

HOUSING AND COMMUNITY SAFETY ADVISORY COMMITTEE
29 April 2014 at 7.00 pm

The following is an amended Appendix 1 to replace the appendix currently attached to the report for the following item:

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| 10. Safeguarding Policy For the Protection Of Children And Vulnerable Adults | (Pages 1 - 18) |
| | <i>Lesley Bowles</i> |

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Sevenoaks District Council

Policy for the Protection

of

Children

and

Vulnerable Adults

This policy is available on InSite





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Appendix A1: A guide to types of abuse

Appendix A2: Guidance notes for staff and volunteers when dealing with allegations of abuse

Appendix B: Sevenoaks District Council Safeguarding Group

Appendix C1 SDC Internal notification form

Appendix C2 Guidance notes and Specialist Children’s Services Children in Need and Child Protection referral form (KCC)

Appendix C3 Form AP1 –Kent Social Services Adult Protection Alert Form

Appendix D: Contacts for Safeguarding

Appendix E: Disclosure and Barring Service (DBS) information

Appendix F: Council roles and Safeguarding – How might I be involved?

1 Introduction

- 1.1 The action we take to promote the welfare of children, young people and vulnerable adults and protect them from harm is everyone's responsibility. Everyone who comes into contact with children and vulnerable adults has a role to play.
- 1.2 This Policy applies to all staff and volunteers working within Sevenoaks District Council who have contact with children and/or vulnerable adults, or who have responsibility for contractors and organisations providing services on behalf of the Council.

1.3 It is your responsibility to read this information carefully and if you are a manager, ensure it is distributed to all relevant individuals or groups before they have contact with children and/or vulnerable adults.

- 1.4 Sevenoaks District Council's Safeguarding Policy seeks to enhance the quality of life of children and vulnerable adults through consultation with them about the services we provide, identifying and responding to child and adult protection issues, seeking to prevent cases of abuse, promoting good practice and sharing information to assist in the prevention of abuse.
- 1.5 Studies have revealed the complexity of deciding when and how to intervene to protect and promote the welfare of children and vulnerable adults. These studies have highlighted that successful intervention depends on robust interagency working and partnerships between local council services, health, the family justice system and the voluntary sector. Sevenoaks District Council is committed to this strengthening this working practice.
- 1.6 This policy seeks to ensure that staff and volunteers working with children and vulnerable adults have a good understanding of safeguarding guidelines and good practice.

2 Equality and Inclusion Statement

- 2.1 We recognise that everyone has a contribution to make to our society and a right to access services without being discriminated against or disadvantaged because of their:
 - Race, colour, nationality, ethnicity
 - Gender, marital status or caring responsibility
 - Sexual orientation
 - Age
 - Physical or mental disability or mental health
 - Religion or belief
 - Health status
 - Employment status.

3 Definitions and responsibilities

3.1 Safeguarding Children:

3.1.1 Everyone has a responsibility to ensure that concerns about the abuse of children and vulnerable adults are addressed. The lead responsibility for managing child and adult protection lies with Kent County Council Social Services Agency although Sevenoaks District Council works in partnership with them to identify and respond to suspected abuse.

3.1.2 For the purposes of the Safeguarding Policy the term ‘child’ or ‘children’ applies to children and young people under 18 years of age and stated (‘vulnerable’) young people under the age of 25.

3.1.3 Safeguarding and promoting the welfare of children is defined by “Working Together to Safeguard Children: A guide to inter-agency working to safeguard and promote the welfare of children, 2013” (available at www.workingtogetheronline.co.uk) as:

- Protecting children from maltreatment;
- Preventing impairment of children's health or development;
- Ensuring that children grow up in circumstances consistent with the provision of safe and effective care;
- Taking action to enable all children to have the best outcomes.

3.1.4 The Children Act 1989 states that every child has a right to protection from abuse, neglect and exploitation. Statutory guidance on making arrangements to safeguard and promote the welfare of children under the Children Act 2004 was published in August 2005. The guidance came into force on 1 October 2005.

