

Part 8.3

CHILDREN, SCHOOLS AND FAMILIES DIRECTORATE DELEGATIONS

1. CHILDRENS' SOCIAL CARE

Decision		Director	Service Head	Section Head	Other
Children and Young Persons Act 1969					
1.1	Section 9 to investigate factors concerning any child to be prosecuted by the Council.	Children, Schools and Families	Service Head (Social Care)		
1.2	Selecting a supervisor when a supervision order is made – Powers of the Criminal Courts Act 2000 section 64.	Children, Schools and Families	Service Head (Social Care)	Service Manager Social Care	Team Manager Social Work
1.3	Power to apply for variation or discharge of supervision order – Powers of the Criminal Courts Act 2000 section 65 and Schedule 7.	Children, Schools and Families	Service Head (Social Care)	Service Manager Social Care	Team Manager Social Work
1.4	Section 23 - Provision of accommodation pursuant to a Court Order remanding or committing a child to the Local Authority care.	Children, Schools and Families	Service Head (Social Care)	Service Manager Social Care	Team Manager Social Work
1.5	Section 30 - To detain any person in a community home in accordance with any Directions from the Secretary of State and authority to recover of expenses.	Children, Schools and Families	Service Head (Social Care)		
Local Authority Social Services Act 1970					
1.6	Power to establish a procedure for considering any representations and complaints concerning the exercise of the Council's social services functions, in relation to children, power to publicise any such procedures and to take action on the recommendations of any panel established under this section.	Children, Schools and Families	Service Head (Social Care)		
Adoption and Children Act 2002					
1.7	Applying for a placement order.	Children, Schools and Families	Service Head (Social Care)	Service Manager Children Looked After	

Decision		Director	Service Head	Section Head	Other
1.8	Applying for a guardianship order.	Children, Schools and Families	Service Head (Social Care)	Service Manager Social Care Resources	
1.9	Investigating notice of intention to adopt.	Children, Schools and Families	Service Head (Social Care)	Service Managers Social Care	Team Manager Social Work
1.10	Approval of child for placement with a view to adoption, approval of prospective adopters and/or approval of matching following relevant respective recommendations by Adoption Panel.	Children, Schools and Families	Service Head (Social Care)		
1.11	Making reports to Court on the placing of a child for adoption.	Children, Schools and Families	Service Head (Social Care)	Service Manager Social Care	Team Manager Social Work
1.12	Power to continue to maintain an adoption service – section 3.	Children, Schools and Families	Service Head (Social Care)	Service Manager Social Care Adoption & Fostering	
1.13	Power to carry out assessments for adoption support services, prepare and review adoption support plans, provide adoption support services and to exercise and perform all power and duties contained in any associated regulations made by the Secretary of State.	Children, Schools and Families	Service Head (Social Care)	Service Manager Social Care. Adoption & Fostering	Team Manager Social Work
1.14	Power to prepare a plan for adoption services and exercise and perform support plans, provide adoption support services, and to exercise and perform all powers and duties contained in any associated regulations made by the Secretary of State.	Children, Schools and Families	Service Head (Social Care)	Service Manager Social Care. Adoption & Fostering	Team Manager Social Work
1.15	Power to exercise and perform all powers and duties conferred upon adoption agencies by the Adoption and Children Act 2002 and any regulations made under it	Children, Schools and Families	Service Head (Social Care)	Service Manager Social Care. Adoption & Fostering	
1.16	Power to apply to a court for a placement order in respect of a child, and to apply to vary or revoke a placement order	Children, Schools and Families	Service Head (Social Care)	Service Manager Family Support and Protection, Service Manager Children Looked After	
1.17	Power to apply for a recovery order in respect of a child who is or may be placed by an adoption agency	Children, Schools and Families	Service Head (Social Care)	Service M'gr Social Care. Adoption & Fostering	

Decision		Director	Service Head	Section Head	Other
1.18	Power to investigate a notice of intention to adopt, to provide a report of such an investigation to the court, and to inform another local authority of the receipt of a notice of intention to adopt in respect of a child who it is known is looked after by that other authority.	Children, Schools and Families	Service Head (Social Care)	Service Manager Social Care. Adoption & Fostering	Team Manager Social Work
1.19	Duty to ascertain the wishes and feelings of certain persons, and duty to endeavour to promote contact with parents and to consider whether to recover contributions towards maintenance from the parents in accordance with associated regulations made by the Secretary of State.	Children, Schools and Families	Service Head (Social Care)	Service Manager Social Care.	Team Manager Social Work
1.20	Authorising payment of legal expenses in respect of prospective adopter's adoption application.	Children, Schools and Families	Service Head (Social Care)	Service Manager Social Care. Adoption & Fostering	Team Manager Social Work
1.21	Authorising payment of medical expenses incurred in connection with adoption application.	Children, Schools and Families	Service Head (Social Care)	Service Manager Social Care. Adoption & Fostering	Team Manager Social Work
Supreme Court Act 1981					
1.22	Applying to make a minor a ward of court.		Service Head (Social Care)		
Mental Health Act 1983					
1.23	Section 27 Powers of nearest relative in relation to children and young persons in care of local authority	Children, Schools and Families	Service Head (Social Care)	Service Manager Children Looked After	
Disabled Persons (Services, Consultation & Representation) Act 1986					
1.24	Section 5 (9) - Power to appoint appropriate officer for disabled child	Children, Schools and Families	Service Head (Social Care)	Service Manager CWDD	Team Manager CWDD
Children Act 1989					
1.25	General – Authority to recommend the removal of a Schedule One offender from the department of health list.	Children, Schools and Families	Service Head (Social Care)		
1.26	Section 4 - Applying for the discharge of Parental Responsibility Order or Agreement.	Children, Schools and Families	Service Head (Social Care)	Service Manager Social Care	

