

**Report to
Scrutiny Board**

Date: **21 March 2013**

Report of: **Director of Community (Corporate Safeguarding Director)**

Subject: **SAFEGUARDING POLICY**

SUMMARY

The report proposes several changes to the Council's Safeguarding Policy. Members' views are sought in relation to proposals to widen the remit of the Council's Safeguarding Policy, in order to support work that is being undertaken county-wide in connection with vulnerable adults. This will assist the Council, and its partners to raise awareness and provide greater support for those adult residents who are considered to be among the more 'vulnerable' members of society.

In addition, this report proposes to strengthen the contribution that the policy and the Council's related activity currently makes in response to safeguarding children and young people and more widely, to the 'Every Child Matters' agenda. On this basis, the existing policy has been updated to take account of national changes and incorporates revised guidance. Therefore, it is now proposed to extend the Council's safeguarding responsibilities to both children and vulnerable adults. Members are invited to consider the proposed policy (attached at Appendix A) and if supported, refer the policy to the Council's Executive for agreement and implementation.

This report has been written in conjunction with a related report which seeks to update Members on the government directive, following the revision of Criminal Record Bureau Checks (CRB's). These checks will now be known as Disclosure and Barring Checks (DBS's) and will be required in relation to certain employment or voluntary activities involving children, young people or vulnerable adults.

RECOMMENDATION

That the draft Policy which suggests widening the Council's Safeguarding remit to include vulnerable adults in addition to children and young people be supported, and forwarded to the Executive for approval and implementation.

INTRODUCTION

1. This report proposes a number of changes in respect of the Council's Safeguarding Children Policy and seeks to strengthen the contribution that the policy and related work makes to Council activity to safeguard the welfare of children and young people and more widely, to the 'Every Child Matters' agenda.
2. The changes proposed also seek to support the growing importance of work that is being undertaken county-wide, to raise awareness and provide greater support for those residents who are considered to be among the more 'vulnerable' members of society.
3. Finally, in order to update members, the Chief Executive's Management Team is currently considering options for ensuring that the Council has a suitable and accessible programme of safeguarding training in place for all staff, representatives (who may be carrying works on the Council's behalf) and elected members in order to support the new policy. This will ensure that the Council's workforce is skilled, confident and able to raise any concerns that they may have or observe in relation to safeguarding during the course of their duties.

BACKGROUND

4. The Children Act 2004 places a statutory obligation on Borough/District Councils to ensure they have in place suitable arrangements to safeguard and promote 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 in place to safeguard and promote the welfare of children.
5. The specific requirements on the Borough Council fall within an overall statutory framework steering local co-operation with key partners, in particular, Hampshire County Council, within its role in relation to Children's Services and more recently Adult Services, in the case of vulnerable adults.
6. Members may be aware that the Executive adopted the Council's Safeguarding Children Policy at its meeting on 3 December 2007. The policy set out measures to address the need, the aims and formal mechanisms for ensuring that child protection issues were given full and proper consideration throughout the work of the Council. This was endorsed further by the Executive on 18 September 2008 when members made the decision that the work of 'Every Child Matters' be incorporated into the Council's operational structure and policies.

EXTENDING THE COUNCIL'S SAFEGUARDING REMIT TO INCLUDE VULNERABLE ADULTS

7. Over recent years, the majority of other local authorities in the County have taken the discretionary decision to extend the duty of their safeguarding policies to incorporate the needs of vulnerable adults. It is recognised that, in response to the ageing population in both Hampshire and within the local community, there is an increased

incidence of reported cases of older or vulnerable people suffering from several different forms of abuse.

8. The Council's existing safeguarding policy remains focussed on young people up to the age of eighteen, in line with the guidance of the Children Act (2004) and the statutory obligation as a part of this duty. However, over the last six months the Corporate Safeguarding Director and the Community Development Manager have been asked to advise on a number of issues relating to the welfare and suspected abuse of older, more vulnerable residents.
9. As such is it recognised that by limiting the Council's responsibility to the needs of children only, it may be ignoring the needs of vulnerable adults, with whom it may be working and who may be in need of help and assistance to avoid or escape abuse. Currently issues have arisen within Strategic Housing, Tenancy Services and Regulatory Services; each has had cases that involved older residents who are vulnerable for a number of reasons and are considered to be 'at risk'.