3.2 The Council’s duties under the Children Act 2004 are:

3.2.1 Duty to co-operate to improve children’s wellbeing

- Section 10: requires each local authority (Local Education Authority and Children’s Services Authorities - Kent County Council) to make arrangements to promote co-operation between the authority, each of the authority’s relevant partners and such other persons or bodies working with children in the local authority’s area as the authority considers appropriate. The arrangements are to be made with a view to improving the wellbeing of children in the authority’s area, which includes protection from harm or neglect.

3.2.2 Duty to safeguard and promote the welfare of children:

- Section 11: requires a range of organisations (including District Councils) to make arrangements for ensuring that their functions, and services provided on their behalf, are discharged with regard to the need to safeguard and promote the welfare of children.

3.2.3 Expectations of district councils include:

- Senior management commitment to the importance of safeguarding and promoting wellbeing.
- A clear statement of the Council's responsibilities to children, made available to employees.
- Clear lines of accountability for work on safeguarding and promoting wellbeing.
- Using the views of children and young people to help shape services.
- Safe recruitment procedures for those coming into contact with children and young people.
- Appropriate training for employees.
- Effective working relationships within the Council and with other agencies to safeguard and promote wellbeing, and to share information effectively.

3.2.4 The Children and Families Act (2014) came into force on 21st April 2014. This sets out:

- Where there are signs that a child under the age of 18 years or an unborn baby is
 - **suffering or may have suffered abuse and/or neglect**
 - **likely to suffer abuse and/or neglect**
- No professional has the right or responsibility to withhold information or to respect a child/ young person's wishes for confidentiality.

3.3 Vulnerable Adults

3.3.1 A vulnerable adult is a person aged 18 or over who "is or may be in need of community care services by reason of mental or other disability, age or illness; and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation" (No Secrets: guidance on protecting vulnerable adults in care, Department of Health, 2000) available at www.gov.uk/government/publications/no-secrets-guidance-on-protecting-vulnerable-adults-in-care

3.3.2 A vulnerable person may be someone with learning disabilities, mental health problems, or someone who is old or has a physical disability or impairment including an individual who may be vulnerable as a consequence of their role as a carer and victims of domestic abuse, hate crime and anti social behaviour.

3.3.3 A person's need for additional support to protect them may be increased when complicated by additional factors, such as physical frailty or chronic illness, sensory impairment, challenging behaviour, drug or alcohol problems, social or emotional problems, poverty or homelessness.

3.3.4 The “No Secrets: guidance on protecting vulnerable adults in care” Department Of Health (DoH) guidance, March 2000 was issued under Section 7 of the Local Authority Social Services Act 1970. It places a responsibility on social services to play a co-ordinating role in developing local policies and procedures for the protection of vulnerable adults from abuse. In addition it states that other statutory agencies should ‘work together in partnership to ensure that appropriate policies, procedures and practices are in place and implemented locally.

3.3.5 In response to the “No Secrets” DOH guidance a Kent and Medway Multi-Agency Adult Protection Policy Protocols and Guidance document was issued by Kent County Council Social Services Directorate.

4 Definition of abuse

4.1 The definitions of abuse set out below are taken from the Department of Education document “Working Together to Safeguard Children” (2013) and the Department of Health document “No Secrets: guidance on protecting vulnerable adults in care” (2000).

4.2 Abuse is “a violation of an individual’s human and civil rights by any other person or persons’ and can be perpetrated by, and to, anyone, regardless of age, gender, class or ethnicity”. Abuse may be a single act or repeated over a period of time. Somebody may abuse or neglect a child or vulnerable adult by inflicting harm, or by failing to act to prevent harm. Children or vulnerable adults may be abused in a family, in an institutional or community setting, by those known to them or, more rarely, by a stranger.

4.3 It is important to understand that a vulnerable adult may be abused by another vulnerable adult, and equally, a child or young person may be abused by another child or young person.

4.4 Tools to help further define and identify abuse are set out at Appendix A1.

4.5 Appendix A2 sets out guidance notes for staff when dealing with people who are disclosing allegations of abuse.

4.6 Appendix F sets out how the Council’s staff might come into contact with safeguarding issues as part of their day-to-day role.

