

BABERGH DISTRICT COUNCIL

TO: Cabinet	REPORT NUMBER: BCa/23/21
FROM: Deputy Political Leader of the Council and Cabinet Member for People and Place (West) Cabinet Member for People and Place (East)	DATE OF MEETING: 03-10-2023
OFFICER: Tom Barker – Interim Director for Communities & Wellbeing	KEY DECISION REF NO. CAB450

REVISED SAFEGUARDING POLICY – CHILDREN, YOUNG PEOPLE AND ADULTS AT RISK

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to ask Cabinet to approve the revised Safeguarding Policy to ensure that an overarching approach to safeguarding is embedded across the councils, identifying roles and responsibilities of employees, councillors, and volunteers. This revised policy will outline the procedures to be adopted by both councils in ensuring the safety of children, young people, and adults at risk.
- 1.2 The Policy will apply to all services within the scope of B&MSDC. In addition to employees and councillors, it also applies to organisations delivering on behalf of both Councils, including contractors, agency staff, volunteers, suppliers, consultants and grant funded organisations.
- 1.3 In accordance with the Children and Social Care Work Act 2017 local authorities have a responsibility to ensure that young people know what services are available to care leavers. The act improves support for looked after children and care leavers, promotes the welfare and safeguarding of children and makes provisions about the regulation of social workers.
- 1.4 This Policy aims to ensure the councils protect the welfare of all children, young people and adults at risk by:
 - Raising awareness of safeguarding responsibilities, amongst officers, Elected Members, volunteers and contractors.
 - Ensuring that everyone within the council understands their roles and responsibilities with regards to safeguarding
 - Considering the rights and viewpoints of children, young people and adults at risk in the council's decision making
 - Establishing and embedding robust processes and procedures as a clear mechanism to report concerns.

- Identifying and responding appropriately to any safeguarding concerns, incidents or allegations raised
- Establishing and facilitating regular awareness and training, to employees and Elected Members, that is appropriate to their role and level of involvement with children, young people and vulnerable adults
- Maintaining and undertaking recognised vetting procedures appropriate to the roles held by staff and volunteers.
- Ensuring that organisations the council contracts with or receives services from have appropriate safeguarding processes and protocols in place to undertake suitable vetting procedures
- Taking as many steps as possible to ensure that unsuitable people, are prevented from working with children, young people and vulnerable adults
- Reviewing this policy as part of the annual Section 11 audit and any associated procedures on a regular basis.

2. OPTIONS CONSIDERED

2.1 OPTION 1

2.2 To adopt the revised Safeguarding Policy for Children, Young People and Adults at Risk to ensure an overarching approach to safeguarding.

2.3 Option 2

2.4 The Councils could decide not to adopt the revised Safeguarding Policy for Children, Young People and Adults at Risk. This would leave the Councils reliant on an out-of-date policy and fail to embed appropriate practices and procedure across all services, identify roles and responsibilities of employees, councillors, and volunteers ensuring the safety of children, young people, and adults at risk.

3. RECOMMENDATIONS

3.1 To agree Option 1 and approve the revised Safeguarding Policy for Children, Young People and Adults at Risk

3.2 To agree for the Deputy Chief Executive in consultation with the Portfolio Holder to have delegated authority to make minor amendments to the Safeguarding Policy in line with outcomes derived from the Annual Section 11 Audit or future Internal Audit Reviews.

REASON FOR DECISION

To ensure that an overarching approach to safeguarding is embedded across the councils, identifying roles and responsibilities of employees, councillors, and volunteers ensuring the safety of children, young people, and adults at risk.

4. KEY INFORMATION

- 4.1 Safeguarding is a term used to describe the function of protecting people's health, wellbeing and right to live free from harm, abuse, or neglect.
- 4.2 Safeguarding Adults – is defined in the Care Act 2014 as protecting an adult's right to live in society, free from abuse and neglect and working together to prevent and stop both the risks and experiences of abuse or neglect, while at the same time making sure that the adult's wellbeing is being promoted.
- 4.3 The Care Act was published in 2014, consolidates 60 years of legislation for adult social care and good practice into a single framework on the protection of adults at risk of abuse or neglect. The Act adopts a person-centred approach.
- 4.4 Safeguarding and promoting the welfare of children is defined in 'Working Together to Safeguard Children' 2018 as:
- protecting children from maltreatment
 - preventing impairment of children's health and development
 - ensuring that children grow up in circumstances consistent with the provision of safe and effective care; and
 - taking action to enable all children to have the best outcomes.
- 4.5 The guidance sets out the legislative requirements and expectations placed on individual services within local authorities.

