

REPORT TO CABINET

Open		Would any decisions proposed :		
Any especially affected Wards	Mandatory/	Be entirely within Cabinet's powers to decide	NO	
	Discretionary /	Need to be recommendations to Council	YES	
	Operational	Is it a Key Decision	NO	
Lead Member: Cllr N Daubney E-mail: <i>cllr.nick.daubney@west-norfolk.gov.uk</i>		Other Cabinet Members consulted:		
		Other Members consulted:		
Lead Officer: Becky Box, Policy, Performance and Personnel Manager E-mail: <i>becky.box@west-norfolk.gov.uk</i> Direct Dial: 01553 616502		Other Officers consulted: Management Team, Officer Safeguarding Group, Norfolk Safeguarding Children Board, Norfolk Safeguarding Adults Board		
Financial Implications NO	Policy/Personnel Implications YES	Statutory Implications YES	Equal Impact Assessment YES If YES: Pre-screening	Risk Management Implications NO
If not for publication, the paragraph(s) of Schedule 12A of the 1972 Local Government Act considered to justify that is (are) paragraph(s)				

Date of meeting: 11th April 2017

TITLE: SAFEGUARDING POLICY

Summary

In the spring of 2016 Cabinet agreed an update to the Child Protection Policy which was required to ensure the Council continued to meet its statutory responsibilities with regards to safeguarding children and young people from potential harm and abuse, as well as protecting itself, its staff and elected members.

As part of that Cabinet report it was noted that a review of the potential to introduce an overarching 'Safeguarding' policy, incorporating elements of both child and adult protection, would be undertaken. This work has now been completed, resulting in the proposed policy outlined in the appendix to this report.

The work undertaken has also considered Cabinet Members request to review arrangements to ensure the Council's duty to safeguarding and promote the welfare of children is appropriately reflected in contracts, leases and licences, and this is covered in detail within the proposed policy.

Recommendation

1. That Members approve the proposed Safeguarding Policy.
2. That Members support the steps required to implement the new policy, including the provision of training and revision of procedures, for example the implementation of the 'safeguarding risk assessment'.
3. That Members delegate authority to the Executive Director, Central and Community Services, in consultation with the relevant Portfolio Holder, to agree amends/updates to the Policy that may be required to ensure

it remains compliant with legislation

Reason for Decision

To ensure that the Council meets its statutory duties with respect to child and adult safeguarding.

Background

1.1 There is a considerable body of legislation, government guidance and standards designed to ensure that children are protected from harm. These include 'The Children Act 1989', 'The Children Act 2004', 'The Protection of Children Act 1999', 'The Human Rights Act 1998', 'The Children and Families Act 2014', the 'Working Together to Safeguard Children 2006' document by the Department of Health and the revised versions of this document adopted in 2013 and 2015.

1.2 In particular, Section 11 of the Children Act 2004 places duties on a range of organisations to ensure their functions are discharged having regard to the need to safeguard and promote the welfare of children. This duty extends to contractors who deliver services to children and families on behalf of the council.

1.3 Until the Care Act 2014 came into force on 1st April 2015 there was no English law that dealt specifically with safeguarding adults who might be at risk of abuse or neglect, although the Human Rights Act 1998 brought certain rights into UK law. Under the Care Act Norfolk County Council and its partners, such as District Councils and NHS bodies have a responsibility to co-operate in preventing, reducing and delaying the development of need for care and support.

1.4 The Council's existing Child Protection Policy was subject to a refresh during 2016 to ensure the Council's approach to child protection issues was co-ordinated and to ensure the Council was compliant with its statutory obligations.

1.5 The current Child Protection Policy covers:

- corporate arrangements to ensure compliance with legal requirements
- the procedures and processes in place to deal with issues which arise
- detailed guidance to assist staff, members and volunteers of the Council in recognising signs of potential harm or abuse,
- good practice to limit the potential risk where situations of harm or abuse of a child may occur and reduce the possibilities for allegations against staff, members, volunteers and the Council.

1.6 The proposed Safeguarding Policy covers all the same areas as the existing Child Protection Policy, but includes additional information with regards to safeguarding adults.

1.7 We have also taken the opportunity to reformat the policy, moving some of the more detailed guidance to appendices to ensure the actual policy document remains focused on the principles the Council wishes to follow in its approach to safeguarding.

1.8 In addition to the general reformatting/reordering of sections within the policy particular changes/additions which Members are asked to note are as follows:

- updated section on the legal framework to capture all legislation which should be considered under the banner of safeguarding (section 4)
- an updated diagram to summarise the procedure to be followed in a employee or Elected Member has a safeguarding concern (section 7)
- section 12, which relates to safeguarding responsibilities in relation to our work with third parties and contracted services (e.g. providing funding to external organisations and granting leases for the use of Council land/property)
- the safeguarding risk assessment outlined in Appendix H

1.9 Once adopted, the revised policy will be communicated to staff and Elected Members. An ongoing programme of child protection training is already in place, and this will be supplemented by basic adult safeguarding awareness training and other more specialist training as identified by the internal safeguarding group. The need to provide training to Elected Members will also be reviewed in consultation with the Leader, Portfolio Holder and Democratic Services.

1.10 Work to continue to implement and embed the safeguarding risk assessment process will also continue, including reviewing contract standing orders and service level agreements to ensure appropriate consideration is given to safeguarding in our dealings with third party organisations.

Policy Implications

Although this is classed as a new policy it is largely an updated and re-branded version of the existing Child Protection policy.

Financial Implications

None. Training related costs are already budgeted for within the corporate training budget.

Personnel Implications

None.

Statutory Considerations

The Council has a statutory duty which it is required to meet under the Children Act 2004. The corporate Child Protection Policy is designed to ensure the Council meets its responsibilities in respect of this duty (section 11 of the Children's Act 2004). The Council also has a duty under the Care Act 2014 to work with Norfolk County Council and other relevant partners to prevent, reduce and delay the development of need for care and support.

Equality Impact Assessment (EIA)

Pre-screening form completed and no issues have been identified.

Risk Management Implications

Local Authorities have an important role in the safeguarding and protection of children and adults at risk of harm or abuse. Without a policy covering its safeguarding responsibilities the Borough Council's work in this area is at risk of lacking progress. Lack of a policy and relevant procedures also potentially leaves the Council at risk legal action should any issues around child or adult protection/allegations occur.

Declarations of Interest / Dispensations Granted

None

Background Papers

- Statutory Guidance under Section 11 of the Children Act 2004
- The Children Act 2004
- The Protection of Children Act 1999
- The Human Rights Act 1998
- The Children and Families Act 2014
- Working Together to Safeguard Children 2006, and as updated in 2013 and 2015
- The Care Act 2014