

## REPORT TO CABINET

<b>Open</b>		Would any decisions proposed :		
<b>Any especially affected Wards</b>	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: <a href="mailto:cllr.nick.daubney@west-norfolk.gov.uk">cllr.nick.daubney@west-norfolk.gov.uk</a>		Other Cabinet Members consulted:		
		Other Members consulted:		
Lead Officer: Becky Box, Personnel Services Manager E-mail: <a href="mailto:becky.box@west-norfolk.gov.uk">becky.box@west-norfolk.gov.uk</a> Direct Dial: 01553 616502		Other Officers consulted: Management Team		
Financial Implications NO	Policy/Personnel Implications YES	Statutory Implications YES	Equal Impact Assessment YES If YES: Pre-screening	Risk Management Implications NO

Date of meeting: 5<sup>th</sup> April 2016

### CHILD PROTECTION POLICY

#### Summary

This report invites Members to consider and endorse updates to the corporate Child Protection Policy. The policy has been in place since 2007 and has been revised to reflect current practice and developments which have evolved during the intervening period. The policy is designed to ensure the Council meets its responsibilities and safeguards children and young people from potential harm and abuse, as well as protecting itself, its staff and elected members.

#### Recommendation

1. That Members approve the revised Child Protection Policy.
2. 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
3. That Officers take steps to ensure that the Council's duty to safeguard and promote the welfare of children is appropriately reflected in contracts, leases and licences

#### Reason for Decision

To ensure that the Council meets its statutory duties with respect to child protection.

## **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 The aim of the policy is to co-ordinate the Council's approach to child protection and help ensure we are compliant with our statutory obligations. It covers corporate arrangements in respect of this compliance. Each service, function or facility will retain its own operational guidance and procedures, and refer to the corporate framework as appropriate. Having this 'umbrella' policy in place reduces duplication of effort and ensures all areas are working to the same standards and guidance.

1.4 The policy formulates the procedures and processes we have in place and provides detailed guidance to assist staff, members and volunteers of the Council in recognising signs of potential harm or abuse, and how to respond to any concerns or allegations that may arise. It also identifies good practice to limit the potential risk where situations of harm or abuse of a child may occur, as well as reducing the possibilities for allegations against staff, members, volunteers and the Council.

1.5 The key changes included within this revision to the policy are as follows:

- updates to reflect changes as a result of the new arrangements in leisure and arts
- more prominent display of information relating to the Council's child protection co-ordinator, and deputy
- a new section outlining the Council's corporate responsibilities (section 1.3 of the policy) and service specific responsibilities (section 1.4 of the policy)
- an updated diagram to summarise the basic response procedure if an employee or Elected Member needs to raise a concern (section 6.2 of the policy)
- general updating of the section relating to recruitment and retention of staff (section 8 of the policy) to reflect changes in practice and to reflect the requirements of the Disclosure and Barring Service (including updating appendices F and G)

1.6 Once adopted, the revised policy will be communicated to staff. An ongoing programme of child protection training is already in place, and this will be revised to include refresher training on a three yearly basis, in accordance with recommended best practice. The refresher training will include a session specifically covering the Council's Child Protection Policy.

1.7 The Council's internal safeguarding group is currently reviewing arrangements for the consideration of child protection issues when letting contracts, providing funding to external organisations and granting leases for use of Council land/property. Any changes required to ensure the Council is fulfilling its safeguarding responsibilities in these areas will be implemented as a result of the review.

1.8 Members will note that the policy relates specifically to children. Until the Care Act 2014 came into force on 1<sup>st</sup> 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. It is proposed to review the potential of introducing an overarching 'Safeguarding Policy' incorporating elements of both child and adult protection over the coming year and any resulting policy will be presented to Members in the usual manner.

### **Policy Implications**

This is an update to an existing Council 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).

### **Equality Impact Assessment (EIA)**

(Pre screening report template attached)

## **Risk Management Implications**

Local Authorities have an important role in the safeguarding and protection of children. Without a Corporate Child Protection Policy the Borough Council's work in this area is at risk of lacking progress and without a policy and the relevant procedures in place, potentially risk legal action should any issues around child protection or 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