Roles and Responsibilities

- 4.6 The council is committed to ensuring that any vulnerable person who comes into contact with an employee, volunteer or any aspect of the council's activities feels safe and protected, is listened to and has their views taken into account.
- 4.7 The Children Act 2004 places a statutory obligation on District/Borough Councils to ensure they have in place suitable arrangements to safeguarding and promoting the welfare of children (either directly or via their families) who may access or use Council services. In summary, the Act requires the Council to ensure that:
- Its functions are discharged with due regard to the need to Safeguard and promote the welfare of children; and
 - Through working with others, arrangements are put into place to Safeguard and promote the welfare of children.

- 4.8 The council requires all employees, volunteers and councillors in the organisation to understand their responsibility to share concerns about the welfare of any vulnerable person with the designated Safeguarding Officer. Designated officers are there essentially to provide advice, guidance and support when a referral or allegation is made. The council will endeavour to equip appointed officers with the necessary skills, information, and confidence to carry out this role.
- 4.9 The legislation Working Together to Safeguard Children 2018 sets out that the three safeguarding partners (local authority, Chief Officer of Police and Integrated Care Boards) must work together with relevant agencies to safeguard and protect the welfare of children. All three partners have equal and joint responsibility for local safeguarding arrangements. In Suffolk, the new Suffolk Safeguarding Partnership arrangements came into force on 29 September 2019.
- 4.10 The council's housing and homelessness services have a duty under Section 11 of the Children Act 2004. Any person working on behalf of the council in these services may become aware of conditions that could have or are having an adverse impact on children. Part 1 of the Housing Act 2004 sets out that authorities must take account of the impact of health and safety hazards in housing on vulnerable occupants, including children, when deciding on the action to be taken by landlords to improve conditions. Housing authorities have an important role to play in safeguarding vulnerable young people, including young people who are pregnant or leaving care or a secure establishment.
- 4.11 BMSDC's is responsible for a variety of licensing functions and ensuring sufficient measures are in place to promote the licensing objective of 'protection of children from harm' in particular when licensing premises under the Licensing Act 2003 or the Gambling Act 2005. In relation to the licensing of hackney carriages and private hire, under the Police and Crime Act 2017, the Secretary of State for Transport has issued statutory guidance on exercising taxi and private hire vehicle licensing functions to protect children and vulnerable adults who are over 18 from harm when using these services. As a result, the licensing authority has a statutory duty to have in place arrangements that reflect the importance of safeguarding and promoting the welfare of children.
- 4.12 Even though many councillors, employees and contractors have limited contact with children and adults with needs for care and support as part of their duties and responsibilities, everyone should be aware of the potential indicators of abuse and clear about what to do if they have concerns.

Training

- 4.13 BMSDCs Human Resources team alongside managers are responsible for ensuring all staff are aware of their obligation to undertake Safeguarding training. This is to ensure they are well informed, trained, supervised and supported so that they are better able to identify potential indicators of abuse, less likely to become involved in actions that may cause harm to children and adults at risk and are less likely to do anything which could put themselves at risk or may be misinterpreted. HR manage and monitor staff and councillor attendance in relation to Safeguarding training.
- 4.14 All staff are required to complete the Level 2 Safeguarding Children training and the Introduction to Safeguarding Adult training and the refresher training every 3 years.

- 4.15 All councillors are required to complete the Combined Safeguarding Adult, Children and Young People training and the refresher training every 3 years.

Annual Review

- 4.16 The Suffolk Safeguarding Partnership (SSP) have a remit to ensure that there are effective arrangements in place to protect children, young people and adults at risk from harm. This self-assessment is designed to provide partner agencies with the opportunity to highlight areas of strength, as well as to identify areas for development, in respect of their duties and responsibilities for safeguarding children, young people and adults at risk.
- 4.17 The Self-Assessment Tool known as a Section 11 Audit is a yearly review of safeguarding practice, which will help partners, identify strengths and weaknesses and to develop an action plan to further enhance their effectiveness.
- 4.18 The Annual Review enables the SSP to provide a level of scrutiny and monitoring across the partnership and to the Councils.

5. LINKS TO CORPORATE PLAN

The Safeguarding Policy directly contributes to the Councils Vision:

“Great Communities with bright and Healthy Futures that everyone is proud to call home”.

Wellbeing Outcomes

- ❖ Inequalities are reduced for all groups.
- ❖ Families lead active, health and safe independent lives and manage their own health and wellbeing.
- ❖ Our communities are high quality, safe, healthy and attractive.

