


'A' ITEM

	REPORT TO CABINET TO BE HELD ON 18 January 2011
	Key Decision YES Forward Plan Ref No L001/K
Corporate Priority Delivering Safer and Stronger Communities Improving the Council	Cabinet Portfolio Councillor Tom Holder Fox Leader of the Council

REPORT OF: Head of Environmental Health Services 11/036

WARDS AFFECTED: All

SUBJECT: SAFEGUARDING ADULTS AND CHILDREN AND YOUNG PEOPLES POLICY AND PROCEDURE

RECOMMENDATION (S): That Cabinet recommend to Council the Safeguarding Adults and Children and Young Peoples Policy and Procedure appended to this report

REASON FOR RECOMMENDATION (S):

The principal legislative basis for the Government's vision for safeguarding children is the Children Act 2004 which places significant duties on county level authorities in their role as Children's Service Authorities (CSA). Within this role they have a duty under Section 10 of the Act to promote inter-agency co-operation between named agencies including district councils which are involved with children and young people and contribute to their well being.

To ensure the Council fulfils the duty on Local Authorities to make arrangements to ensure that their functions are discharged with regard to the need to safeguard and promote the welfare of children (Section 11, Children Act 2004) and to work with partners to ensure that vulnerable adults at risk of abuse receive protection and support.

HIGHLIGHTED RISKS:

The risk of not having a robust safeguarding policy with clear processes, clarity around staff and management responsibility and poor awareness or training regarding safeguarding could have serious consequences and is perhaps best highlighted by the Inquiry into the death of Baby P. The Inquiry identified a lack of training and supervision for frontline staff, the fact that some safeguarding procedures were not adhered to and that a failure to co-ordinate a multi-agency approach were all key issues that contributed to the tragic death of Baby P. In relation to safeguarding adults, the Fiona Pilkington Serious Case Review described reports being made to the local authority regarding anti social behaviour and agencies not considering the links or sharing information.

1. INTRODUCTION

- 1.1 District Councils have a statutory duty under Section 10 of the Children Act 2004 to co-operate with the Lead Authority,(North Yorkshire County Council in our case) in the development and delivery of children's trust arrangements and under Section 11 to make arrangements to ensure its functions safeguard and promote the welfare of children.
- 1.2 District Councils also have a responsibility to work with partners to ensure that vulnerable adults at risk of abuse receive protection and support and a duty to share their concerns, even if the vulnerable adult asks them not to (No Secrets 2010).
- 1.3 The Council has had a Child Protection Policy and Procedures since May 2007. In line with the need to review this policy on a regular basis a revised policy and procedures has been developed to cover safeguarding for both children and vulnerable adults.
- 1.4 Where there are concerns about children, young people and vulnerable adults' welfare the Council is required to take appropriate action to address these concerns, working to agreed local policies and procedures in partnership with other agencies.
- 1.5 The new integrated policy and procedures reflects the Council's responsibilities to both client groups and sets out how it will meet them.
- 1.6 The policy and procedures set out as an Appendix to this report has been developed in consultation with North Yorkshire County Council Children and Adult services departments and meets the requirements of the relevant legislation and guidance.
- 1.7 The procedures set out how the Council will ensure their commitment is delivered. This includes appropriate recruitment, employment, training, procurement and licensing together with effective procedures for identifying and referring potential cases of abuse to the relevant statutory agency.

2. CORPORATE OBJECTIVES AND THE COMMUNITY PLAN

2.1 The Safeguarding Adult, Children and Young People Policy will contribute to the following council's Corporate Aims:

- Delivering Safer and Stronger Communities
- Improving the Council

and the Council's Corporate Priorities of:

- Reducing crime and disorder
- Developing effective governance procedures across the Council.

3. BACKGROUND AND ISSUES

3.1 At its meeting on 18 January 2010, the Projects and Partnerships Overview and Scrutiny Committee received a report by the Strategic Director, Hilary Jones setting out the terms of a proposed review of how well the Council was meeting its responsibilities to safeguard children. The report suggested a number of areas for the scrutiny review to consider: particularly in relation to the effectiveness of the Council's safeguarding policies and procedures, awareness and commitment within the organisation, training of staff, and how well the multi-agency approach enshrined in the Children Act 2004 was working on the ground.

The review uncovered a mismatch between the 'theory' and 'practice' of the Council's safeguarding children arrangements. The responsibility for safeguarding adults was reviewed at the same time and it was identified that there was no corporate policy for the council in line with guidance No Secrets 2000.

As a result of the review a Community Health and Safeguarding Officer was employed by the council who has reviewed the children's safeguarding policy in line with current legislation and developed the adult safeguarding procedure. The policy now reflects the following statement.

'All children and adults, irrespective of their age, class, religion, culture, disability, gender, ethnicity, sexual orientation, nationality, family, dependency, marital or economic status have a right to protection from abuse'.

3.2 The key features of the revised policy and procedures are:

- a. Clear priorities for safeguarding and promoting the welfare of children, young people and vulnerable adults explicitly stated in strategic policy documents.

- b. A clear commitment by senior management to the importance of safeguarding and promoting the welfare of children, young people and vulnerable adults.
- c. A clear line of accountability within the organisation for work on safeguarding and promoting the welfare of children, young people and vulnerable adults.
- d. Safer recruitment and human resources management procedures that take account of the need to safeguard and promote the welfare of children and young people, including arrangements for appropriate checks on staff and volunteers.
- e. Procedures for dealing with allegations of abuse against members of staff and volunteers.
- f. Training on safeguarding and promoting the welfare of children, young people and vulnerable adults for all members, staff and volunteers commensurate with the level of their contact with children, young people and vulnerable adults.
- g. Clear protocols on safe working practice known to members, staff and volunteers.
- h. Effective inter-agency working and information sharing to safeguard and promote the welfare of children, young people and vulnerable adults.
- i. Service development will take account of the need to safeguard and promote welfare – and is informed by the views of children, young people, families and vulnerable adults.
- j. Appropriate whistle-blowing procedures and a culture that enables issues about safeguarding and promoting the welfare of children, young people and vulnerable adults to be addressed.

