



Scheme of Delegation
Officers with delegated authority for matters within the portfolio of the Executive Director
Children and Young People Services
March 2011

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Purpose

To set out the delegations from the Council's Executive and Council bodies to Chief and Deputy Chief officers within the Children and Young Peoples Service.

Related Policies and Documents

All parts of the Officers scheme of delegation
Children and Young Peoples Service Schemes of Authorisations

Who is governed by this policy?

The scheme of delegations will apply to all permanent, contract and temporary staff working for the Council.

Executive Summary

All delegations are subject to compliance with the law, the Council's Constitution, its Procurement Code, Financial Regulations and other relevant policies and procedures. All delegations may be exercised by the Chief Executive as well as those posts set out in this Scheme of Delegation.

This section sets out the powers which are conferred on the Council and its Executive which are exercisable by Officers and is the list maintained pursuant to Section 100 (G) (2) of the Local Government Act 1972. Under the provisions of the Local Government and Housing Act 1989 (S2) as amended by the Provisions of S202 of the Local Government and Public Involvement in Health Act 2007 and S30 of the Local Democracy Economic Development and Construction Act 2009 the post holders in this Scheme of Delegation hold politically restricted posts.

Pursuant to Paragraph 3.4.2 of Part 3 of the constitution the officers listed in this scheme of delegation may authorise officers to carry out the functions listed on their behalf. A list of all officers so authorised shall be maintained in accordance with paragraph 3.4.2.

Although these powers have been delegated to officers, there is a requirement to consult local ward councillors and community lead councillors if the decision you are making has a direct impact on a local community. Please consult Democratic Services for advice. In addition, please be aware that at the very least local ward councillors should be kept aware of any decision made and implemented under delegated powers that affects members of the community in their ward and this would normally be through the ward based bulletin.

Power to Deputise

No.	Function	Delegated Officer
	Authority to act and exercise any of the powers delegated to the Executive Director in the Executive Director' absence or in the event of an emergency.	The relevant Divisional Director shall deputise in his/her particular area of responsibility in all matters the Executive Director may act. In their absence, another Divisional Director within the same Directorate or another Executive Director may act. The Chief Executive shall have the power to exercise all delegations set out in this list

No.	Function	Delegated Officer
Births & Deaths Registration Act 1953		
CYPS1.	Sections 16 and 18 duty to notify Registrar of death of any person dying in any premises for which the Council is responsible.	Executive Director Divisional Director
Children and Young Persons Act 1969		
CYPS2.	Section 9 to investigate factors concerning any child to be prosecuted by the Council	Executive Director Divisional Director
CYPS3.	Selecting a supervisor when a supervision order is made –Powers of the Criminal Courts Act 2000 section 64	Executive Director Divisional Director
CYPS4.	Power to apply for variation or discharge of supervision order – Powers of the Criminal Courts Act 2000 section 65 and Schedule 7	Executive Director Divisional Director

No.	Function	Delegated Officer
CYPS5.	Section 23 - Provision of accommodation pursuant to a Court Order remanding or committing a child to the Local Authority care.	Executive Director Divisional Director
CYPS6.	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.	Executive Director Divisional Director
Local Authority Social Services Act 1970		
CYPS7.	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.	Executive Director Divisional Director
Adoption & Children Act 2002		
CYPS8.	Applying for a placement order	Executive Director Divisional Director
CYPS9.	Applying for a guardianship order	Executive Director Divisional Director
CYPS10.	Investigating notice of intention to adopt.	Executive Director Divisional Director
CYPS11.	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	Executive Director Divisional Director

No.	Function	Delegated Officer
CYPS12.	Making reports to Court on the placing of a child for adoption	Executive Director Divisional Director
CYPS13.	Power to continue to maintain an adoption service – section 3	Executive Director Divisional Director
CYPS14.	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 regulations made under this Section.	Executive Director Divisional Director
CYPS15.	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 regulations made under this section	Executive Director Divisional Director
CYPS16.	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	Executive Director Divisional Director
CYPS17.	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	Executive Director Divisional Director
CYPS18.	Power to apply for a recovery order in respect of a child who is or may be placed by an adoption agency	Executive Director Divisional Director
CYPS19.	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 which it is known is looked after by that other authority	Executive Director Divisional Director