WORKING WITH OTHER AGENCIES

10. Currently adult safeguarding work in Hampshire complies with the statutory guidance set out in 'No Secrets', the Department of Health document published in 2000. It also aspires to the eleven 'good practice standards' set out in the Association of Directors of Social Services "Safeguarding Adults" framework (2005).
11. The Safeguarding Adults Board operates in a similar format to that of the Safeguarding Children Board. In a comparable way to the Council's role in safeguarding children and young people, the Board seeks to improve the vulnerability of adults by working with statutory partners who may have contact with older or vulnerable adults in the Borough.
12. In recent years several serious incidents have demonstrated the need for immediate action to ensure that vulnerable adults who are at risk of abuse receive protection and support. Partners are working together to raise awareness of safeguarding issues across all sectors of the community, whilst also recognising that some services or partners may have greater access, or have a greater chance of noticing other indicators of abuse, than others.

SUPPORTING LEGISLATION

13. In relation to children and young people, there is a statutory duty upon all local authorities to investigate under Section 47 of the Children Act 1989. Following this, guidance has also been circulated to help and assist staff involved in supporting families and children, called Working Together to Safeguard children (2006, revised in 2010) this document is widely recognised in the field of safeguarding.
14. In March 2000, the Department of Health published the document 'No Secrets', which provided guidance on developing multi-agency policies and procedures to protect vulnerable adults from abuse. This was issued under Section 7 of the Local Authority Social Services Act 1970 which requires local authorities to act under the guidance of the Secretary of State. As such this document does not have the full force of statute but should be complied with unless local circumstances dictate otherwise.

15. The aim of the guidance is to create a framework within which all responsible agencies work in partnership to ensure coherent inter-agency policies and procedures for the protection of vulnerable adults, and to ensure that these are implemented locally. This should be in collaboration with all agencies involved in the public, voluntary and private sector and is underpinned by the common law 'Duty of Care'
16. It is recognised that the requirement to co-operate ensures that agencies (including the Borough Council), give appropriate priority to responsibilities towards children in their care or with whom they have contact, i.e. through the use of services or functions. It is proposed that this is formally extended to include vulnerable adults. Fareham Borough Council will encourage such agencies to share concerns about safety and welfare of children, young people and vulnerable adults, to ensure where possible, preventative action is taken before a crisis develops or more serious measures of intervention are required.

TRAINING

17. When the policy was first implemented in 2007, it was supported by a programme of awareness training for staff, contractors and elected members. It is recognised that the delivery of the interactive training programme delivered far greater awareness among the Council's workforce and representatives carrying out work on the Council's behalf. As such a number of issues began to emerge and an increase in referrals was observed.
18. Each Borough or District Council contributes an annual subscription (likely to be £1900 for 2013) to the Pan-Hampshire Local Safeguarding Children Board (LSCB). As well as contributing to the infra-structure and administration of the Board, the subscription also supports the provision of a training programme.
19. During November the Community Development Manager completed the annual Section 11 Audit on behalf of the Council as requested by the LSCB. Feedback is anticipated in the next few weeks. However, since the Audit has expanded in the range and complexity of responsibilities it considers, it is recognised that the Council clearly needs a schedule of training to address the Council's safeguarding training needs. So that compliance with the Section 11 responsibilities can be clearly demonstrated, options for Safeguarding training are currently being investigated.

SECTION 11 AUDIT

20. Every year each authority is required to undertake a formal assessment of their safeguarding arrangements and complete a section 11 Audit (as part of the Children Act 2004) and as requested by the Local Safeguarding Children Board (LSCB).
21. It is recognised that the HSCB is responsible for monitoring rather than inspecting the Council's arrangements, therefore it is acknowledged that any guidance or direction which seeks to improve the governance and strength of local processes, should be incorporated to make the Council's policy and procedures more robust and effective.

CONCLUSION

22. This report highlights the work undertaken to date to ensure that this Council has a

robust and effective Child Protection Policy in place. To date the emphasis has been on setting out the Council's Safeguarding responsibility to staff and representatives working on behalf of the Council, to ensure that the policy is a workable and useful document and that guidance and support is available for staff raising safeguarding concerns. It is now proposed that the duties and responsibilities be widened to incorporate the needs of vulnerable adults also.

23. It is acknowledged that the proposal to widen the Policy, if agreed by the Executive, will bring this Council's Safeguarding Policy in line with those of other authorities in Hampshire, whose safeguarding policies and duties are now dual-focussed and encompass the needs of children, young people and vulnerable adults.
24. Other safeguarding issues, such as training still need to be tackled and these have been incorporated into the Council's Corporate Training Plan. However, the Council's focus will be to continue to maintain its responsibilities to safeguarding children, young people and vulnerable adults, whilst pooling resources and expertise in order to manage, where possible, within existing budgets and staff resources.

Background Papers:

None.

Reference Papers:

None.

Enquiries:

For further information on this report please contact Janie Millerchip (Ext. 4597).

APPENDIX A - [Safeguarding Children and Vulnerable Adults Policy](#)