



Children's Safeguarding and Family Help

Corporate Parenting Service

Delegating authority to foster carers:
practice guidance

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1 Introduction

This practice guidance sets out the local procedures when agreeing what decisions are to be delegated to foster carers and residential workers in relation to a looked after child and should be read together with the *Delegation of authority to foster carers and residential workers*. [Delegation of Authority to Foster Carers and Residential...](#)

2 Why delegation of authority is important

- It is important to address the issues around delegated authority in order to support placements and enable carers to forge good relationships with and care for looked after children.
- Children in foster care are often marked out as different from their peers because decision-making for their care is more complicated, with carers often having to seek permission from social workers for ordinary activities like school trips. On occasion, this can lead to children missing out on activities because permission cannot be sought in time.
- It can also lead to confusion for foster carers and parents over who has authority to make which decisions.

To avoid this:

- Where possible and appropriate, decisions on the child's day to day care will be delegated to their carer.
- Delegated authority is fully discussed, agreed and recorded at the start of every placement and that foster carers, social workers, parents and children (where appropriate) have an opportunity to contribute to this process.
- A robust framework of delegated authority is in place for each looked after child that clearly states what decisions foster carers are able to take themselves and those for which further instructions must be sought from the social worker.

This is to:

- safeguard and promote the welfare of the child
- enable foster carers to provide high quality care for the child

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- reflect the wishes and feelings of parents where this is consistent with the child's welfare and recognise their continued role in the child's life
 - facilitate the implementation of the child's care plan
 - enhance the relationship between the child and the foster carer
 - promote good working relationships between foster carers, CSFH and parents
 - speed up decision-making processes so that the child can have a normal family life whilst in foster care.
- Decision-making for looked after children will be a consistent practice that balances the need for continued parental involvement, CSFH oversight of placements and flexibility for the foster carer to provide care for the child.
 - Decisions on delegation of authority will be on a case by case basis and will take into account the child's needs and the best manner in which these can be met within placement. Clear arrangements for seeking permission where required will be agreed in advance.

3 Planning processes

3.1 Roles and responsibilities

Children's social workers should:

- lead the discussion on delegation of authority
- seek the views of parents and children
- ensure parents sign their consent to delegating authority on the consent record
- record agreements on the delegated authority record available at; [delegated-authority-checklist.docx](#)
- provide parents, carers and supervising social workers with information on the legal aspects of delegating PR
- ensure arrangements remain flexible and seek changes where necessary.

Supervising social workers should:

- be part of the discussion on delegated authority
- ensure foster carers are aware of what agreements have been made and that they have the right skills and training to carry out the agreed tasks
- monitor the foster carer's use of delegated authority and discuss any difficulties

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- liaise with the CLA social worker around any difficulties or in negotiating any required changes to delegated authority.

The IRO should:

- be consulted on arrangements for delegated authority where required
- review all arrangements for delegating authority at each statutory CLA review
- make recommendations on changes to arrangements where this is in the child's best interests
- as part of the review process, meet with the child and parents prior to reviews to seek their views on delegated authority arrangements
- ensure arrangements are able to meet the child's needs and help Camden to meet corporate parenting responsibilities.

3.2 Prior to placement

- Parents should be given a copy of the division's information booklet for parents of CLA ([link below](#)) and social workers should explain the nature of the decisions that need to be delegated to foster carers and to discuss parental consent to this. This is to ensure parents are able to make informed decisions and to encourage them to engage with the process. [looked-after-children-information-for-parents.pdf](#)
- Where children are of sufficient age and understanding, social workers should also include them in any discussion of delegated authority as they may have their own views regarding who should make decisions about their care.
- Following these discussions, it should be clear what the main areas of contention may be and where agreement can be reached. Social workers should also discuss with their supervisor whether any key decisions about the child's care must be retained by CSFH, depending on the child's needs and circumstances.
- Social workers should discuss the matter of delegating authority with the foster carer's supervising social worker to look at any issues around the carer's level of experience, the specific needs of the child and what areas of delegated authority are likely to be covered at the Placement Agreement Meeting.

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- Social workers should have particular regard to delegation of authority where the child is living with a Kinship carer. There may already be an agreement in place between the carer and the parent on issues around the child's care and these should be respected where they are consistent with the child's welfare.

3.3 Placement agreement meeting

- This meeting should be used to finalise and record agreements on delegated authority. Sharing information and a discussion on the child's routines that takes place at the meeting should allow participants to identify what areas of decision-making are likely to arise during the placement and will need to be formally delegated to foster carers.
- As far as possible, agreement should be made on any issue that is likely to arise so that the child's experience of care can be as normal as possible. Tasks agreed within the placement plan should have corresponding authority delegated.

3.4 Statutory review

- The statutory CLA review will be crucial to ensure that the agreed framework of delegated authority is able to meet the child's needs and support the placement and care plan. The IRO should check each agreed delegation to see if it remains relevant or whether changes are needed.
- It is likely at the first review that issues that had not been anticipated at the start of the placement have since arisen, requiring a decision; IROs must ensure that these matters are raised and discussed and agreed at the review meeting.

