

J DELEGATIONS IN RESPECT OF CORPORATE LEAD OFFICER PORTH CYNNAL SPECIALIST THROUGH AGE SERVICES (STATUTORY DIRECTOR OF SOCIAL SERVICES/RESPONSIBLE INDIVIDUAL) AND CORPORATE LEAD OFFICER PORTH GOFAL TARGETED INTERVENTION (DEPUTY DIRECTOR OF SOCIAL SERVICES)

Functions delegated to Corporate Lead Officer Porth Cynnal Specialist Through Age Services

1) STATUTORY DIRECTOR OF SOCIAL SERVICES- Corporate Lead Officer Porth Cynnal Specialist Through Age Services

The Corporate Lead Officer Porth Cynnal Specialist Through Age Services is designated and appointed Statutory Director of Social Services in accordance with Section 6 of the Local Authority Social Services Act 1970 and the Social Services and Well-Being (Wales) Act 2014. The role and accountabilities of the Director of Social Services is set out in the Protocol, 'Role and Accountabilities of the statutory Director of Social Services', which is Document P in Part 5 of this Constitution. The Protocol was formally adopted by the Council on 23/1/18

2) Authorised to Act as an Authorised and Authorising Officer for the purposes of the Regulation of Investigatory Powers Act 2000, the Monitoring Officer as Senior Responsible Officer, to be notified of any such application.

3). To exercise the Council's powers, duties and functions relating to the Channel Panel under the Counter Terrorism and Security Act 2015 including designation of appropriate Officers to be Channel Chair and Deputy Channel Chair.

Functions delegated to the Corporate Lead Officer Porth Cynnal Specialist Through Age Services and Corporate Lead Officer Porth Gofal Targeted Intervention

1. The following functions are delegated to the:

- Corporate Lead Officer Porth Cynnal Specialist Through Age Services;
- Corporate Lead Officer Porth Gofal Targeted Intervention; and
- In their absence, to any officers duly authorised by the said Corporate Lead Officers from time to time as appropriate subject to such officers being suitably qualified for the discharge of those duties and functions:-

1.1 To represent the Council at the West Wales Regional Partnership Board and/or the West Wales Care Partnership and, through such representation, make associated relevant decisions on behalf of the Council, and exercise the Council's functions, powers and duties, as appropriate.

1.2 The following functions, and to any officers authorised by them from time to time as appropriate, subject to such officers being suitably qualified for the discharge of those duties and functions (see below):

Social Services

Local Authority Social Services Act 1970 Schedule 1 and Social Services and Well-Being (Wales) Act 2014

Social Services Functions

ENACTMENT	NATURE OF FUNCTIONS	NOTES
Children and Young Persons Act 1933		
Part III	Protection of the young in relation to criminal and summary proceedings; children appearing before court as in need of care, protection or control; committal of children to approved school or care of fit person, etc.	Still in force
	Part IV Remand homes, approved schools and children in care of fit persons	Still in force
National Assistance Act 1948		
Sections 21 to 27	Provision of residential accommodation for the aged, infirm, needy, etc.	s.21, 23, 24 & 26 still in force s.22 in force but to be Repealed s.25 & 27 Repealed
Sections 29 and 30	Welfare of persons who are blind, deaf, dumb or otherwise handicapped or are suffering from mental disorder; use of voluntary organisations for administration of welfare schemes	Still in force
Sections 43 to 45	Recovery of costs of providing certain services	s.43 and 45 in force s.44 Repealed
Section 48	Temporary protection of property belonging to persons in hospital or accommodation provided under Part III of the Act, etc.	Still in force
Section 49	Defraying expenses of Local Authority officer applying for appointment as deputy	Still in force

for certain patients

Section 56(3) except so far as it relates to an offence under section 47(11)	Prosecution of offences	Still in force
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Disabled Persons (Employment) Act 1958

Section 3	Provision of facilities for enabling disabled persons to be employed or work under special conditions	Still in force
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Mental Health Act 1959

Section 8	Welfare and accommodation of mentally disordered persons	In force but to be repealed
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Mental Health (Scotland) Act 1984

Section 10	Welfare of certain person while in hospital in Scotland	Still in force
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Health Visiting and Social Work (Training) Act 1962

Section 5(1)(b)	Research into matters relating to Local Authority welfare services	Act repealed
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Section 5(1)(c)	Research into matters relating to functions of Local Authorities	Act repealed
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Children and Young Persons Act 1963