No.	Function	Delegated Officer
CYPS20.	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 regulations made under this section	Executive Director Divisional Director
CYPS21.	Authorising payment of legal expenses in respect of prospective adopter's adoption application.	Executive Director Divisional Director
CYPS22.	Authorising payment of medical expenses incurred in connection with adoption application.	Executive Director Divisional Director
Supreme Court Act 1981		
CYPS23.	Section 41 – Applying to make a minor a ward of court.	Executive Director Divisional Director
Mental Health Act 1983		
CYPS24.	Section 27 Powers of nearest relative in relation to children and young persons in care of local authority	Executive Director Divisional Director
Disabled Persons (Consultation and Representation) Act 1986		
CYPS25.	Section 5 subsection 9 - Power to appoint appropriate officer	Executive Director
Children Act 1989		
CYPS26.	General – Authority to recommend the removal of a Schedule One offender from the department of health list.	Executive Director

No.	Function	Delegated Officer
CYPS27.	Section 4 - Applying for the discharge of Parental Responsibility Order or Agreement.	Executive Director Divisional Director
CYPS28.	Section 6 - Applying for the discharge of appointment of a child's guardian.	Executive Director Divisional Director
CYPS29.	Section 7 - Reporting to the Court on matters relating to the welfare of a child.	Executive Director Divisional Director
CYPS30.	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.	Executive Director Divisional Director
CYPS31.	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).	Executive Director Divisional Director
CYPS32.	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.	Executive Director Divisional Director
CYPS33.	Section 17 and Schedule 2 - All the powers and duties in relation to providing assistance and safeguarding and promoting the welfare of children.	Executive Director Divisional Director
CYPS34.	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.	Executive Director Divisional Director

No.	Function	Delegated Officer
CYPS35.	Sections 20, 21 and 22 - Determining the welfare needs for the accommodation of children and young persons.	Executive Director Divisional Director
CYPS36.	Section 23 - Authority to provide accommodation and maintenance for a child looked after.	Executive Director Divisional Director
CYPS37.	Section 25 - Applying to the Court for authority to keep a child in secure accommodation.	Executive Director Divisional Director
CYPS38.	Section 26 - Establishing a complaints procedure.	Executive Director
CYPS39.	Sections 27 and 28 - Asking other authorities for assistance and power to consult with Local Education Authority.	Executive Director Divisional Director
CYPS40.	Section 29 - Recovering the cost of providing services.	Executive Director Divisional Director
CYPS41.	Section 31 - Power to make application for Care/Supervision Orders.	Executive Director Divisional Director
CYPS42.	Section 33 - Applying for leave for child subject to a Care Order to be known by a new surname or travel abroad.	Executive Director Divisional Director
CYPS43.	Section 34 - Restricting contact and to make related court applications.	Executive Director Divisional Director
CYPS44.	Section 35 – Providing assistance to children subject to a Supervision Order.	Executive Director Divisional Director

No.	Function	Delegated Officer
CYPS45.	Section 36(8) - Responding to consultations by the Local Education Authority prior to that Authority making an application for an Education Supervision Order.	Executive Director Divisional Director
CYPS46.	Section 38 - Applying for a variation of directions made under an Interim Care Order or Supervision Order.	Executive Director Divisional Director
CYPS47.	Section 39 - Applying to the Court for the discharge or variation of a Care or Supervision Order.	Executive Director Divisional Director
CYPS48.	Section 42 - Making records available to an officer of CAFCASS.	Executive Director Divisional Director
CYPS49.	Section 43 - Applying for a Child Assessment Order.	Executive Director Divisional Director
CYPS50.	Sections 44,45 and 47- Carrying out investigations and applying for an Emergency Protection Order.	Executive Director Divisional Director
CYPS51.	Section 50 - Applying for a Recovery Order.	Executive Director Divisional Director
CYPS52.	Section 63(12) Schedule 7, Para 4 - Granting exemptions from the usual fostering limit in appropriate circumstances.	Executive Director Divisional Director
CYPS53.	Section 67(3) - Authorising officers to visit foster homes.	Executive Director Divisional Director

