
Post holder authorised to carry out function Agreement required from Education Psychologist & Head of the Virtual School
- 10) **Function:** Exclusions from School – Risk of Permanent Exclusion from School see flowchart
Post holder authorised to carry out function School Headteacher / Head of the Virtual School

3. Education and Skills

A. Schools Finance

- 1) **Function:** In consultation with schools and partners, develop and implement a School Organisation Strategy, consulting with key stakeholders, at the discretion of the director, distributing capital funding to schemes on the basis of need and in accordance with any regulations regarding the use of funding grants.
Post holder authorised to carry out function Executive Director Children and Education and Director, Education & Skills
- 2) **Function:** In accordance with s47A of the 2002 Education Act, establish and maintain a Schools Forum to advise and agree proposals as prescribed in regulations, on the constitution of the forum and the distribution of money between schools and how much should be sent on certain LA-wide functions
Post holder authorised to carry out function Director Education & Skills & Director Finance
- 3) **Function:** 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, in consultation with schools and Schools Forum,
Post holder authorised to carry out function Director Education & Skills
Finance Business Partner – Children and Education
- 4) **Function:** Set school budgets in accordance with regulations, including those relating to minimum school budgets and 'passporting' targets
Post holder authorised to carry out function Finance Business Partner – Children and Education
- 5) **Function:** 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
Post holder authorised to carry out function Director of Finance s151/
Finance Business Partner – Children and Education
- 6) **Function:** To manage the delegation of budget shares to schools, produce a financial statement before the beginning of each financial year ('the budget statement') and after the end of each financial year ('the outturn statement') in accordance with s.52 of the 1998 Act and other related regulations
Post holder authorised to carry out function Director of Finance s151/
Finance Business Partner – Children and Education
- 7) **Function:** 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.
Post holder authorised to carry out function Chief Internal Auditor
- 8) **Function:** Notice of Concern
Post holder authorised to carry out function Director Education & Skills and above
- 9) **Function:** 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 LA.

Post holder authorised to carry out function Director Education & Skills and Finance Business Partner

- 10) **Function:** Suspension of Delegation of Budget
Post holder authorised to carry out function Executive Director Children and Education / Director Education & Skills / Finance Business Partner – Children and Education

B. School Admissions

- 1) **Function:** Admissions arrangements for maintained schools
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:

1.1. Consult annually about admissions arrangements with governing bodies of admissions authorities of schools.

1.2. Where there are within year variations to (except in a case where their proposed variations fall within any descriptions of 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 LA is the admissions authority for the school, to consult with the governing body before making a reference to the adjudicator.

1.3. 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.

1.4. 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.

1.5 Adoption of the Annual Admissions Policy

Post holder authorised to carry out function Head of TWS and Place Planning

- 2) **Function:** To determine the admissions policy for Local Authority nursery schools and classes and disseminate to schools
Post holder authorised to carry out function Head of TWS and Place Planning
- 3) **Function:** To exercise on behalf of the Authority the power under section 98 of the 1998 Education Act to give direction to a governing body that a child be admitted to a named school within the Authority's area
Post holder authorised to carry out function Director Education & Skills / Head of Belonging

- 4) **Function:** To comply with any requirements made by the Secretary of State to

implement a scheme for co-ordinated arrangements for admissions in accordance with section 2002 Education Act, 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

Post holder authorised to carry out function Head of Service TWS and Place Planning

- 5) **Function:** 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.

Post holder authorised to carry out function Head of TWS and Place Planning

C. School Governance

- 1) **Function:** In the case of Local Authority, Voluntary Controlled and Special Schools, including residential schools, to determine school term dates after appropriate consultation

Post holder authorised to carry out function Director Education & Skills / Head of TWS and Place Planning

- 2) **Function:** To authorise commencement of consultation process to change the character of a school prior to formal report to Cabinet. (Education and Inspection Act 2006)

Post holder authorised to carry out function Director Education & Skills / Head of Education Partnerships

- 3) **Function:** To approve instruments of governance for schools

Post holder authorised to carry out function Director Education & Skills / Head of Education Partnerships

- 4) **Function:** To appoint additional governors to schools in special measures

Post holder authorised to carry out function Director Education & Skills / Head of Education Partnerships

- 5) **Function:** 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

Post holder authorised to carry out function Director Education & Skills / Head of Education Partnerships

- 6) **Function:** To provide advice to schools at all proceedings relating to the selection of a headteacher, and of other teaching staff where required

Post holder authorised to carry out function Head of Education Partnerships

- 7) **Function:** 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

Post holder authorised to carry out function Director Education & Skills /

Head of Education Partnerships

- 8) **Function:** 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.

Post holder authorised to carry out function Director Education & Skills
Head Education Partnerships

D. Functions related to school attendance

- 1) **Function:** To exercise the powers and duties of the Authority as set out in Section 19 of the 1996 Education Act 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.

Post holder authorised to carry out function Head of Belonging

- 2) **Function:** 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.

Post holder authorised to carry out function Head of Belonging / Service Manager – Attendance

E. Functions related to school curriculum

- 1) **Function:** Under s.79 of the Education Act 2002, to ensure that every school it 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.

Post holder authorised to carry out function Director Education & Skills / Head of Education Partnerships

- 2) **Function:** 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)

Post holder authorised to carry out function Director Education & Skills / Head of Education Partnerships / Service Manager – Early Years

- 3) **Function:** 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

Post holder authorised to carry out function Director Education & Skills
Head Education Partnerships

- 4) **Function:** In accordance with s.90 of the 2002 Education Act, to determine

whether applications be made to the Secretary of State to direct that an LA maintained school be authorised to conduct curriculum experiments outside the National Curriculum

Post holder authorised to carry out function Director Education & Skills
Head of Education Partnerships

- 5) **Function:** 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

Post holder authorised to carry out function Director Education & Skills /
Head of Education Partnerships

F. Functions related to Special Educational Needs

- 1) **Function:** 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

Post holder authorised to carry out function Head of Service Belonging

- 2) **Function:** To represent the Authority at statutory appeal tribunals in connection with the assessment of special educational needs

Post holder authorised to carry out function SEND Service Manager

- 3) **Function:** To ensure that the requirements of any statutory Codes of Practice, relevant to SEN, or other regulations are complied with

Post holder authorised to carry out function SEND Service Manager

4. Strategic Improvement and Collaboration

Functions related to Home to School Travel

- 1) **Function:** To approve the home to school transport policy following consultation as appropriate, and to administer home to school transport

Post holder authorised to carry out function Director Strategic
Improvement and Collaboration

- 2) **Function:** To ensure that appropriate transport arrangements are made in accordance with the Authority's policies

Post holder authorised to carry out function Director, Strategic
Improvement and Collaboration / Head of Service Belonging

- 3) **Function:** To determine applications for assistance towards travelling expenses from further education students over the age of 21 who apply on grounds of hardship within the Council's approved scheme

Post holder authorised to carry out function Director, Strategic
Improvement and Collaboration