Part I	Powers relating to young persons in need of care, protection or control; further provisions for protection of the young in relation to criminal proceedings	Sections dealing with Social Services functions repealed
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Health Services and Public Health Act 1968

Section 45	Promotion of welfare of old people	Still in force
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Section 65	Financial and other assistance to voluntary organisations	Still in force
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Social Work (Scotland) Act 1968

Sections 75(2)	Reference for consideration, etc. of and 76(4) case of child in care whose parent moves to Scotland and transfer of child	s.75 & 76 repealed
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Children and Young Persons Act 1969

The whole Act except section 9 in so far as they assign functions to a Local Authority in their capacity of a local education authority	Care and other treatment of children and young persons through court proceedings	Some sections (s.9, for example) dealing with Social Services functions still in force
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Chronically Sick and Disabled Persons Act 1970

Section 1	Obtaining information as to need for and publishing information as to existence of, certain welfare services	Still in force
Section 2	Provision of certain welfare services	Still in force
Section 18	Provision of certain information required by Secretary of State	In force but to be repealed

Local Authority Social Services Act

Section 6	Appointment of Director of Social Services in Wales	s.6 still in force
Section 7B	Provision and conduct of complaints procedure	s.7B in force but to be repealed

Adoption Act 1976

Functions continuing to be exercisable by virtue of any transitional or saving provision made by or under the Adoption and Children Act 2002	Sections dealing with Social Services functions repealed
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Children Act 1975

Part II	Application by Local Authority for revocation of custodianship order; Inquiries carried out by Local Authority in custodianship cases	Repealed
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Supplementary Benefits Act 1976

Schedule 5	Provision and maintenance of [resettlement units] for persons without a settled way of living	Repealed
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National Health Service Act 1977

Schedule 8	Care of Mothers and young children; prevention, care and after-care; home help and laundry facilities	Still in force but now contained in Schedule 15 of the National Health Service (Wales) Act 2006
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Residential Homes Act 1980

Sections 1 to 7	Registration of disabled or old persons' homes and residential homes for mentally disordered persons	Repealed
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Mental Health Act 1983

Parts II, III and VI	Welfare of the mentally disordered; guardianship of persons suffering from mental disorder including such persons removed to England and Wales from Scotland or Northern Ireland; exercise of functions of nearest relative of person so suffering	Still in force
Sections 66, 67, 69(1)	Exercise of functions of nearest relative in relation to applications and references to Mental Health Review Tribunals	Still in force
Section 114	Appointment of approved social workers	Still in force
Section 115	Entry and inspection	Still in force
Section 116	Welfare of certain hospital patients	Still in force
Section 117	After-care of detained patients	Still in force

The whole Act in so far as it confers functions on a Local Authority within the meaning of that Act	<p>Welfare reports</p> <p>Consent to application for residence order in respect of child in care</p> <p>Functions relating to special guardianship orders</p> <p>Family assistance orders</p> <p>Functions under Part III of the Act (Local Authority support for children and families)</p> <p>Protection of children</p> <p>Functions in relation to community homes, voluntary homes and voluntary organisations, private children's homes, private arrangements for fostering children, child minding and day care for young children</p> <p>Inspection of children's homes on behalf of Secretary of State</p> <p>Research and returns of information</p> <p>Functions in relation to children accommodated by Local Health Boards, Primary Care Trusts, National Health Service trusts and local education authorities or care homes, independent hospitals or schools</p>	Still in force
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National Health Service and Community Care Act 1990

Section 46	Preparation of plans for community care services	Still in force
Section 47	Assessment of needs for community care services	Still in force

Education Act 1996

Section 322	Help for local education authority in exercising functions under Part III of the Act	Still in force
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Carers (Recognition and Services) Act 1995

Section 1	Assessment of ability of carers to provide care	Still in force
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Community Care (Direct Payments) Act 1996

Functions in connection with the making of payments to persons in respect of their securing the provision of community care services or services under the Carers and Disabled Children Act 2000

Repealed by the Health and Social Care Act 2001 but repeal not yet in force

Adoption (Intercountry Aspects) Act 1999

Sections 1 and 2(4)

Functions under regulations made under section 1 giving effect to the Convention on Protection of Children and Co-operation in respect of Intercountry Adoption, concluded at the Hague on 29 May 1993 and functions under Article 9(a) to (c) of the Convention