No.	Function	Delegated Officer
CYPS54.	Section 68 - Consenting to private fostering by disqualified foster parents.	Executive Director Divisional Director
CYPS55.	Section 69 - Prohibiting private fostering.	Executive Director Divisional Director
CYPS56.	Schedule 8 - Imposing requirements on private foster carers	Executive Director Divisional Director
CYPS57.	Section 70 - Prosecution in relation to private fostering.	Executive Director Divisional Director
CYPS58.	Section 86 - Safeguarding the welfare of children in residential care, nursing or mental nursing homes.	Executive Director Divisional Director
CYPS59.	Sections 94, 100 and 102 - Appealing Court Orders, seeking leave of the court under its inherent jurisdiction and applying for warrants of entry.	Executive Director Divisional Director
CYPS60.	Schedule 2 para 19 - Arranging for children to live abroad.	Executive Director Divisional Director
CYPS61.	Schedule 2 para 21-24 -Levying, collecting and enforcing maintenance contributions. Applying for variation or revocation of Contribution Order.	Executive Director Divisional Director
CYPS62.	Schedule 3 para 9 - Agreeing to a Supervision Order.	Executive Director Divisional Director

No.	Function	Delegated Officer
CYPS63.	Schedule 3 para 11 - Power to exercise supervision function under <u>regulations</u> and <u>defraying</u> costs.	Executive Director Divisional Director
CYPS64.	General - To exercise such other powers and duties of the Council in the Children Act 1989 not otherwise referred to above.	Executive Director Divisional Director
Adoption Agency Regulations 1983 and 1997		
CYPS65.	Power to appoint members of the Adoption Panel except Councilor Panel members	Executive Director Divisional Director
The Fostering Services Regulations 2002		
CYPS66.	Power to establish and maintain a fostering service	Executive Director Divisional Director
CYPS67.	Approval of foster carers following consideration by the Fostering Panel	Executive Director Divisional Director
CYPS68.	Reviewing and terminating the approval of foster parents following consideration by Fostering Panel	Executive Director Divisional Director
CYPS69.	Making emergency and immediate placements	Executive Director Divisional Director
Placement with Parents Regulations 1991		
CYPS70.	General -Approving placements of children on Care Orders with parents.	Executive Director Divisional Director

No.	Function	Delegated Officer
Crime and Disorder Act 1998		
CYPS71.	General - Applying for a Child Safety Order (and securing appropriate youth justice services) (Sections 11 and 38).	Executive Director Divisional Director
CYPS72.	Section 14 - Making, consulting upon and publishing a curfew scheme	Executive Director
CYPS73.	Section 65 - Acting as an appropriate adult for an offender under 17 when a reprimand or warning is given under this section	Executive Director Divisional Director
Adoption (Inter-country Aspects) Act 1999		
CYPS74.	Section 2(4) collection etc. of information to facilitate and expedite adoption proceedings, services and counseling.	Executive Director Divisional Director
Health Act 1999 & National Health Service Act 2006 part 3		
CYPS75.	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.	Executive Director Divisional Director
Immigration & Asylum Acts 1999 and 2002		
CYPS76.	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.	Executive Director Divisional Director
Safeguarding Vulnerable Groups Act 2006		
CYPS77.	Referring to the Independent Barring Board details of any person who should be included in the barring list (individuals who are considered unsuitable to work with children).	Executive Director

No.	Function	Delegated Officer
Carers and Disabled Children Act 2000		
CYPS78.	Authority to carry out any of the duties and powers contained in sections 1-6 Carers and Disabled Children Act 2000	Executive Director Divisional Director
Children Act 2004		
CYPS79.	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	Executive Director Divisional Director
CYPS80.	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.	Executive Director Divisional Director
CYPS81.	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	Executive Director Divisional Director
CYPS82.	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	Executive Director Divisional Director
CYPS83.	Section 15 To provide funding, staff, goods, services, accommodation or other resources to the Local Safeguarding Children Board.	Executive Director Divisional Director Service and Performance Improvement