5 Fulfilling the Council's Safeguarding Obligations

5.1 In order to fulfil its commitment to ensure good working practice in protecting children and vulnerable adults the Council will undertake the following:

5.1.1 **Senior Management Commitment:** The Chief Executive and Chief Officers are committed to the importance of safeguarding and promote the Council's Safeguarding Policy. The Lead Safeguarding Officer will be a member of the Strategic Management Team and the Strategic Management Team will receive updates on safeguarding matters.

5.1.2 **Cascading the Policy:** This Policy sets out a clear statement of the Council's responsibilities. It will be made available to all staff. Managers will ensure that staff who have a safeguarding responsibility or who are likely to come into contact with children or vulnerable adults have read, understood and signed for receipt of, a copy of this Policy.

5.1.3 **Shaping services:** All consultations affecting children or vulnerable adults will be undertaken using methods that are accessible and appropriate. The views of children and vulnerable adults will be taken into account when shaping services that affect them.

5.1.4 **Safe recruitment practices:** The Council will adopt safe recruitment practices to reduce the likelihood of recruiting unsuitable staff. This includes ensuring that a statement about the organisation's commitment to safeguarding is included in all recruitment and selection materials including reference to regular DBS checks. Satisfactory explanations for any gaps in employment will be sought. References will always be obtained direct from the referee, never through the applicant. Appropriate levels of Disclosure and Barring Service checks will be obtained.

5.2 Disclosure and Barring Service (DBS) Criminal Records Check Policy

5.2.1 The Council requires staff to have an enhanced DBS check if they have unsupervised contact with children, young people and vulnerable adults. Chief Officers and Heads of Service, in consultation with Human Resources, are responsible for deciding which of their staff require a DBS check, the level of check required and for ensuring that DBS checks are kept up to date.

5.2.2 Organisations or contractors undertaking work on behalf of the Council should confirm that they have appropriate DBS checks in place.

5.2.3 For further information, please see Appendix E.

5.3 Appropriate training for employees.

5.3.1 Everyone with access to children and vulnerable adults shall have regular training on safeguarding matters.

5.3.2 Employees must accept and be able to recognise their responsibilities with regard to their own good practice and the reporting of signs of suspected abuse or neglect to either the Police or Kent County Council's Central Duty Team and

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understand Sevenoaks District Council's statutory obligation to ensure confirmation is received from the County Council that any referrals made are being actively dealt with.

- 5.3.3 Training needs and opportunities relating to child and vulnerable adult safeguarding and protection issues will be identified and addressed through the Council's Induction and Appraisal Procedures, and in response to any changes in legislation. Training may include internal courses/workshops, externally accredited courses/seminars or workshops organised by relevant agencies. The Council Human Resources Team will keep a record of all staff and volunteers who have received training.
- 5.3.4 In most cases the Council will ensure that photographs taken of children participating in Council events will not be used for publicity purposes unless express written permission has been agreed from the parent(s), guardian(s) or carer(s). An exception will be community events which are open to all, and where it is therefore not possible to get prior consent. In such instances highly-visible signs will be put up advising the public the photographs are being taken that could be used for publicity purposes.
- 5.3.5 Organisations who are delivering services on behalf of the Council where there is a safeguarding element to the work that they do will be invited to join internal training courses.
- 5.3.6 Where organisations are delivering services affecting children or vulnerable adults on behalf of the Council, the following governance arrangements will apply:
- Guidance and training on safeguarding will be provided for key Council staff responsible for commissioning or grant aiding such services.
 - The Council will offer safeguarding training to commissioned organisations
 - Contracts, Service Level Agreements or grant approval letters will set out the safeguarding arrangements required. As a minimum, this will be that where adults work or volunteer with children or vulnerable adults they should be subject to a DBS check or be supervised by a person with a DBS check. The organisation should take part in safeguarding training and should have its own safeguarding policy and safe recruitment arrangements in place.