Decision		Director	Service Head	Section Head	Other
1.27	Section 6 - Applying for the discharge of appointment of a child's guardian.	Children, Schools and Families	Service Head (Social Care)	Service Manager Social Care	
1.28	Section 7 - Reporting to the Court on matters relating to the welfare of a child.	Children, Schools and Families	Service Head (Social Care)	Service Manager Social Care	Group and Team Manager Social Work
1.29	Sections 8 and 9(3) - Applying for a Specific Issues Order or Prohibited Steps Order or giving consents to such an application by another party.	Children, Schools and Families	Service Head (Social Care)	Service Manager Social Care	Team Manager Social Work
1.30	Contributing towards the cost of the accommodation and maintenance of a child, where that child lives with a person as the result of a Residence Order (Section 15).	Children, Schools and Families	Service Head (Social Care)	Service Manager Social Care	
1.31	Section 16 - Agreeing to make an Officer of the Authority available to 'advise, assist and befriend a child'. Agreeing to a Family Assistance Order. Applying for the discharge or variation of a section 8 Order while a Family Assistance Order is in force.	Children, Schools and Families	Service Head (Social Care) Service Head (Social Care) Service Head (Social Care)	Service Manager Social Care	Team Manager Social Care
1.32	Section 17 and Schedule 2 - All the powers and duties in relation to providing assistance and safeguarding and promoting the welfare of children.	Children, Schools and Families	Service Head (Social Care)	Service Manager Social Care	Team Manager Social Care
1.33	Section 18 and 19 - Provision of day care for under 5's not at school and guidance and advice for those caring for them etc.	Children, Schools and Families	Service Head (Social Care)	Service Manager Social Care	Team Manager Social Care
1.34	Sections 20, 21 and 22 - Determining the welfare needs for the accommodation of children and young persons.	Children, Schools and Families	Service Head (Social Care)	Service Manager Social Care	
1.35	Section 23 - Authority to provide accommodation and maintenance for a child looked after.	Children, Schools and Families	Service Head (Social Care)	Service Manager Social Care	
1.36	Section 25 - Applying to the Court for authority to keep a child in secure accommodation.	Children, Schools and Families	Service Head (Social Care)	Service Manager Social Care	
1.37	Section 26 - Establishing a complaints procedure.	Children, Schools and Families	Service Head (Social Care)		
1.38	Sections 27 and 28 - Asking other authorities for assistance and power to consult with Local Education Authority.	Children, Schools and Families	Service Head (Social Care)	Service Manager Social Care	

Decision		Director	Service Head	Section Head	Other
1.39	Section 29 - Recovering the cost of providing services.	Children, Schools and Families	Service Head (Social Care)	Service Manager Social Care	Team Manager Social Care
1.40	Section 31 - Power to make application for Care/Supervision Orders.	Children, Schools and Families	Service Head (Social Care)	Service Manager Social Care	Team Manager Social Care
1.41	Section 33 - Applying for leave for child subject to a Care Order to be known by a new surname or travel abroad.	Children, Schools and Families	Service Head (Social Care)	Service Manager Social Care	
1.42	Section 34 - Restricting contact and to make related court applications.	Children, Schools and Families	Service Head (Social Care)	Service Manager Social Care	Team Manager Social Care
1.43	Section 35 – Providing assistance to children subject to a Supervision Order.	Children, Schools and Families	Service Head (Social Care)	Service Manager Social Care	Team Manager Social Care
1.44	Section 36(8) - Responding to consultations by the Local Education Authority prior to that Authority making an application for an Education Supervision Order.	Children, Schools and Families	Service Head (Social Care)	Service Manager Social Care	Team Manager Social Care
1.45	Section 38 - Applying for a variation of directions made under an Interim Care Order or Supervision Order.	Children, Schools and Families	Service Head (Social Care)	Service Manager Social Care	Team Manager Social Care
1.46	Section 39 - Applying to the Court for the discharge or variation of a Care or Supervision Order.	Children, Schools and Families	Service Head (Social Care)	Service Manager Social Care	Team Manager Social Care
1.47	Section 42 - Making records available to an officer of CAFCASS.	Children, Schools and Families	Service Head (Social Care)	Service Manager Social Care,	Team M'gr Social Care, Social Worker
1.48	Section 43 - Applying for a Child Assessment Order.	Children, Schools and Families	Service Head (Social Care)	Service Manager Social Care	Team Manager Social Care
1.49	Sections 44, 45 and 47- Carrying out investigations and applying for an Emergency Protection Order.	Children, Schools and Families	Service Head (Social Care)	Service Manager Social Care	Team Manager Social Care, Social Worker
1.50	Section 50 - Applying for a Recovery Order.	Children, Schools and Families	Service Head (Social Care)	Service Manager Social Care	Team Manager Social Care
1.51	Section 63(12) Schedule 7, Para 4 - Granting exemptions from the usual fostering limit in appropriate circumstances.	Children, Schools and Families	Service Head (Social Care)	Service Manager Fostering and Adoption	
1.52	Section 67(3) - Authorising officers to visit foster homes.	Children, Schools and Families	Service Head (Social Care)	Service Manager Social Care	Team Manager Social Care
1.53	Section 68 - Consenting to private fostering by disqualified foster parents.	Children, Schools and Families	Service Head (Social Care)		
1.54	Section 69 - Prohibiting private fostering.	Children, Schools and Families	Service Head (Social Care)	Service Manager Social Care	
1.55	Schedule 8 - Imposing requirements on private foster carers	Children, Schools and Families	Service Head (Social Care)	Service Manager Social Care	Team Manager Social Care