Still in force

Carers and Disabled Children Act 2000

The whole Act, in so far as it confers functions on a Local Authority within the meaning of that Act

Assessment of carers' needs
Provision of services to carers
Provision of voucher

Health and Social Care Act 2001

Part 4 in so far as it confers functions on a Local Authority in England or Wales within the meaning of that Part

Functions in relation to the provision of residential accommodation
Making of direct payments to person in respect of his securing provision of community care services or services to carers

Part 4 is in force, apart from section 56 which is in force in so far as conferring any power to make an order or regulations which is exercisable by the Secretary of

State, not in force otherwise s.56 deals with regulations that may make provision for a LA to make arrangements for residential accommodation in Scotland, N. Ireland, Channel islands or Isle of Man

Adoption and Children Act 2002

Maintenance of Adoption Service; functions of Local Authority as adoption agency	Still in force
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Community Care (Delayed Discharges etc.) Act 2003

Part 1	Functions relating to hospital patients likely to need community care services to be made available in order to be discharged safely	Not yet in force in Wales
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Health and Social Care (Community Health and Standards) Act 2003

Section 114	Consideration of complaints	In force but Schedule not yet amended to refer to it
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Carers (Equal Opportunities) Act 2004

Section 3, in so far as it confers functions on a Local Authority within the meaning of that section	Co-operation between authorities	Still in force
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Children Act 2004

Sections 13 to 16 and 31 to 34	Functions relating to Local Safeguarding Children Boards	Still in force NB Sections 31 to 34 apply only to
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Wales

Mental Capacity Act 2005

Section 39	Instructing independent mental capacity advocate before providing accommodation for person lacking capacity	Still in force
Section 39A	Instructing independent mental capacity advocate when giving an urgent authorisation, or making a request for a standard authorisation, under Schedule A1 to the Act	Still in force
Section 39C	Instructing independent mental capacity advocate when no representative for relevant person under Part 10 of Schedule A1 to the Act	Still in force
Section 39D	Instructing independent mental capacity advocate when representative for relevant person under Part 10 of Schedule A1 to the Act is not being paid	Still in force
Section 49	Reports in proceedings	Still in force
Schedule A1	Any functions	Still in force

Children and Young Persons Act 2008

Part 1	Making arrangements for the discharge of relevant care functions in relation to certain children and young persons	Still in force
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DEPUTY DIRECTOR OF SOCIAL SERVICES

The Corporate Lead Officer Porth Gofal Targeted Intervention is the designated Deputy Director of Social Services.

Ceredigion County Council Constitution - Part 3 Responsibility for Council Functions
PART 3.5 J Delegations to the CLO Porth Gofal Targeted Intervention and CLO Porth Cynnal Specialist Through Age Services
Updated January 2022

Functions delegated to Corporate Lead Officer Porth Gofal Targeted Intervention

The following functions are delegated to the Corporate Lead Officer Porth Gofal Targeted Intervention and to any officers authorised by them from time to time as appropriate, subject to such officers being suitably qualified for the discharge of those duties and functions:

1. Strategic housing functions, housing standards and Homelessness prevention

- 1.1 To have lead responsibility for the administration of the Common Housing Register for the allocation of social housing by Registered Landlords operating in the County.
- 1.2 To make nominations from the Housing Register to enable individuals to have access to the Private Sector, Registered Social Landlords and Social Lettings Agencies in accordance with Part 2 Housing Act 2014.
- 1.3 To approve applications for grants and loans and for supplementary amounts in accordance with legislation applicable at the time and in accordance with Council policy and practice at the time in consultation with the Cabinet Member.
- 1.4 To sign, issue and serve Statutory Notices under all relevant legislation including requisitions for information.
- 1.5 To make arrangements for and/or carry out the execution of works in default in the event of any non-compliance with the terms of any Statutory Notice
- 1.6 To secure temporary accommodation for the Homeless under Part 2 Housing (Wales) Act 2014 and any other current and relevant legislation and/or regulation. To achieve this by entering in to agreements and tenancies with Private and Registered Social landlords and Social Lettings Agencies.
- 1.7 To undertake homeless reviews as required in accordance with Part 2 Housing (Wales) Act 2014.
- 1.8 To grant waivers to mortgage lenders such as Building Societies in respect of the repayment of grant conditions relating to the Local Government and Housing Act 1989 grants in order to give the lending institutions the first charge on the value of the property should its sale be enforced following repossession in consultation with the Cabinet Member.