5.4 Effective working relationships within the Council and with other agencies

5.4.1 The Sevenoaks District Council Safeguarding Group (See Appendix B for details) brings together members of staff who are practitioners most likely to encounter safeguarding issues in their day-to-day work. It meets quarterly to help ensure that the Council is taking its safeguarding responsibility seriously and complying with legal requirements. It provides a forum for practitioners to discuss issues and concerns relating to safeguarding. This Policy will be monitored through the Council's Safeguarding Group.

5.4.2 The Council has a whistle-blowing policy and staff who are worried about the practice of another member of staff, another organisation or Member are encouraged to use the policy.

The Council will ensure that organisations with whom we work in partnership on child and vulnerable adult matters are made aware of this Policy. Organisations receiving funding from the District Council will be required to provide evidence that they have a suitable child and adult protection policy and practice in place.

5.4.3 The Council will ensure, where appropriate, that partner organisations sign relevant Information Sharing Procedures set up by the Kent Safeguarding Board to ensure good practice.

5.4.4 The Council will take part in any County or District-wide forum to which they are invited that exists to co-ordinate multi-agency arrangements relating to safeguarding matters.

5.4.5 The District Council's exposure to safeguarding issues is rare. The County Council LADO's (Local Authority Designated Officer) role is to advise on matters relating to safeguarding for children. The Council will consult the LADO if there is doubt about an appropriate course of action or referral or if the Council is unsure as to whether it is appropriate to suspend a member of staff who has been accused of inappropriate behaviour. In addition, advice relating to safeguarding matters for vulnerable adults can be sought from Kent County Council's Central Duty Team. Contact details can be found at Appendix D

5.5 Clear lines of accountability for work on safeguarding and promoting wellbeing.

5.5.1 The procedures for dealing with child and vulnerable adult safeguarding issues are set out in section 5.6 (pages 10-16). Actions fall broadly into three categories:

- To take appropriate action when staff or volunteers are concerned that someone in their care, through projects and activities of Sevenoaks District Council is the victim of abuse.
- To take appropriate action when staff or volunteers are accused of abuse. If a member of staff or volunteer is accused of abusing a child or vulnerable adult, appropriate investigations by the Council's Human Resources Department will be carried out.
- Ensuring that staff and volunteers do not abuse those in their care.

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5.6 Procedures for reporting abuse

5.6.1 Every reported incident of abuse, or suspected abuse, must be taken seriously and addressed with appropriate urgency.

5.6.2 Procedures for reporting abuse are given in the table below (pages 10 -16).

5.6.3 This applies whether you:

- are given information about alleged abuse
- suspect that a child or vulnerable adult is being abused
- receive complaints or are suspicious about a colleague

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This procedure should only be followed in non-emergency cases. Instances where a child or vulnerable adult is at immediate risk of harm must be reported to the Police as soon as possible – this act saves lives.

What action should I take?	A: I have received an allegation of abuse or a serious incident involving a colleague or I am suspicious about a colleague	B: I suspect someone is being abused or suspect a serious incident has taken place	C: Someone has told me about an incident of abuse or a serious incident
Stage 1 – Initial Notifications			
Who should I tell?	Your Service Manager, Head of Service or Chief Officer, who will help you to collate the necessary information so that you can complete the Initial Notification form.		
Timescale	You should do this straight away		
How do I make the Initial Notification?	Any allegations, incidents or suspicions must be documented. An Initial Notification must be made using form C1. This should be handed to the Head of Human Resources and the Deputy Chief Executive. (or member of the HR department, or one of the members of the Safeguarding Group listed on Appendix B & D if they are unavailable)	Any allegations, incidents or suspicions must be documented. An Initial Notification must be made within 2 hours using form C1 which should be given to the Lead Safeguarding Officer or Deputy Chief Executive (or one of the members of the Safeguarding Group listed on Appendix B&D if they are unavailable)	Any allegations, incidents or suspicions must be documented. An Initial Notification must be made within 2 hours using form C1 which should be given to the Lead Safeguarding Officer or Deputy Chief Executive (or one of the members of the Safeguarding Group listed on Appendix B& D if they are unavailable)
Guidance notes for staff and volunteers	Please refer to: <ul style="list-style-type: none"> Appendix A1: This provides a guide to different types of abuse and how to recognise them Appendix A2: Guidance notes for staff and volunteers when dealing with people who are disclosing allegations of abuse Appendix D – This sets out the contact details for managers responsible for dealing with Safeguarding issues within the organisation. It also lists the contact details for the KCC Lead Authority Designated Officer and the KCC Central Duty Team 		
What forms do I need to use	Form C1	Form C1	Form C1
Next steps	The form will be reviewed by the Head of Human Resources.	An appropriate manager trained in Safeguarding will be appointed.	An appropriate manager trained in Safeguarding will be appointed.