Decision		Director	Service Head	Section Head	Other
1.56	Section 70 - Prosecution in relation to private fostering.	Children, Schools and Families	Service Head (Social Care)		
1.57	Section 86 - Safeguarding the welfare of children in residential care, nursing or mental nursing homes.	Children, Schools and Families	Service Head (Social Care)	Service Manager Social Care	Team Manager Social Care
1.58	Sections 94, 100 and 102 - Appealing Court Orders, seeking leave of the court under its inherent jurisdiction and applying for warrants of entry.	Children, Schools and Families	Service Head (Social Care)		
1.59	Schedule 2 para 19 - Arranging for children to live abroad.	Children, Schools and Families	Service Head (Social Care)		
1.60	Schedule 3 para 9 - Agreeing to a Supervision Order.	Children, Schools and Families	Service Head (Social Care)	Service Manager Social Care	Team Manager Social Care
1.61	Schedule 3 para 11 - Power to exercise supervision function under regulations and defraying costs.	Children, Schools and Families	Service Head (Social Care)	Service Manager Social Care	
1.62	General - To exercise such other powers and duties of the Council in the Children Act 1989 not otherwise referred to above.	Children, Schools and Families	Service Head (Social Care)	Service Manager Social Care	
Adoption Agency Regulations 1983 and 1997					
1.63	Power to appoint members of the Adoption Panel except Councillor Panel members.	Children, Schools and Families	Service Head (Social Care)		
The Fostering Services Regulations 2002					
1.64	Power to establish and maintain a fostering service.	Children, Schools and Families	Service Head (Social Care)	Service Manager Fostering and Adoption	
1.65	Approval of foster carers following consideration by the Fostering Panel	Children, Schools and Families	Service Head (Social Care)		
1.66	Reviewing and terminating the approval of foster parents following consideration by Fostering Panel.	Children, Schools and Families	Service Head (Social Care)		
1.67	Making emergency and immediate placements.	Children, Schools and Families	Service Head (Social Care)	Service Manager Social Care	Team Manager Social Care
Placement with Parents Regulations 1991					
1.68	General -Approving placements of children on Care Orders with parents.	Children, Schools and Families	Service Head (Social Care)	Service Manager Children Looked After	

Decision		Director	Service Head	Section Head	Other
Crime and Disorder Act 1998					
1.69	General - Applying for a Child Safety Order (and securing appropriate youth justice services) (Sections 11 and 38).	Children, Schools and Families	Service Head (Social Care)	Service Manager (YOT)	
1.70	Section 14 - Making, consulting upon and publishing a curfew scheme.	Children, Schools and Families	Service Head (Social Care)	Service Manager (YOT)	
1.71	Section 65 - Acting as an appropriate adult for an offender under 17 when a reprimand or warning is given under this section	Children, Schools and Families	Service Head (Social Care)	Service Manager (YOT)	Team Manager Social Care, Social Worker
Adoption (Intercountry Aspects) Act 1999					
1.72	Section 2(4) collection etc. of information to facilitate and expedite adoption proceedings, services and counseling.	Children, Schools and Families	Service Head (Social Care)	Service Manager Fostering and Adoption	Team Manager Social Care
Health Act 1999 and Part 3 - National Health Service Act 2006					
1.73	Subject to approval of the overall agreement by Cabinet, power to transfer funding between the local authority, Health and other agencies and to establish partnership arrangements to support shared objectives ensuring clear audit trails and financial probity.	Children, Schools and Families	Service Head (Social Care)		
Immigration & Asylum Acts 1999 and 2002					
1.74	To provide support to asylum seekers and dependants as may be required and to make any necessary referral of matters under guidance issued by the Secretary of State.	Children, Schools and Families	Service Head (Social Care)	Service Manager Social Care	Team Manager Social Care
Protection of Children Act 1999					
1.75	Referring to Secretary of State details of any person who should be included in the list maintained under Section 1 (individuals who are considered unsuitable to work with children).	Children, Schools and Families	Service Head (Social Care)	Service Manager (Social Care)	
Carers and Disabled Children Act 2000					
1.76	Authority to carry out any of the duties and powers contained in sections 1-6 Carers and Disabled Children Act 2000.	Children, Schools and Families	Service Head (Social Care)	Service Manager (CWDD)	Team Manager Social Care

Decision		Director	Service Head	Section Head	Other
Children Act 2004					
1.77	Section 2 - to provide the Children's Commissioner with such information about the exercise of the Council's functions in relation to children as he may request, and to state in writing what actions have been taken in respect of any recommendations made by the Commissioner.	Children, Schools and Families	Service Head (Social Care)		
1.78	Section 3 - to state in writing what actions have been or are proposed to be taken in response to any recommendations made by the Children's Commissioner following any inquiry into the case of an individual child under this section	Children, Schools and Families	Service Head (Social Care)		
1.79	Section 10 - to make arrangements to promote co-operation between the Council, its relevant partners and other bodies with a view to improving the well-being of children in the Borough, including the provision of staff and resources and the establishment and maintenance of a pooled fund, and to have regard to any guidance given by the Secretary of State in relation to the exercise of the Council's functions under this section.	Children, Schools and Families	Service Head (Social Care)	Service Manager (Social Care)	
1.80	Section 11 - to make arrangements to ensure that the Council's functions are discharged having regard to the need to safeguard and promote the welfare of children.	Children, Schools and Families	Service Head (Social Care)		
1.81	Section 15 - to provide funding, staff, goods, services, accommodation or other resources to the Local Safeguarding Children Board.	Children, Schools and Families	Service Head (Social Care)		
1.82	Section 16 - to comply with and exercise and perform any powers and duties contained in any regulations made by the Secretary of State under this section in relation to the exercise of the Council's functions in relation to the Local Safeguarding Children Board.	Children, Schools and Families	Service Head (Social Care)		