3.5 Recording

- Decisions relating to delegated authority should be recorded on the child's placement plan and the delegated authority toolkit which can be used as a checklist to ensure all relevant areas are covered.
- Specific parental consent to matters such as medical treatment must be signed on the consent record. Any extra consent required for individual children should also be recorded on this record.

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- Immediate changes to delegated authority that take place between CLA reviews in response to emergencies should be recorded in the case notes on the child's case record and discussed at the following CLA review meeting.
- Changes to delegated authority that are agreed at the statutory CLA review should be recorded by the IRO in the minutes of the review meeting.

3.6 Changes to delegated authority

As children's circumstances change, so will the nature of the decisions about their care, and consequent changes to delegated authority need to be discussed and agreed at the child's statutory CLA review. Changes are likely to be required in the following circumstances:

- As the child gets older, and is preparing for adulthood and leaving care, responsibility for some decisions will need to be passed to them.
- Where a short-term placement becomes more long-term or permanent, more responsibility for day to day tasks and decision-making should be passed to the carer to reflect their increased involvement in the child's life.
- Where parent's roles are changing, for example if rehabilitation is likely or a move to permanence is decided on, there will need to be a corresponding change in how they share responsibility for decision-making.

4 Decisions for delegation

4.1 Manner of delegation

- There are different levels of decision-making for CLA ranging from routine decisions around daily care to major decisions such as medical interventions. For some children, decision-making processes may be complicated by matters such as their legal or immigration status or specific medical needs.
- Signed, explicit consent is needed from those with PR for activities such as medical treatment and interventions or applications for passports and must be signed by parents or social workers. Signed consent for matters such as school trips can be delegated to foster carers.

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- Other aspects of care have implicit consent based on the placement agreement and care plan that sets out the regime for caring for the child, but agreement on these must be recorded on the placement plan or delegated authority record.
- Most daily decisions will be taken by the foster carer, but it must be made clear when new situations arise whether the foster carer will need to refer back to the social worker for a decision and how this process will be carried out in a timely way.
- There should also be agreement on how foster carers will keep social workers and parents informed where they have had to make emergency decisions in order to safeguard the child.

4.2 Health

- Foster carers should be given a signed consent record from parents for routine medicals, immunisations, dental, optician and general treatment.
- If the child is subject to a care order and parents do not sign the consent record, it may be signed by the Corporate Parenting Head of Service on behalf of CSFH.
- If the child is accommodated under section 20, parents must sign the consent record so that routine medical checks and treatment can take place. If parents cannot be persuaded to sign the consent, this should be reported to the Corporate Parenting Head of Service.
- Only the Director can give consent for non-routine treatment for children who require specialist medical interventions and are subject to care orders.
- Foster carers may consent to any emergency treatment as the person who has care of the child but must try to gain consent in advance if possible and inform Camden of any consent given immediately after.

4.3 Education

- Staff should refer to the division's policy on care planning for the education of CLA for further information on delegation of tasks relating to the child's education. [education-care-planning.pdf](#)

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- Decisions on what school the child attends and whether they should change schools can only be taken within the statutory care planning process.
- Foster carers should be able to engage fully with the child's school and take routine daily decisions in order to make the child's education as normal as possible. Carers should have authority to sign consents for school trips and out of school activities, attend meetings, sign Home/School agreements and to maintain contact with the school and discuss the child's progress.
- School trips abroad or that involve hazardous activities should be discussed with social workers and parents first.

4.4 General decisions

- In order to ensure CLA enjoy a normal childhood, decisions on overnight stays and visits to friends should be delegated to foster carers where appropriate and in line with the *Social visits* policy.
[Social Visits \(Including Overnight Stays\)](#)
- Holidays should be discussed with parents and social workers in advance as these may affect contact arrangements. If the child requires a passport, staff should refer to the divisional policy on passport applications for CLA. CSFH should be notified of any proposed holiday dates and anyone with PR must consent to the child being taken abroad. [guidance-on-passports-for-lac.pdf](#)
- Where possible, foster carers should have authority to organise the child's haircuts but this must be discussed in advance with parents as there may be religious or cultural aspects that need to be taken into account.
- Foster carers should be able to take photographs of the child so that there is a record for the child of their time in placement. However, authority needs to be delegated to the foster carer to consent to other photographic or media activity, for example school photographs or publicity materials for clubs etc. When deciding on this, social workers must have regard for any safeguarding aspects that may be compromised in respect of the child. This should be discussed at the outset of the placement.
- It is important that decisions about allowing the child access to mobile phones and social networking sites is discussed and agreed in advance in the context of e-safety and the child's history and presenting problems. Foster carers may need to limit a child's use of mobiles or social networking sites in

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order to implement house rules or due to safeguarding concerns. In general, longer term foster carers will be delegated more responsibility to make these decisions for the child.

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