In consultation with the individual's line manager, the Head of Human Resources will consider whether to suspend from duty the member of staff who is accused in line with the Council's Disciplinary Procedure.

This is designed to protect the member of staff in the first instance.

The Head of Human Resources, Deputy Chief Executive or Lead Safeguarding Officer should consider consulting the KCC Lead Authority Designated Officer or KCC Central Duty Team regarding whether it is necessary to suspend or involve the Police.

HR will ensure that members of staff making the report receive appropriate support

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Page 13	<p>Any decisions to contact the Police due to immediate risk of harm when it involves a member of staff being accused of abuse will be taken by the Deputy Chief Executive, Chief Executive or Lead Safeguarding Officer.</p> <p>If the Police are contacted, make a note of the Police crime number or the name of the Police Officer handling the case should be taken.</p>	<p>If following completion and review of form C1, a decision is taken to refer the matter to the Police due to immediate risk of harm, make a note of the Police crime report number or the name of the Police Officer handling the case.</p>	<p>If following completion and review of form C1, a decision is taken to refer the matter to the Police due to immediate risk of harm, make a note of the Police crime report number or the name of the Police Officer handling the case.</p>
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Stage 2 – Further investigation and/or making a referral

What action should I take?	A: I have received an allegation of abuse involving a colleague or I am suspicious about a colleague	B: I suspect someone is being abused	C: Someone has told me about an incident of abuse
Further investigation and/or making a referral	<p>The Head of Human Resources will use the Council’s usual follow up procedures to determine the outcome.</p> <p>The Head of Human Resources will keep the Deputy Chief Executive briefed about the status of the allegation.</p>	<p>In order to ensure that all the relevant details have been gathered the following form should be completed:</p> <ul style="list-style-type: none"> • Form C2 for Children • Form C3 for vulnerable adults <p>This must be provided to the Lead Safeguarding Officer or Deputy Chief Executive.</p>	<p>In order to ensure that all the relevant details have been gathered the following form should be completed:</p> <ul style="list-style-type: none"> • Form C2 for Children • Form C3 for vulnerable adults <p>This must be provided to the Lead Safeguarding Officer or Deputy Chief Executive.</p>

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Timescale	Set out in the Council's usual procedures.	As soon as possible, aiming for a turn around within 24 hours	As soon as possible, aiming for a turn around within 24 hours
Guidance notes for staff and volunteers	Please refer to: <ul style="list-style-type: none"> • Appendix A1: This provides a guide to different types of abuse and how to recognise them • Appendix A2: Guidance notes for staff and volunteers when dealing with people who are disclosing allegations of abuse • Appendix D – This sets out the contact details for managers responsible for dealing with Safeguarding issues within the organisation. It also lists the contact details for the KCC Lead Authority Designated Officer and the KCC Central Duty Team 		
Further actions to be taken by the Lead Safeguarding Officer or Head of Human Resources Page 14	If a safeguarding referral is required, please follow procedures set out at B or C.	The Lead Safeguarding Officer will determine whether, taking into account the particular circumstances of the case, any action is justified and whether the matter should be referred to the appropriate safeguarding team within KCC and make a referral (see below.) A summary of any consultation with or referral to KCC's Local Authority Designated Officer, KCC Central Duty Team or Duty Social Worker will be retained. The Lead Safeguarding Officer will keep the Deputy Chief Executive informed.	The Lead Safeguarding Officer will determine whether, taking into account the particular circumstances of the case, any action is justified and whether the matter should be referred to the appropriate safeguarding team within KCC and make a referral (see below.) A summary of any consultation with or referral to KCC's Local Authority Designated Officer, KCC Central Duty Team or Duty Social Worker will be retained. The Lead Safeguarding Officer will keep the Deputy Chief Executive informed.
If the Lead Safeguarding Officer or Head of Human Resources is unavailable	A member of the Human Resources team should deputise for the Head of Human Resources. The Deputy Chief Executive should deputise for the Lead Safeguarding Officer.	In the event the Lead Safeguarding Officer is unavailable, the matter will be dealt with by the Deputy Chief Executive	In the event the Lead Safeguarding Officer is unavailable, the matter will be dealt with by the Deputy Chief Executive