No.	Function	Delegated Officer
CYPS84.	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	Executive Director Divisional Director Service and Performance Improvement
CYPS85.	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).	Executive Director Divisional Director
CYPS86.	To prepare and publish annual statement of purpose for adoption, annual statement of purpose for fostering and annual statement of purpose for private fostering	Executive Director Divisional Director
CYPS87.	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 cross agency / organisation review of children's services.	Executive Director Divisional Director
CYPS88.	General - to carry out such other powers and functions not otherwise specifically delegated above under the Children Act 2004.	Executive Director Divisional Director
Childcare Act 2006		
CYPS89.	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	Executive Director Divisional Director

No.	Function	Delegated Officer
CYPS90.	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.	Executive Director Divisional Director
CYPS91.	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.	Executive Director Divisional Director
CYPS92.	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.	Executive Director Divisional Director
CYPS93.	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.	Executive Director Divisional Director
CYPS94.	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.	Executive Director Divisional Director
CYPS95.	To comply with any learning & development order under section 39	Executive Director Divisional Director
CYPS96.	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	Executive Director Divisional Director
CYPS97.	To exercise powers and duties in relation to later years provision – sections 54 - 61	Executive Director Divisional Director
CYPS98.	Section 91 To comply with any request by the Chief Inspector of Child Care for help in the exercise of any of his functions	Executive Director Divisional Director

No.	Function	Delegated Officer
CYPS99.	General - Such other powers and duties contained in the Children Act 2006 not specifically delegated above.	Executive Director Divisional Director
Children and Young Persons Act 2008		
CYPS100.	Power to delegate local authority functions in relation to looked after children to providers of social work services for the discharge by that body (cannot be a local Authority) for the discharge by that body of some or all of that Authorities social services functions in relation to individual children looked after by that authority and, or care leavers	Executive Director
CYPS101.	Power to make provision in relation to the placement of looked after children including a power to create a mechanism for the independent review of decisions by fostering service providers that a prospective or existing foster parent is not suitable to foster	Executive Director Divisional Director
CYPS102.	Amended duty to appoint independent reviewing officers (IROs);	Executive Director Divisional Director
CYPS103.	Duty to appoint a representative to visit all looked after children, wherever they are living	Executive Director Divisional Director
CYPS104.	Extended duty to appoint an independent person to visit, befriend and advise any looked after child if doing so is in the child's interest.	Executive Director Divisional Director
CYPS105.	Duty to appoint a personal advisor and keep the pathway plan under regular review to young people who are former relevant children	Executive Director Divisional Director
CYPS106.	Duty to pay a bursary to a former relevant child who goes on to Higher Education	Executive Director Divisional Director
CYPS107.	Power to issue compliance notices to children's home providers who are failing to meet required standards and to serve a notice preventing new admissions to establishments where this is deemed appropriate	Executive Director Divisional Director
Criminal Justice and Court Services Act 2000		

No.	Function	Delegated Officer
CYPS108.	Section 34 - Applying to the High Court for an order disqualifying a person from working with the Children Act 2006 not specifically delegated above.	Executive Director Divisional Director
YOUTH OFFENDING		
Criminal Justice Act 1991		
CYPS109.	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.	Executive Director Divisional Director
CYPS110.	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	Executive Director Divisional Director
Crime & Disorder Act 1998		
CYPS111.	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.	Executive Director Divisional Director
Powers of Criminal Courts (Sentencing) Act 2000		
CYPS112.	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.	Executive Director Divisional Director
CYPS113.	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.	Executive Director Divisional Director
CYPS114.	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	Executive Director Divisional Director

No.	Function	Delegated Officer
CYPS115.	Section 29 - Powers and duties under section 29	Executive Director Divisional Director
CYPS116.	Section 46 - To appoint an appropriate officer to give information to a court as to the suitability of making a community punishment order	Executive Director Divisional Director
CYPS117.	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	Executive Director Divisional Director
CYPS118.	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	Executive Director Divisional Director
CYPS119.	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	Executive Director Divisional Director
CYPS120.	Sections 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.	Executive Director Divisional Director
CYPS121.	Section 73 - To appoint a social worker to prepare a report for any court considering the making of a reparation order under this section.	Executive Director Divisional Director
CYPS122.	Sections 36 and 162 - To appoint an appropriate officer to prepare any pre-sentence report.	Executive Director Divisional Director
CYPS123.	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	Executive Director Divisional Director

