

# **Part 3a**

## **Scheme of Delegations**

**To be retained until such time as a Strategic Director of People Services commences in post, for consideration in Part F of the Scheme of Delegations in place of the existing provisions detailed within pages 35, 36 and 37 of that document.**

### **ACTING STRATEGIC DIRECTOR, CHILDREN AND YOUNG PEOPLE**

The Strategic Director Children and Young People will have responsibility for all management, operational and non key decisions about the following functions and areas of responsibility other than those matters delegated to individual members of the Council Cabinet set out in Part B

#### **A Statutory Executive Functions:**

- 1) The functions of the council as Local Education Authority, in particular:
  - centrally funded school services
  - support and challenge to school improvement
  - special education needs services
  - adult and youth services
  - mandatory and discretionary awards
  - the education welfare service
  - planning and securing the provision of sufficient school places and determining an admissions policy
  - safeguarding and improving education standards and provision
  - the health related functions of the Council under section 57 of the Education Act 1996 and as education authority under sections 5, 7 or 8 of the Disabled Persons (Services, Consultation and Representation) Act 1986.
- 2) The functions of the council which are Social Services functions within the meaning of the Local Authority Social Services Act 1970 so far as those functions relate to children and in particular:
  - assessment and care planning for children and families
  - functions relating to child protection
  - provision of reception and hospital services
  - functions relating to disabled children
  - functions relating to family support services
  - commissioning of accommodation and residential care for children
  - acting as a fostering agency
  - acting as an adoption agency
  - functions relating to private fostering day care and childminding

- any health related functions exercisable by the council under section 31 of the Health Act 1999 so far as they relate to Children and Young People.

3) The functions of the council as a Children's Services Authority

4) Lead responsibility for the Youth Offending Service.

**B Areas of Responsibility**

- 1) Approving fees for accommodating pupils in voluntary and other authority schools previously approved by the Department for Education and Skills if suitable accommodation for the child concerned is not available in a Derby City school.
- 2) Considering School Ofsted reports and bringing significant matters requiring LA Action to the attention of the Council Cabinet and, where appropriate, the Education Commission.
- 3) Reimbursing on an ex gratia basis, amounts over £1000 on claims for accidental damage caused to clients' houses or property by employees of the Children and Young People's Department or those under its direct control.
- 4) Appointing appropriate staff as members of Primary Care Trust Professional Executive Committees, jointly with the Chief Executive.
- 5) Waiving or reducing charges for services provided by the department where full payment of the charges would cause particular hardship or otherwise be inappropriate.
- 6) Determining grants for individual clients.

**C Acting as Authorised/Proper Officer for the following matters**

Entering and inspecting any premises and any records kept in them for any purposes under the Children Act 1989, the Adoption and Children Act 2002 or the Children Act 2004.

Inspecting any children in such premises and arranging for the welfare of them.

Acting as, or appointing a receiver, to deal with appropriate matters where the Court of Protection has to appoint an officer of the council to act for children or young people who are incapable of managing their own affairs

Exercising all the powers and duties of the council under the Mental Health Act 1983 relating to Children and Young People including:

- receiving documents served on the council, including applications for Guardianship
- giving the council's consent to the amendment of guardianship applications

- authorising employees to carry out the duties of Approved Social Workers if they are qualified to do so

Applying to the Court or a Justice of the Peace for emergency protection orders or emergency applications under the Adoption and Children Act 2004.

To discharge the enforcement functions of the Council in relation to attendance at school.

Providing reports for court under the Adoption Act 1976, the Children Act 1989 and Children Act 2004.

Licensing the employment of children.

Dealing with education supervision orders.

**D Drawing Up the following Policies and Plans that form part of the Budget and Policy Framework**

Children and Young Peoples Plan

**E Statutory Non Executive Functions**

Power to license the employment of children.

## **ACTING STRATEGIC DIRECTOR, ADULTS AND HEALTH**

The Strategic Director, Adults and Health will have responsibility for all management, operational and non key decisions about the following functions and areas of responsibility other than those matters delegated to individual members of the Council Cabinet set out in Part B.

### **A Statutory Executive Functions:**

- 1) The functions of the Council as a Social Services Authority (within the meaning of the Local Authority Social Services Act 1970) other than those delegated to the Strategic Director, Children and Young People in particular:
  - assessment, care planning and provision of community care services
  - functions relating to disability and sensory services
  - commissioning of adult social care
  - health improvement planning
  - functions relating to mental health,
  - the registration and inspection functions of the Council as a Social Services Authority
  - any health related functions of the Council exercisable by the Council under section 31 of the Health Act 1999 other than those relating to children and young people's services
  - the functions required by the Civil Defence Acts 1939 and 1948, the War Charities Act 1940 and the Wireless Telegraphy Act 1949

### **B Areas of Responsibility**

- 1) Approving special expenditure on funerals of residents in Council homes such as burial in special ground, in a distant churchyard or cemetery in a locality where the deceased had long standing connections, or on cremation to comply with the wishes of the deceased
- 2) Determining care in the community grants and other social care grants for individual clients.
- 3) Managing the Supporting People programme.
- 4) Operating Derby Care Link
- 5) Administering disabled facilities grants.
- 6) Reimbursing on an ex gratia basis, amounts over £1000 on claims for accidental damage caused to clients' houses or property by employees of the Adult Social Services Department or those under its direct control.

- 7) Waiving or reducing charges for services provided by the department where full payment of the charges would cause particular hardship or otherwise be inappropriate.

**C Acting as Authorised/Proper Officer for the following matters**

Entering and inspecting any premises and any records kept in them for any purposes under the National Assistance Act 1948

Acting as, or appointing a receiver, to deal with appropriate matters where the Court of Protection has to appoint an officer of the Council to act for people who are incapable of managing their own affairs

Exercising all the powers and duties of the Council under the Mental Health Act 1983 including:

- receiving documents served on the Council, including applications for Guardianship
- giving the Councils consent to the amendment of guardianship applications
- authorising employees to carry out the duties of Approved Social Workers if they are qualified to do so

The Strategic Director, Adults and Health is responsible for the issue of Deprivation of Liberty authorisations.

**D Drawing Up the following Policies and Plans that form part of the Budget and Policy Framework**

Not applicable.

**E Statutory Non Executive Functions**

These are set out in the Appendix.