Decision		Director	Service Head	Section Head	Other
1.83	Section 17 To comply with and exercise and perform any powers and duties contained in any regulations made by the Secretary of State under this section in relation to the preparation and publication of a plan setting out the Council's strategy for discharging its functions in relation to children and relevant young persons. (This delegation is limited to preliminary and administrative functions only, the functions of adopting and revising any such plan are not hereby delegated).	Children, Schools and Families	Service Head (Social Care)		
1.84	To prepare and publish annual statement of purpose for adoption, annual statement of purpose for fostering and annual statement of purpose for private fostering.	Children, Schools and Families	Service Head (Social Care)	Service Manager (Social Care)	
1.85	Section 20 To comply with and exercise and perform any powers and duties contained in any regulations made by the Secretary of State under this section in relation to any joint area review of children's services.	Children, Schools and Families	Service Head (Social Care)		
1.86	General - to carry out such other powers and functions not otherwise specifically delegated above under the Children Act 2004.	Children, Schools and Families	Service Head (Social Care)	Service Manager (Social Care)	

2. LEARNING AND ACHIEVEMENT

Decision		Director	Service Head	Section Head	Other
Childcare Act 2006					
2.1	To improve the well-being of young children in the Borough in accordance with section 1, to make arrangements to secure early childhood services in accordance with section 3 and to make arrangements to work with any of the Council's relevant partners in the performance of those duties having regard to any guidance issued by the Secretary of State under section 4.	Children, Schools and Families	Service Head (Learning and Achievement)		

Decision		Director	Service Head	Section Head	Other
2.2	Section 6 -to secure, so far as is reasonably practicable, that the provision of childcare is sufficient to meet the requirements of parents in the Borough who require childcare in order to enable them to take up or remain in work or to undertake education or training which could reasonably be expected to assist them to obtain work and to have regard to any guidance issued by the Secretary of State when doing so.	Children, Schools and Families	Service Head (Learning and Achievement)		
2.3	Section 7 - to secure that early years provision of a prescribed description is available free of charge for young children in the Borough under school age, and to have regard to any guidance issued by the Secretary of State when doing so.	Children, Schools and Families	Service Head (Learning and Achievement)		
2.4	Section 8 - to assist any person who provides or proposes to provide childcare, to make arrangements with any other person for the provision of childcare, and to provide childcare, and to have regard to any guidance issued by the Secretary of State when doing so.	Children, Schools and Families	Service Head (Learning and Achievement)		Childcare Development Manager
2.5	Section 11 - to prepare any childcare assessment, to keep any such assessment under review, and to comply with and exercise and perform any powers and duties contained in any regulations made under this section with regard to the preparation of such assessments.	Children, Schools and Families	Service Head (Learning and Achievement)		
2.6	Section 12 & 13 - to establish and maintain a service providing information, advice and assistance and to have regard to any guidance issued by the Secretary of State when doing so.	Children, Schools and Families	Service Head (Learning and Achievement)		
2.7	To comply with any learning & development order under section 39.	Children, Schools and Families	Service Head (Learning and Achievement)		Planning & Information Manager
2.8	To exercise powers and duties in relation to later years provision – sections 54 – 61.	Children, Schools and Families	Service Head (Learning and Achievement)		

Decision		Director	Service Head	Section Head	Other
2.9	To comply with and exercise any powers and duties in relation to inspection of early years provision under section 49 and publicity of reports under section 50.	Children, Schools and Families	Service Head (Learning and Achievement)		Planning & Information Manager
2.10	General - such other powers and duties contained in the Children Act 2006 not specifically delegated above.	Children, Schools and Families	Service Head (Learning and Achievement)		
Children and Young Persons Act 1933					
2.11	Exercising any of the Authority's powers under the Children and Young Persons Act 1933 including the granting of licences under section 24 for children over age 12 to be trained to take part in a performance of a dangerous nature and doing everything else necessary in connection therewith.	Children, Schools and Families	Service Head (Learning and Achievement)	Head of Pupil & Student Services	Pupil Services Manager
Children and Young Persons Act 1963					
2.12	Granting licences under the Children and Young Persons Act 1963 to children under 16 to take part in performances, or sports, or to work as a model, for payment and doing everything else necessary in connection therewith.	Children, Schools and Families	Service Head (Learning and Achievement)	Head of Pupil & Student Services	Pupil Services Manager
2.13	Power to supervise, regulate and control the employment of children not over compulsory school age.	Children, Schools and Families	Service Head (Learning and Achievement)	Head of Pupil & Student Services	Pupil Services Manager
2.14	Section 36 of the Children Act 1989 and Part III of Schedule 3. The power to apply for an Education Supervision Order and the duties of the Supervising Officer	Children, Schools and Families	Service Head (Learning and Achievement)	Head of Pupil & Student Services	Pupil Services Manager
2.15	Preparing and reviewing a statement setting out the arrangements made or proposed to be made for the education of children with behavioural difficulties, consulting as required. (Section 527A Education Act 1996).	Children, Schools and Families	Service Head (Learning and Achievement)	SEN/Inclusion Head	Head of SEN Section
2.16	Employing or engaging a Medical Officer to exercise the functions of a Medical Officer under the Education Act 1996	Children, Schools and Families	Service Head (Learning and Achievement)	SEN/Inclusion Head	SEN Manager