No.	Function	Delegated Officer
CYPS124.	Section 103 - To appoint a Social Worker to supervise an offender subject to a detention and training order.	Executive Director Divisional Director
MISCELLANEOUS EDUCATION		
CYPS125.	Serving a school attendance order on the parent of a child and doing everything else necessary in connection therewith.	Executive Director Divisional Director
CYPS126.	Make appointments to LEA representation on School Governing Bodies.	Cabinet Member for Children & Young People's Services No Officer delegation
CYPS127.	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	Executive Director in consultation with Head of Finance
CYPS128.	Applying for an Education Supervision Order in respect of a child and doing everything else necessary in connection therewith.	Executive Director Divisional Director
CYPS129.	Agreeing planned deficits by schools up to £500,000 under the terms of the Fair Funding licensed deficit scheme.	Executive Director Divisional Director in consultation with Head of Finance
CYPS130.	Authority to exercise discretionary powers under the Teachers' Pay and Conditions document	Executive Director Divisional Director
CYPS131.	Nominating Education Welfare officers to represent the Authority in Court	Executive Director Divisional Director

No.	Function	Delegated Officer
CYPS132.	Making decisions regarding the hire and use of taxis or other transport for home to school transport for children with special needs	Executive Director Divisional Director
CYPS133.	Prioritising the admission to primary and secondary schools of children who are outside the criterion bands agreed, where there are exceptional circumstances	Executive Director Divisional Director
LEARNING & SKILLS ACT 2000		
CYPS134.	Applying for any grant for the purposes of providing education suitable for those above compulsory school age.	Executive Director Divisional Director
CYPS135.	To exercise and perform powers and duties in relation to inadequate sixth forms (Section 113 and Schedule 7)	Executive Director Divisional Director
CYPS136.	Appointing additional governors to a maintained school	Cabinet Member for Children & Young People's Services No Officer delegation
CYPS137.	To comply with any Direction under Section 116 with regard to the participation of 13-19 year olds in educational training Section 116.	Executive Director Divisional Director
CYPS138.	Delegating a budget to a maintained school	Executive Director Divisional Director
CYPS139.	Require to provide information with regard to encouraging 13-19 year olds participation in education (Sections 117 and 120).	Executive Director Divisional Director
CYPS140.	Suspending the right of a governing body of a maintained school to a delegated budget.	Executive Director Divisional Director
CYPS141.	Comply with Section 131 and Schedule 8 with regard to the provision of land to city academies.	Head of Paid Services

No.	Function	Delegated Officer
CYPS142.	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.	Executive Director Divisional Director
CHILDREN AND YOUNG PERSONS ACT 1933		
CYPS143.	Exercising any of the Authority's powers under the Children and Young Persons Act 1933 including. the granting of licences 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	Chief Executive Divisional Director Executive Director
CHILDREN AND YOUNG PERSONS ACT 1963		
CYPS144.	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.	Chief Executive Executive Director Divisional Director
CYPS145.	Power to supervise, regulate and control the employment of children not over compulsory school age.	Chief Executive Divisional Director
CYPS146.	Power to make or approve arrangements for the provision of work experience for pupils in their last year of compulsory education.	Executive Director Divisional Director
CRIME AND DISORDER ACT 1998		
CYPS147.	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.	Executive Director Divisional Director
EDUCATION ACT 1996		