3.3 The policy and procedures apply to:

- a. All those involved in delivering Council services, or acting on the Council's behalf (this includes staff, volunteers, councillors, contractors and others commissioned and licensed to provide services where their own safeguarding policy and procedures are not adequate).
- b. Customers and members of the public accessing Council services
- d. All activity on Council property and land, including use by community groups and other agencies, and individual hire.

4. CONSULTATION

- 4.1 The original Children's Safeguarding Policy was compiled by the Councils Children's Services Lead Officers Group. The reviewed document has been completed by the Community Health and Safeguarding Officer who has consulted with the North Yorkshire Children and Adults Safeguarding Boards.

5. ASSESSMENT

- 5.1 All Council services play a significant role in the lives of children and their families.
- 5.2 The Council already has in place a range of policies and procedures at a strategic and operational level which contribute to safeguarding and promoting the welfare of children including Whistleblowing Policy, Complaints Procedure and recruitment and human resource policies and procedures. These reflect legislative requirements, professional and governing body standards and requirements, and good practice. It will be necessary to review these documents and others to ensure they reflect the proposed new Safeguarding Children, Young People and Adults procedures.
- 5.3 The Council's Safeguarding Adult, Children and Young Peoples Policy and procedures is in line with the procedures of the North Yorkshire Safeguarding Adults and Children's Boards, and is consistent with the Government's practice guidance (Working Together to Safeguard Children 2010) and Guidance from the Department of Health and Home Office, (No Secrets 2000).
- 5.4 The Arrangements require the designation of a Lead Officer to act as the Council's Designated Safeguarding Officer with overall responsibility for:
- Leading and co-ordinating safeguarding work throughout the Borough Council.
 - Maintaining and updating the Council's Safeguarding Policy providing quality assurance checks.
 - Resolving any inter-agency issues.
 - Liaising with the Lead Authority (North Yorkshire County Council) and the North Yorkshire Safeguarding Children Board where required.

The Council's Community Health and Safeguarding Officer has been designated as the Lead Officer and the Strategic Director as Deputy in his/her absence.

- 5.5 The Arrangements also require the designation of a Named Senior Officer, and Deputy in his/her absence with overall responsibility for ensuring that the Council handles allegations against those involved in delivering Council services or acting on the Council's behalf.

The Council's Head of Human Resources has been designated as the Named Senior Officer and their deputy in their absence.

- 5.6 Actions required for the organisation to fulfil its safeguarding arrangements will be included in an annual action plan.
- 5.7 The purpose of the Safeguarding Adult, Children and Young People Policy is to:
- a) Ensure that the Council fulfils its statutory duties under sections 10 and 11 of the Children Act and shares appropriately concerns in respect of vulnerable adults even if the individual asks them not to (No Secrets 2000)
 - b) Help to create and maintain an organisational culture and ethos that reflects the importance of safeguarding and promoting the welfare of children and vulnerable adults.

6. IMPLICATIONS

6.1 Policy

The Safeguarding Adults, Children and Young Peoples Arrangements including a Corporate Policy means it will also be necessary to review existing policies and procedures to ensure they reflect the proposed safeguarding procedures.

6.2 Legal

The development of Safeguarding procedures including a Corporate Policy will ensure the Council complies with the duty on all Local Authorities to make arrangements to ensure that its functions are discharged with regard to the need to safeguard and promote the welfare of children (Section 11, Children Act 2004) and a duty to share concerns about vulnerable adults (No Secrets 2010).

6.3 Staffing

The Council will need to provide appropriate awareness and training opportunities to all staff, volunteers and members to equip them to carry out their responsibilities effectively. This will include general awareness, service-specific and specialist training as appropriate, and will link into the training framework developed through the North Yorkshire Safeguarding Children and Adults Board. A Training Audit will be required to identify the training needs of the organisation. Training will depend on the level of contact with children, young people and vulnerable adults and ranges from a basic e-learning package on the North Yorkshire Safeguarding Children Board website and a half day basic awareness course.

6.4 Financial

There will be a cost in staff time to attend the training which will be delivered by the Community Health and Safeguarding Officer and where appropriate representatives of the Safeguarding Boards.

7. ACTION PLAN

December 2010 - Safeguarding Adults, Children and Young Peoples Policy agreed at Senior Management Team.

January 2011 - Safeguarding Adults, Children and Young Peoples Policy agreed at Cabinet.

January and February 2011 - senior management team awareness raising and training in safeguarding adults, children and young people policy and their responsibilities to implementing within their service area.

February 2011 – Audit with senior managers as to what level staff need training.

February/ March/ April – Delivery of training to all those identified and e - learning package made available to all other staff.

March 2011 - Review of existing Council policies with Human Resources to ensure they are in line with the safeguarding policy.

March 2011 - Development of IT system to allow safe storage of safeguarding information and access for appropriate staff.



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Background Papers:

Children Act 2004

Working Together to Safeguard Children 2010

No Secrets 2000

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS, PLEASE CONTACT SANDRA REES, COMMUNITY HEALTH AND SAFEGUARDING OFFICER e-mail

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