Decision		Director	Service Head	Section Head	Other
2.17	Agreeing to the admission of a child to a special school for the purposes of assessment, or following a change of circumstances, under s.316A Education Act 1996.	Children, Schools and Families	Service Head (Learning and Achievement)	SEN/Inclusion Head	Head of SEN Section
2.18	Making and maintaining a statement of special needs in respect of a child and doing everything else necessary in connection therewith.	Children, Schools and Families	Service Head (Learning and Achievement)	SEN/Inclusion Head	Head of SEN Section
2.19	Such other provisions as remain in force under the Education Act 1996 not specifically delegated in this scheme of delegation.	Children, Schools and Families	Service Head (Learning and Achievement)	SEN/Inclusion Head	Head of SEN Section
2.20	Section 437 EA 1996 – the duty to act if a child of compulsory school age is not receiving suitable education.	Children, Schools and Families	Service Head (Learning and Achievement)		Principal Attendance & Welfare Advisor
School Standards and Framework Act 1998					
2.21	Approve instruments of government for all School Governing Bodies reconstituted under the requirements of the School Standards and Framework Act.	Children, Schools and Families	Service Head (Learning and Achievement)	Head of Primary Leadership	
2.22	Consenting to the governing body of a community or foundation special school determining to provide or cease to provide part-time education suitable to the requirements of persons over compulsory school age or full-time education suitable to the requirements of those aged over 19 (Section 8).	Children, Schools and Families	Service Head (Learning and Achievement)	Head of Primary Leadership	
2.23	Determining the number of pupils that it is intended to admit to any maintained school and admission arrangements (Section 89).	Children, Schools and Families	Service Head (Learning and Achievement)	Head of Pupil & Student Services	
2.24	Agreeing any special admission arrangements to preserve the religious character of any foundation or voluntary aided school (Section 91). This was repealed by the Education Act 2002 with effect from 1 October 2002.	Children, Schools and Families	Service Head (Learning and Achievement)	Head of Pupil & Student Services	
2.25	Giving a direction to admit a child to a specified school.	Children, Schools and Families	Service Head (Learning and Achievement)	Head of Pupil & Student Services	Pupil Services Manager

Decision		Director	Service Head	Section Head	Other
2.26	Making arrangements for admission appeals (Sections 94 and 95 of 1998 Act).	Children, Schools and Families	Service Head (Learning and Achievement)	Head of Pupil & Student Services	Pupil Services Manager
2.27	Requiring the governing body of a maintained school to provide reports in connection with the discharge of its functions.	Children, Schools and Families	Service Head (Learning and Achievement)		
2.28	Power to provide for school governing body to consist of interim executive members.	Children, Schools and Families	Service Head (Learning and Achievement)		
2.29	Duty to arrange appeals against exclusions.	Children, Schools and Families	Service Head (Learning and Achievement)	Head of Pupil & Student Services	Pupil Services Manager
2.30	The duty to establish an Admission Forum and the power to publish an annual report.	Children, Schools and Families	Service Head (Learning and Achievement)	Head of Pupil & Student Services	Pupil Services Manager
2.31	Duty to comply with parental preferences, with certain exceptions.	Children, Schools and Families	Service Head (Learning and Achievement)	Head of Pupil & Student Services	Pupil Services Manager
2.32	Power to publish information for parents re: admission arrangements. This is a duty, rather than a power, to publish <u>and</u> to follow the published arrangements.	Children, Schools and Families	Service Head (Learning and Achievement)		
2.33	Duty to make arrangements to enable parents to appeal against decisions regarding admissions.	Children, Schools and Families	Service Head (Learning and Achievement)	Head of Pupil & Student Services	Pupil Services Manager
2.34	Duty to make arrangements for a governing body to appeal against the admission of an excluded child to whom Section 87(2) applies.	Children, Schools and Families	Service Head (Learning and Achievement)	Head of Pupil & Student Services	Pupil Services Manager
2.35	Power to give direction to admit a child to a specified school.	Children, Schools and Families	Service Head (Learning and Achievement)	Head of Pupil & Student Services	Pupil Services Manager
2.36	Duty to secure sufficient nursery education and comply with any infant class size limit imposed and prepare any statement required in this regard. This is exercised jointly between Pupil Services and Schools Building & Development.	Children, Schools and Families	Service Head (Learning and Achievement)/ Service Head (Resources)	Head of Pupil & Student Services, Head of Building Development	Pupil Services Manager
2.37	Duty to review sufficiency of childcare in the LEA's area.	Children, Schools and Families	Service Head (Learning and Achievement)		
2.38	Duty to prepare an early year's development plan.	Children, Schools and Families	Service Head (Learning and Achievement)		