No.	Function	Delegated Officer
CYPS148.	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)	Executive Director Divisional Director
CYPS149.	Employing or engaging a Medical Officer to exercise the functions of a Medical Officer under the Education Act 1996	Executive Director
CYPS150.	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.	Executive Director Divisional Director
CYPS151.	Making and maintaining a statement of special needs in respect of a child and doing everything else necessary in connection therewith.	Executive Director Divisional Director
CYPS152.	Such other provisions as remain in force under the Education Act 1996 not specifically delegated in this scheme of delegation.	Executive Director Divisional Director
<u>School Standard and Framework Act 1998</u>		
CYPS153.	Approve instruments of government for all School Governing Bodies reconstituted under the requirements of the School Standards and Framework Act	Executive Director Divisional Director
CYPS154.	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).	Executive Director Divisional Director
CYPS155.	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 of 1998 Act).	Executive Director Divisional Director

No.	Function	Delegated Officer
CYPS156.	Determining the number of pupils that it is intended to admit to any maintained school and admission arrangements (Section 89 of 1998 Act).	Executive Director Divisional Director
CYPS157.	Agreeing any special admission arrangements to preserve the religious character of any foundation or voluntary aided school (Section 91 of 1998 Act).	Executive Director Divisional Director
CYPS158.	Giving a direction to admit a child to a specified school.	Executive Director Divisional Director
CYPS159.	Making arrangements for admission appeals (Sections 94 and 95 of 1998 Act)	Executive Director Divisional Director
CYPS160.	Requiring the governing body of a maintained school to provide reports in connection with the discharge of its functions	Executive Director Divisional Director
CYPS161.	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.	Executive Director Divisional Director
CYPS162.	Taking such steps in relation to a maintained school as are required to prevent the breakdown of standards & 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.	Executive Director Divisional Director
CYPS163.	Determining whether proposals to establish, alter or discontinue a school should be implemented where no objections have been received.	Executive Director Divisional Director
CYPS164.	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)	Executive Director of Resources Executive Director
CYPS165.	Power to provide for school governing body to consist of interim executive members.	Executive Director

No.	Function	Delegated Officer
CYPS166.	Duty to publish and consult in the prescribed manner, the proposals of the Council to establish or alter community or foundation schools.	Executive Director
CYPS167.	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.	Executive Director
CYPS168.	Duty to arrange appeals against exclusions.	Executive Director Divisional Director
CYPS169.	Duty to comply with parental preferences, with certain exceptions.	Executive Director Divisional Director
CYPS170.	Power to publish information for parents re: admission arrangements.	Executive Director Divisional Director
CYPS171.	Duty to make arrangements to enable parents to appeal against decision regarding admissions.	Executive Director Divisional Director
CYPS172.	Duty to make arrangements for a governing body to appeal against the admission of an excluded child to whom Section 87(2) applies.	Executive Director Divisional Director
CYPS173.	Power to give direction to admit a child to a specified school.	Executive Director Divisional Director
CYPS174.	Duty to secure sufficient nursery education and comply with any infant class size limit imposed and prepare any statement required in this regard.	Executive Director Divisional Director
CYPS175.	Duty to review sufficiency of childcare in the LEA's area.	Executive Director Divisional Director

No.	Function	Delegated Officer
CYPS176.	Duty to prepare an early year's development plan.	Executive Director Divisional Director
CYPS177.	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 Executive	Executive Director Divisional Director
CYPS178.	All duties and powers concerning arrangements for the admission of children.	Executive Director Divisional Director
<u>Education Act 2002</u>		
CYPS179.	Applying to the Secretary of State under Section 2 of the Education Act 2002 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 S.2.	Executive Director
CYPS180.	Powers in relation to the membership and proceedings of governing bodies and other matters including the appointment of a clerk.	Executive Director Divisional Director
CYPS181.	Powers in relation to the staffing of community, voluntary controlled and community special schools.	Executive Director Divisional Director
CYPS182.	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 Education Act 2002 Sections 10, 122 and 127	Executive Director
CYPS183.	Power to recoup cost of providing education for persons not belonging to the Council's own area.	Executive Director Divisional Director