- ~~1.9 To enter into nomination agreements with private landlords on behalf of the Council in respect of the letting of units/flats created by conversion with discretionary grant assistance.~~
- ~~1.10 To determine whether to demand repayment of grant on the relevant disposal or transfer of a dwelling in instances which fall within the Council's Housing Grants and Loans Policy and/or Section 45(5) of the Housing Grants Construction and Regeneration Act 1996 or the Grant Recovery General Consent of 1996 in consultation with the Cabinet Member.~~
- ~~1.11 Administer the provisions within S157 Housing Act 1985 in respect of the restriction placed on former rural housing stock.~~
- ~~1.12 In relation to the Housing Act 2004:~~
- ~~1.12.1 to make Management Orders and exercise powers of entry to carry out work (Section 131 of the Housing Act 2004);~~
 - ~~1.12.2 to give notice to a relevant person requiring him / her to produce any documents under (section 235 of the Housing Act 2004 power to require documents to be produced);~~
 - ~~1.12.3 to exercise a power of entry (section 239 Housing Act 2004 powers of entry);~~
 - ~~1.12.4 to exercise a power of entry to carry out work (paragraph 25 of Schedule 7 of the Housing Act 2004 (Empty Dwelling Management Orders "EDMO's"), and~~
 - ~~1.12.5 to issue improvement notices for the purposes of exercising a power to enter to carry out work (paragraph 3(4) of Schedule 3 Housing Act 2004).~~
- ~~1.13 To make arrangements for the execution of works in default in the event of any non-compliance or contravention of the terms of any Statutory Notices arising under 1.11 above.~~
- ~~1.14 To instruct the legal section in relation to proceedings for non-compliance with any provision of legislation falling to the Corporate Lead Officer to enforce.~~
- ~~1.15 To determine housing grant and loan applications and to determine requests for additional discretionary payments as appropriate and which are within budget, in consultation with the relevant Cabinet Member.~~
- ~~1.16 To manage and maximise the use of Social Housing Grants and other funding streams to assist the Authority in meeting both its statutory housing obligations and enable local housing needs to be met.~~

~~1.17 To implement and operate a management grant subsidy scheme for Registered Social Landlords operating within Ceredigion who assist with Homelessness temporary accommodation placements using their own housing stock.~~

~~1.18 To exercise powers and duties, and to authorise Officers, under the provisions of:~~

~~1.18.1 The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015; and~~

~~1.18.2 The Renting Homes (Fees etc.) (Wales) Act 2019 (including Regulations made thereunder).~~

~~2. Specific powers and duties~~

~~2.1 To act on a day to day basis and within the scheme of delegation in the following areas:~~

~~2.1.1 Housing (including the strategic housing function, affordable housing (including assisting and advising the Local Planning Authority in relation to S.106 agreements), specialist housing, prevention of homelessness/housing options, common housing register, home safety and Licensing of Houses in Multiple Occupation (HMO's);~~

~~2.1.2 Housing standards and renewals, landlord accreditation, home energy; and~~

~~2.1.3 Efficiency, Disabled Facilities Grants).~~

~~2.2 To exercise the Council's functions in relation to homelessness/housing options~~

~~2.3 To exercise the Council's functions in relation to unfit housing~~

~~2.4 To exercise the Council's functions in relation to houses in multiple occupation including the determination of applications for licences, to issue notices and to take enforcement proceedings as necessary.~~

~~2.5 To exercise the Council's enforcement powers in the private housing sector.~~

~~2.6 To exercise the Council's function in delivery of a common housing register.~~

~~2.7 To exercise the Council's function in relation to the delivery of affordable housing/ grant funding.~~

- ~~2.8 To approve or refuse and administer housing improvement/repair grant applications, housing loan schemes and Disabled Facilities Grants.~~
- ~~2.9 The power to exercise enforcement action in relation to anti-social behaviour, including steps necessary to prevent offences, educate and issue fixed penalty notices and, in consultation with the relevant Cabinet Member, to apply for and make an Order under the Anti-Social Behaviour Crime and Policing Act 2014.~~
- ~~2.10 To undertake enforced sales of properties.~~