Decision		Director	Service Head	Section Head	Other
2.39	General - such other duties and powers contained in the School Standards and Framework Act 1998 not specifically delegated above which are not reserved to the Cabinet	Children, Schools and Families	Service Head (Learning and Achievement)		
2.40	All duties and powers concerning arrangements for the admission of children.	Children, Schools and Families	Service Head (Learning and Achievement)	Head of Pupil & Student Services	
Education Act 2002					
2.41	Powers in relation to the membership and proceedings of governing bodies and other matters including the appointment of a clerk.	Children, Schools and Families	Service Head (Learning and Achievement)	Head of Primary Leadership	
2.42	Power to recoup cost of providing education for persons not belonging to the Council's own area.	Children, Schools and Families	Service Head (Learning and Achievement)		
Anti-social Behaviour Act 2003					
2.43	Sections 19 to 23 of the ASBA 2003 for powers in relation to Parenting Orders, Parenting Contracts and Penalty Notices (also s105 of the EIA 2006).	Children, Schools and Families	Service Head (Learning and Achievement)		
Education Act 2005					
2.44	Ensuring proper notification of any proposed inspection of a school and to assist with such inspections including provision of information and provision of copies of any such inspection report (and levying a charge for such copies).	Children, Schools and Families	Service Head (Learning and Achievement)		
2.45	Prepare a written statement of action to be taken as a result of any inspection under this Act.	Children, Schools and Families	Service Head (Learning and Achievement)		
2.46	Power to enter and inspect any maintained school.	Children, Schools and Families	Service Head (Learning and Achievement)		
2.47	Setting of school targets in respect of educational performance.	Children, Schools and Families	Service Head (Learning and Achievement)		
Education and Inspections Act 2006					
2.48	Section 77 of the EIA 2006 – To make such travel arrangements as are considered necessary.	Children, Schools and Families	Service Head (Learning and Achievement)	Head of Pupil & Student Services	Pupil Services Manager

Decision		Director	Service Head	Section Head	Other
2.49	Section 101 EIA 2006 – Arrangements for the provision of suitable full time education at school or otherwise.	Children, Schools and Families	Service Head (Learning and Achievement)	Head of Pupil & Student Services, Head of Support for Learning Service	Pupil Services Manager
2.50	Make referrals, withdraw proposals and all other functions in relation to proposals referred to the adjudicator (Schedule 2 paragraphs 10-16 and Section 23).	Children, Schools and Families	Service Head (Learning and Achievement)	Head of Pupil & Student Services	
Miscellaneous Functions					
2.51	Serving a school attendance order on the parent of a child and doing everything else necessary in connection therewith.	Children, Schools and Families	Service Head (Learning and Achievement)	Head of Pupil & Student Services	Pupil Services Manager
2.52	Applying for an Education Supervision Order in respect of a child and doing everything else necessary in connection therewith.	Children, Schools and Families	Service Head (Learning and Achievement)		
2.53	Nominating Education Welfare officers to represent the Authority in Court.	Children, Schools and Families	Service Head (Learning and Achievement)		
2.54	Making decisions regarding the hire and use of taxis or other transport for home to school transport for children with special needs.	Children, Schools and Families	Service Head (Resources)	Head of Pupil & Student Services, Head of Building Development	
2.55	Prioritising the admission to primary and secondary schools of children where there are exceptional circumstances.	Children, Schools and Families	Service Head (Learning and Achievement)	Head of Pupil & Student Services	

Learning and Skills Act 2000					
2.56	To exercise and perform powers and duties in relation to inadequate sixth forms (Section 113 and Schedule 7).	Children, Schools and Families	Service Head (Learning and Achievement)		
2.57	To comply with any Direction under Section 116 with regard to the participation of 13-19 year olds in educational training Section 116.	Children, Schools and Families	Service Head (Learning and Achievement)		
2.58	Requirement to provide information with regard to encouraging 13-19 year olds participation in education (Sections 117 & 120).	Children, Schools and Families	Service Head (Learning and Achievement)		

Decision		Director	Service Head	Section Head	Other
Children and Young Persons Act 1963					
2.59	Power to make or approve arrangements for the provision of work experience for pupils in their last year of compulsory education.	Children, Schools and Families	Service Head (Learning and Achievement)		
Crime and Disorder Act 1998					
2.60	Designating premises as premises to which children and young persons of compulsory school age may be removed if found absent from school without lawful authority under the Crime and Disorder Act 1998.	Children, Schools and Families	Service Head (Learning and Achievement)		
Education Act 2005					
2.61	Ensuring proper notification of any proposed inspection of a school and to assist with such inspections including provision of information and provision of copies of any such inspection report (and levying a charge for such copies).	Children, Schools and Families	Service Head (Learning and Achievement)		
2.62	Prepare a written statement of action to be taken as a result of any inspection under this Act.	Children, Schools and Families	Service Head (Learning and Achievement)		
2.63	Power to enter and inspect any maintained school.	Children, Schools and Families	Service Head (Learning and Achievement)		
2.64	Setting of school targets in respect of educational performance.	Children, Schools and Families	Service Head (Learning and Achievement)		

3. YOUTH, PARENTING AND COMMUNICATIONS

Criminal Justice Act 1991					
3.1	Section 61 - to secure that the Council by itself or by arrangement with other authorities or organisations is in a position to comply with any security requirement which may be imposed by a remand or committal to local authority accommodation.	Children, Schools and Families	Service Head (Youth, Parenting and Communications)		YOT Service Manager

