

SAFEGUARDING POLICY FOR THE PROTECTION OF CHILDREN AND VULNERABLE ADULTS

Housing and Community Safety Advisory Committee - 29 April 2014

Draft Report of Chief Officer for Communities and Business

Status: For recommendation to Cabinet

Also considered by: Cabinet - 8 May 2014

Council - 22 July 2014

Key Decision: No

Executive Summary:

This Policy updates and refreshes the existing Safeguarding Policy to enable the Council to more effectively meet its responsibilities to safeguard children and vulnerable adults.

This report supports the Key Aim of the Community Plan - (Safe Communities, Caring Communities, Healthy Environment)

Portfolio Holder Cllr Michelle Lowe

Contact Officer(s) Lesley Bowles x7335

Recommendation to Housing and Community Safety Advisory Committee:

To recommend to Cabinet the updated Safeguarding Policy for the protection of children and vulnerable adults.

Reason for recommendation:

To enable the Council to meet its statutory responsibilities under S11 of the Children's Act 2004 and to follow guidance published by the Department of Health and Kent County Council in relation to vulnerable adults.

To ensure that all Council staff, Members, contractors and volunteers and aware of their professional and moral obligations for Safeguarding.

Introduction and Background

1. Safeguarding is a key priority for the Council and safeguarding children and vulnerable adults from avoidable harm or abuse.
2. The Council has statutory obligations under Section 11 of the Children Act 2004 with regard to safeguarding and promoting the welfare of children.
3. District Councils are expected to ensure:
 - senior management commitment to the importance of safeguarding and promoting the well being of children and young people.
 - a clear statement of the Council's responsibilities to children is made available to staff.
 - clear lines of accountability for work on safeguarding and promoting well being.
 - that 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 staff.
 - effective working relationships within the Council and partner agencies to safeguard and promote wellbeing, and to share information effectively.
4. The "No Secrets: guidance on protecting vulnerable adults in care" Department Of Health guidance, March 2000 was issued under Section 7 of the Local Authority Social Services Act 1970. This 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.'
5. In response to the "No Secrets" Department of Health guidance a Kent and Medway Multi-Agency Adult Protection Policy Protocols and Guidance document was issued by Kent County Council Social Services Directorate.
6. The revised Safeguarding Policy has been written to ensure that the Council appropriately meets its statutory responsibilities for safeguarding children through S11 of the Children's Act 2004 and responds to guidance in relation to vulnerable adults.
7. It also sets out information and the procedures to follow in order to report suspicions, allegations or matters reported to them.
8. A corporate group, chaired by the Chief Officer for Communities and Business has been set up. The full terms of reference for this group are set out in Appendix D of the revised Safeguarding Policy. It aims to promote safeguarding across the Council, advise on training needs and act as a source of help and guidance for staff needing advice.

9. New legislation regarding vulnerable adults is likely to come forward in the near future.

10. This Policy is intended to apply to all staff, Members of the Council, contractors and volunteers. In addition, it clarifies the District Council's responsibility for ensuring that any organisation that receives funding from the District Council has appropriate policies in place to safeguard children and vulnerable adults.

Key Implications

Financial

11. There are no financial implications. Training for staff in Safeguarding is being met from within existing resources.

Legal Implications and Risk Assessment Statement.

12. Failure to meeting statutory responsibilities to safeguard and promote the welfare of children under S11 of the Children Act 2004 could lead to litigation if children come to harm whilst the Council are carrying out services/undertaking duties or partner agencies carrying out services/undertaking duties on behalf of the Council.

13. Failure to follow guidance published by the Department of Health and Kent County Council in relation to vulnerable adults could weaken the Councils' position if vulnerable adults come to harm as a result of failure to implement an effective system of controls and procedures at a local level.

14. Failure to keep children or vulnerable adults safe represents not only a significant risk to residents but also to the reputation of the Council.

RISK	MITIGATION
Failure to keep children or vulnerable adults safe or report appropriately anything which a member of staff suspects, alleges or is informed about may lead to children and vulnerable adults coming to harm, injury or death	All staff and Members to be aware of the revised Safeguarding Policy for the protection of children and vulnerable adults. In addition, training for front line staff, Chief Officers and Managers rolled out within the organisation
Risk of significant harm to the Council's reputation	Ensure that all staff are aware of their responsibilities
Failure to ensure groups in receipt of funding also take their safeguarding responsibilities seriously	Conditions attached to funding agreements should be monitored appropriately

Equality Impacts

Consideration of impacts under the Public Sector Equality Duty:		
Question	Answer	Explanation / Evidence
a. Does the decision being made or recommended through this paper have potential to disadvantage or discriminate against different groups in the community?	No	This Policy is intended to ensure that the needs of children and vulnerable adults are appropriately recognised and their welfare promoted, in all communities in the District
b. Does the decision being made or recommended through this paper have the potential to promote equality of opportunity?	Yes	This Policy is intended to ensure that the needs of children and vulnerable adults are appropriately recognised and their welfare promoted.
c. What steps can be taken to mitigate, reduce, avoid or minimise the impacts identified above?		This Policy is intended to ensure that the needs of children and vulnerable adults are appropriately recognised and their welfare promoted.

Community Impact and Outcomes

The purpose of the Policy is to safeguard children and vulnerable adults. Therefore, the impact on the community should be positive.

Resource (non-financial)

Officer time to service the Sevenoaks District Council Safeguarding Group Board is currently committed from within existing budgets with responsibility for safeguarding falling to the Communities and Business Team. The Head of Communities and Business is the nominated lead Safeguarding Officer, supported by the Head of Human Resources, members of the Safeguarding Group (See Appendix 1) and Managers trained in Safeguarding. A list of all Managers trained in Safeguarding is available on the Council's intranet "inSite".

Conclusions

Members recommendation to Cabinet of the updated Safeguarding Policy is sought. Following approval, the policy will be made available to all staff, contractors and volunteers. The District Council Safeguarding Group will be responsible for reviewing its implementation.

Appendices

Appendix 1 Draft Policy for the Protection of Children and Vulnerable Adults together with Appendices A-F

Background Papers:

Children Act 2004

<http://www.legislation.gov.uk/ukpga/2004/31/contents>

“No Secrets: guidance on protecting vulnerable adults in care” Department Of Health guidance, March 2000

<https://www.gov.uk/government/publications/no-secrets-guidance-on-protecting-vulnerable-adults-in-care>

Lesley Bowles

Chief Officer for Communities and Business