Considerations only if making a safeguarding referral to KCC			In the case of a child, the Officer making the referral shall discuss with the KCC Local Authority Designated Officer or Duty Social Worker, what further action is required by the District Council.	In the case of a vulnerable adult, discuss with the KCC Central Duty Team and or Duty Social Worker what further action is required by the District Council.	In the case of a child, the Officer making the referral shall discuss with the KCC Local Authority Designated Officer or Duty Social Worker, what further action is required by the District Council.	In the case of a vulnerable adult, discuss with the KCC Central Duty Team and or Duty Social Worker what further action is required by the District Council.
Forms that I need to use for making a safeguarding referral to KCC			Form C2	Form C3	Form C2	Form C3
Who should receive (at KCC) the child or adult protection forms from the referring officer (at SDC) at KCC?/ and who can be contacted for guidance about the safeguarding issue			KCC's Local Authority Designated Officer Please keep details of any conversations. Please see section 6 Record Keeping	KCC Central Duty Team Please keep details of any conversations. Please see section 6 Record Keeping	KCC's Local Authority Designated Officer. Please keep details of any conversations. Please see section 6 Record Keeping	KCC Central Duty Team Please keep details of any conversations. Please see section 6 Record Keeping
Stage 3 – Follow up action						
	I have received an allegation of abuse or I am suspicious about a colleague		I suspect someone is being abused		Someone has told me about an incident of abuse	
Action to be taken by SDC	The Head of Human Resources will keep the Deputy Chief Executive informed about the outcome of any investigations.		A record of the incident will be added to the Safeguarding Incident Log by the Lead Safeguarding Officer, where progress will be regularly monitored		A record of the incident will be added to the Safeguarding Incident Log by the Lead Safeguarding Officer, where progress will be regularly monitored	

<p>Follow up action to be taken by the SDC Officer if a referral has been made to KCC using either form C2 (children) or C3 (Vulnerable Adults)</p>			<p>If a response is not received within 72 hours of making a referral, the referring Officer should follow up with the KCC Local Authority Designated Officer.</p>	<p>If a response is not received within 72 hours of making a referral, the referring Officer should follow up with the Central Duty Team</p>	<p>If a response is not received within 72 hours of making a referral, the referring Officer should follow up with the KCC Local Authority Designated Officer.</p>	<p>If a response is not received within 72 hours of making a referral, the referring Officer should follow up with the Central Duty Team</p>
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6 Record Keeping

- 6.1 In order to ensure that all the details of the allegation are maintained accurately for use in possible future Court proceedings, the Lead Safeguarding Officer shall ensure that the following documentation is collated:
- The written report
 - Any notes, memoranda, telephone transcripts or other correspondence dealing with the matter
 - Any other relevant materials
- 6.2 These copies should be kept locked at all times and kept for a period of six years by the Lead Safeguarding Officer.
- 6.3 Documents associated with allegations against a member of staff should be kept according to usual HR practices.
- 6.4 Where there are concerns about the length of time for which individual records should be kept, the advice of the Council's Data Protection Officer will be sought.

7 Updating the Policy:

- The Sevenoaks District Council Safeguarding Group will review this Policy as appropriate and will be consulted about any changes to The Children Act 1989 and other relevant regulations and legislation.

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