Decision		Director	Service Head	Section Head	Other
3.2	Section 65 - to supervise a person under the age of 22 years who has been released from a term of detention in a young offender institution or under section 91 of the Powers of Criminal Courts (Sentencing) Act 2000.	Children, Schools and Families	Service Head (Youth, Parenting and Communications)		YOT Service Manager
Crime and Disorder Act 1998					
3.3	Section 66 - to assess a person referred to the Youth Offending Team under this Section, to arrange for them to participate in a rehabilitation programme and to have regard to any guidance issued under this Section.	Children, Schools and Families	Service Head (Youth, Parenting and Communications)		YOT Service Manager
Powers of Criminal Courts (Sentencing) Act 2000					
3.4	To establish a youth offender panel where a referral order has been made in respect of an offender, to arrange for meetings of such a panel and to give notice of such meetings.	Children, Schools and Families	Service Head (Youth, Parenting and Communications)		
3.5	Section 22, 23-25 - powers to reach agreement with an offender on a programme of behaviour (a youth offending contract), keeping records, adjourn any meeting, end any meeting and resume any such meeting for the purposes of agreeing such contracts and powers to refer an offender back to the appropriate Court.	Children, Schools and Families	Service Head (Youth, Parenting and Communications)		
3.6	Section 26/27 - to arrange a progress meeting under the terms of this section if so requested by a youth offender panel and to arrange for any final meeting of a youth offender panel	Children, Schools and Families	Service Head (Youth, Parenting and Communications)		YOT Service Manager
3.7	Section 29 - powers and duties under section 29	Children, Schools and Families	Service Head (Youth, Parenting and Communications)		YOT Service Manager
3.8	Section 46 - to appoint an appropriate officer to give information to a court as to the suitability of making a community punishment order	Children, Schools and Families	Service Head (Youth, Parenting and Communications)		YOT Service Manager

Decision		Director	Service Head	Section Head	Other
3.9	Sections 47 and 48 - to appoint a member of a youth offending team to discharge the functions of a responsible officer with regard to the operation of a community punishment order and to exercise and perform the powers and duties in Schedule 3 of this Act.	Children, Schools and Families	Service Head (Youth, Parenting and Communications)		YOT Service Manager
3.10	Section 64 - to agree to the designation of the Council as the supervisor of a child or young person under a supervision order made under section 63 and to defray any expenditure incurred by a supervisor in compliance with directions or requirements given by virtue of the provisions of Schedule 6 of this Act.	Children, Schools and Families	Service Head (Youth, Parenting and Communications)		YOT Service Manager
3.11	Section 66 - to make arrangements (subject to consultation etc.)with others for the provision of facilities for enabling directions and requirements made under Schedule 6 of this Act to be carried out.	Children, Schools and Families	Service Head (Youth, Parenting and Communications)		YOT Service Manager
3.12	Section 69 - to appoint a social worker to act as a responsible officer for the purposes of an action plan order made under this section, and provide a written report prior to the making of such an order.	Children, Schools and Families	Service Head (Youth, Parenting and Communications) Service Head (Social Care)		
3.13	Section 73 - to appoint a social worker to prepare a report for any court considering the making of a reparation order under this section.	Children, Schools and Families	Service Head (Youth, Parenting and Communications)		
3.14	Sections 36 and 162 - to appoint an appropriate officer to prepare any pre-sentence report.	Children, Schools and Families	Service Head (Youth, Parenting and Communic'ns)		
3.15	Sections 73 to 75 - power to appoint a Social Worker to prepare a report for any Court considering the making of a reparation order or to act as a responsible officer once a section 73 order has been made and to exercise powers and duties in Schedule 8 of this Act.	Children, Schools and Families	Service Head (Youth, Parenting and Communications) Service Head (Social Care)		YOT Service Manager / Family Support & Protection Manager
3.16	Section 103 - to appoint a Social Worker to supervise an offender subject to a detention and training order.	Children, Schools and Families	Service Head (Youth, Parenting and Communications) Service Head (Social Care)		YOT Service Manager / Family Support & Protection Manager

Decision		Director	Service Head	Section Head	Other
Learning and Skills Act 2000					
3.17	Applying for any grant from the Learning and Skills Council for England for the purposes of providing education suitable for those above compulsory school age.	Children, Schools and Families	Service Head (Youth, Parenting and Communications)		

4. RESOURCES

Learning and Skills Act 2000					
4.1	Delegating a budget to a maintained school.	Children, Schools and Families	Service Head (Resources)		
4.2	Suspending the right of a governing body of a maintained school to a delegated budget.	Children, Schools and Families	Service Head (Resources)		
4.3	Comply with Section 131 and Schedule 8 with regard to the provision of land to city academies.	Children, Schools and Families	Service Head (Resources)		
4.4	Conducting and maintaining any school where the governing body have given notice of discontinuance and is unable or unwilling to continue until the end of the notice period.	Children, Schools and Families	Service Head (Resources)		
School Standards and Framework Act 1998					
4.5	Giving any direction to the governing body or head teacher of any maintained school concerning the health or safety of persons on the school's premises or taking part in any school activities elsewhere (Section 39 of 1998 Act).	Children, Schools and Families	Service Head (Resources)		
4.6	Determining the extent to which the staffing provisions in Schedules 16 and 17 to the School Standards and Framework Act 1998 shall apply to persons that are employed to work partly for the purposes of school activities and partly for the purposes of non-school activities.	Children, Schools and Families	Service Head (Resources)		
4.7	Determining whether proposals to establish, alter or discontinue a school should be implemented where no objections have been received.	Children, Schools and Families	Service Head (Resources)		