No.	Function	Delegated Officer
CYPS184.	Publication of proposals for the establishment, alteration or discontinuance of any school to invite proposals for the establishment of additional secondary schools.	Executive Director Divisional Director
CYPS185.	Consultation with pupils as provided in guidance or Regulation when exercising the Council's functions.	Executive Director Divisional Director
EDUCATION ACT 2005		
CYPS186.	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).	Executive Director Divisional Director
CYPS187.	Prepare a written statement of action to be taken as a result of any inspection under this Act	Executive Director Divisional Director
CYPS188.	Power to enter and inspect any maintained school	Executive Director Divisional Director
CYPS189.	Publish notice inviting proposals for the establishment of any foundation, voluntary or Academy school and carry out consultation in that regard.	Executive Director Divisional Director
CYPS190.	Carry within exercise and performing powers and duties with regard to rationalisation of school places	Executive Director Divisional Director
CYPS191.	Setting of school targets in respect of educational performance.	Executive Director Divisional Director
EDUCATION AND INSPECTIONS ACT 2006		

No.	Function	Delegated Officer
CYPS192.	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).	Executive Director Divisional Director
CYPS193.	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.	Executive Director Divisional Director
CYPS194.	Make referrals, withdraw proposals and all other functions in relation to proposals referred to the adjudicator (Schedule 2 paragraphs 10-16 and Section 23).	Executive Director Divisional Director
CYPS195.	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.	Executive Director Divisional Director
CYPS196.	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.	Executive Director Divisional Director
CYPS197.	Exercise the Council's powers and functions under the School Organisation (Establishment and Discontinuance of Schools) (England) Regulations 2007.	Executive Director Divisional Director
Education and Skills Act 2008		
CYPS198.	Duty to promote participation in education or training of young people in the area who are subject to the duty to participate under section 2 of the Act	Executive Director Divisional Director

No.	Function	Delegated Officer
CYPS199.	Duty to identify young people in the area who are subject to the duty to participate and are not participating in education / training	Executive Director Divisional Director
CYPS200.	Power to issue enforcement notices where the Authority is satisfied that the employer has contravened section 27 or 28 of the Act.	Executive Director Divisional Director
CYPS201.	Duty to provide support services to young people to be known as Connexions	Executive Director Divisional Director
CYPS202.	Duty to arrange assessment of any person with a statement of special educational needs at some time during the person's last year of schooling where the Authority believes that person will leave school at the end of their last year of compulsory schooling or at some time during their current school year to receive post 16 education or training or higher education.	Executive Director Divisional Director
CYPS203.	Power to arrange for an assessment where a person is in his or her last year of compulsory schooling or is over compulsory school age but under 25 years old, where he or she appears to the authority to have a learning difficulty and is likely to receive post-16 education or training or higher education;	Executive Director Divisional Director
CYPS204.	Duty to have regard to journey times in preparing transport statements for people of sixth form age to attend educational establishments	Executive Director Divisional Director
CYPS205.	Duty to co-operate with partners who are responsible for 14 to 19 education and training	Executive Director Divisional Director
CYPS206.	Duty to produce an annual report to the Schools Adjudicator on schools admission arrangements in the area.	Executive Director Divisional Director
CYPS207.	Duty to implement National Curriculum assessment arrangements as they exist at a given time, rather than as they exist at the start of the school year	Executive Director Divisional Director

No.	Function	Delegated Officer
Apprenticeships, Skills, Children and Learning Act 2009		
CYPS208.	Duty to provide to provide education and training for those who are over compulsory school age but under 19 and for those aged 19 or over but under 25 who have had a learning difficulty assessment, and duty for transport to be provided to those groups.	Executive Director Divisional Director
CYPS209.	Duty in respect of individuals in relevant youth accommodation (juvenile custody), Duty upon Authority in whose area an individual normally lives to promote the individual's education, and obligation on the Authority in whose area the individual is in custody to provide suitable education	Executive Director Divisional Director
CYPS210.	Establish Children's Trust Board that will take over from children's services authorities responsibility for preparing a Children and Young People's Plan	Executive Director Divisional Director
CYPS211.	Power to intervene to ensure schools comply with the School Teachers' Pay and Conditions Document.	Executive Director Divisional Director
REPRESENTATION OF THE PEOPLE ACT 1983		
CYPS212.	Section 95 and 96 provision of school premises for the purposes of public meetings for candidates at an election.	Executive Director Divisional Director