6. FINANCIAL IMPLICATIONS

- 6.1 There are no financial implications directly associated with this report or the revised Safeguarding Policy

7. LEGAL IMPLICATIONS

- 7.1 Safeguarding Adults – is defined in the Care Act 2014 as protecting an adult’s right to live in society, free from abuse and neglect and working together to prevent and stop both the risks and experiences of abuse or neglect, while at the same time making sure that the adult’s wellbeing is being promoted.
- 7.2 Safeguarding and promoting the welfare of children is defined in ‘Working Together to Safeguard Children’ 2018 as:
- protecting children from maltreatment
 - preventing impairment of children’s health and development

- ensuring that children grow up in circumstances consistent with the provision of safe and effective care; and
- taking action to enable all children to have the best outcomes.

7.3 Children & Young people is defined as anyone who has not yet reached their 18th birthday.

7.4 A young person is aged between 18 and 25 who are covered by the Children and Families Act 2014 and the Care Act 2014.

7.5 An adult at risk of abuse or neglect is defined as someone aged 18 or over who has needs for care and support, who is experiencing, or at risk of, abuse or neglect and as a result of their care needs - is unable to protect themselves.

8. RISK MANAGEMENT

8.1 Key risks are set out below:

Key Risk Description	Likelihood 1-4	Impact 1-4	Key Mitigation Measures	Risk Register and Reference*
Safeguarding checks of staff are not effective	1	4	<p>DBS checks for roles that require them completed at recruitment stage and checked every three years.</p> <p>Standard or enhanced DBS completed depending on likely contact with young people and adults at risk and access to personal and confidential information.</p> <p>Recruitment Policy in Place</p> <p>DBS Policy in place</p>	Operational Risk Register
Safeguarding is not a priority for the Councils	1	4	<p>Revised Policy to be reviewed annually.</p> <p>Action Plan developed to drive organisational improvements and ownership of the policy.</p> <p>Section 11 annual audit and reporting to the Suffolk Safeguarding Partnership</p> <p>Regular reporting to SLT</p> <p>Increased no. of Safeguarding champions across the Council working together to raise awareness of policy.</p> <p>Safeguarding is included in the Councils Strategic Risk Register</p>	Operational Risk Register

			Deputy Chief Executive lead officer of Suffolk Safeguarding Board	
Safeguarding responsibilities are not well understood	1	3	Mandatory level 1 & 2 training for all staff as part of their inductions and refresh training. Mandatory Training for all councillors Safeguarding Policy clearly sets out roles and responsibilities. Councils Intranet pages updated to reflect new policy and links to useful information and referral pathways.	Operational Risk Register
Failure to Build good relationships with partners and share Safeguarding good practice	1	3	Quarterly ASB Partnership meeting Monthly professions meeting Member of the Suffolk Safeguarding Partnership Section 11 Audit reviews partnership arrangements Monthly ASB Professionals Panel meeting	Operational Risk Register
Processes and procedures not adhered to and safeguarding risk not acknowledged	1	4	Clear policies and procedures Mandatory Safeguarding training Safeguarding Champions group established to disseminate information and support teams. Dedicated Safeguarding Intranet page	Operational Risk Register

**Name of risk register where risk is currently documented and being actively managed and it's reference number*

9. CONSULTATIONS

9.1 Extensive Consultation has been undertaken with the following:

- Corporate Managers and Internals teams including but not limited to:
 - Procurement and Commissioning
 - Licencing
 - Housing Teams
- Senior Leadership Team

- Suffolk Safeguarding Partnership
- Community Action Suffolk Safeguarding Training Officers
- Ipswich & East & West Suffolk Alliance
- SNEE Safeguarding Representative on the Western Suffolk Community Safety Partnership

9.2 Feedback from each consultation has been taken on board and where appropriate, the Policy has been amended. The draft policy has been commended by the Suffolk Safeguarding Partnership and our Health Alliances.

10. EQUALITY ANALYSIS

10.1 An Equalities Impact Assessment is not required as this policy relates to the recognition and implementation of relevant legislation and statutory guidance.

10.2 The new policy affects the entire Councils business in all wards and is aimed at raising standards and improving safeguarding arrangements. There would be no negative impacts on any groups with protected characteristics. The policy does not impact or exclude any of the protected characteristics as defined under the Equality Act 2010.

11. ENVIRONMENTAL IMPLICATIONS

11.1 There are no environmental implications directly associated with this report or the Revised Safeguarding Policy

12. APPENDICES

Title	Location
(a) Safeguarding Policy 2023	Attached
(b)	
(c)	
(d)	

13. BACKGROUND DOCUMENTS

13.1 DBS Disclosure and Barring Policy



DBS Disclosure and
Barring Policy.pdf

13.2 Recruitment Policy



Recruitment
Policy.pdf

14. REPORT AUTHORS

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