Decision		Director	Service Head	Section Head	Other
4.8	Duty to comply with provisions concerning delegated school's budgets and powers to suspend financial delegation to any school where there is a failure to comply with requirements of Financial Management under the School Standards and Framework Act 1992 (Section 51.)	Children, Schools and Families	Service Head (Resources)	Head of Children, Schools and Families Finance	
4.9	Duty to publish and consult in the prescribed manner, the proposals of the Council to establish or alter community or foundation schools.	Children, Schools and Families	Service Head (Resources)		
4.10	Duty to publish and consult in the prescribed manner, the proposals of the Council to discontinue a community foundation or voluntary school and power to maintain any such school should the governing body issue notice or discontinuation.	Children, Schools and Families	Service Head (Resources)		
4.11	Section 90 reference of objections regarding admission arrangements to the Adjudicator or Secretary of State.	Children, Schools and Families	Service Head (Learning and Achievement)	Head of Pupil & Student Services	Pupil Services Manager
Education Act 2002					
4.12	Powers in relation to the staffing of community, voluntary controlled and community special schools.	Children, Schools and Families	Service Head (Resources)		
4.13	Giving effect to a governing body's decision in respect of the remuneration and other terms of employment of school teachers and any pay and conditions orders made by the Secretary of State in accordance with any guideline issued under Sections 10, 122 and 127 of the Act.	Children, Schools and Families	Service Head (Resources)	Head of CS Human Resources	
4.14	Publication of proposals for the establishment, alteration or discontinuance of any school to invite proposals for the establishment of additional secondary schools.	Children, Schools and Families	Service Head (Resources)	Head of Building Development	
Education Act 2005					
4.15	Publish notice inviting proposals for the establishment of any foundation, voluntary or Academy school and carry out consultation in that regard.	Children, Schools and Families	Service Head (Resources) / Service Head (Learning and Achievement)		

Decision		Director	Service Head	Section Head	Other
4.16	Carry within exercise and performing powers and duties with regard to rationalisation of school places.	Children, Schools and Families	Service Head (Resources)		
Education and Inspections Act 2006					
4.17	Publish any notice in relation to establishment of new schools, carry out relevant consultation and seek appropriate approvals under Sections 7-12, including consultation with the Secretary of State for any academy under Schedule 2 and discontinuance of any proposals under Schedule 2.	Children, Schools and Families	Service Head (Resources)		
4.18	Make referrals, withdraw proposals and all other functions in relation to proposals referred to the adjudicator (Schedule 2 paragraphs 10-16 and Section 23).	Children, Schools and Families	Service Head (Resources)		
4.19	Implement and discharge the Council's proposals relating to community schools (paragraph 23 of Schedule 2) foundation or voluntary control schools (paragraph 24), voluntary aided schools (paragraph 25) and foundation special schools (paragraph 26) such powers to include the provision of sites and assistance under paragraphs 28-31.	Children, Schools and Families	Service Head (Resources)		
4.20	To publish proposals by the Council to alter a maintained school (Section 19) such other duties and powers under the School Organisation (prescribed Alterations to Maintained Schools) (England) Regulations 2007.	Children, Schools and Families	Service Head (Resources)		
4.21	Exercise the Council's powers and functions under the School Organisation (Establishment and Discontinuance of Schools) (England) Regulations 2007.	Children, Schools and Families	Service Head (Resources)		
Representation of the People Act 1983					
4.22	Section 95 and 96 provision of school premises for the purposes of public meetings for candidates at an election.	Children, Schools and Families	Service Head (Resources)		

Decision		Director	Service Head	Section Head	Other
Miscellaneous Functions					
4.23	To agree early retirements granted by any school governing body with delegated powers to do so and to make discretionary severance payments in accordance with regulations and guidelines for making such payments to non school based staff.	Children, Schools and Families	Service Head (Resources)		
4.24	Agreeing planned deficits by schools up to £500,000 under the terms of the Fair Funding licensed deficit scheme.	Children, Schools and Families	Service Head (Resources)		
4.25	Authority to exercise discretionary powers under the Teachers' Pay and Conditions document.	Children, Schools and Families	Service Head (Resources)		

5. GENERAL MATTERS

Births and Deaths Registration Act 1953					
5.1	Sections 16 and 18 – duty to notify Registrar of death of any person dying in any premises for which the Council is responsible.	Children, Schools and Families	Service Head (Resources)		
Childcare Act 2006					
5.2	Section 91 – to comply with any request by the Chief Inspector of Child Care for help in the exercise of any of her/his functions.	Children, Schools and Families	Service Head (Resources) Service Head (Social Care)		
School Standards and Framework Act 1998					
5.3	Taking such steps in relation to a maintained school as are required to prevent the breakdown of standards and performance, safety of pupils or continuing breakdown of discipline or otherwise at the school and to give directions to the governing body or head teacher.	Children, Schools and Families	Service Head (Resources)		
Education Act 2002					
6.4	Applying to the Secretary of State under Section 2 for an exemption from or relaxation of any requirement of education legislation or for any modification of that legislation, consulting as required on the application and applying to vary or revoke any order made under section 2.	Children, Schools and Families	Service Head (Resources)		

Decision		Director	Service Head	Section Head	Other
5.5	Consultation with pupils as provided in guidance or Regulations when exercising the Council's functions.	Children, Schools and Families	Service Head (Resources)		Communications and Engagement Manager
Education and Inspections Act 2006					
5.6	To develop the Council's policy with regard to the duty in relation to diversity and choice to discharge the Council's duty to provide high standards and consider parental representations (Section 13 and 14).	Children, Schools and Families	Service Head (Resources)		
Miscellaneous					
5.7	Making appointments for LEA representation on school governing bodies.	Children, Schools and Families			

