

## **Standards Committee – 26 January 2015**

### **Options for Members' participation in safeguarding children and adults**

#### **Summary of report:**

The safeguarding of children and vulnerable adults has taken a significant development in the aftermath of the issues raised in recent council and national abuse inquiries. These inquiries raise some questions and concerns about Council Members and other public officials in a position of trust and responsibility for children and vulnerable adults, which this paper seeks to address with options for consideration.

#### **Background papers:**

#### **Recommendation:**

1. The Standards Committee endorses the voluntary arrangement for Members in key positions (as outlined) to receive additional training and submit DBS checks between February and December 2015.
2. A review of the experience and results of the voluntary scheme in recommendation (1) be reported to Standards Committee in January 2016 with the view to making recommendations to Council on a way forward with Member DBS checks.

### **1.0 Background**

#### **1.1. Recent abuse inquiries:**

There have been a series of high profile enquiries and court cases on abuse of children and vulnerable young adults arising in Rochdale, Rotherham, Oxfordshire, and nationally (Saville and public officials). In a number of these elected council Members, MPs, and other public officials have either been implicated as alleged abusers, or people responsible for services related to safeguarding or support of children and vulnerable adults. This report seeks to explore the issues and options for addressing risks to Members and the council arising from these cases.

#### **1.2. Current position:**

The government in 2010 removed requirements upon Members to be accountable for adult social care through the Care Quality Commission. The new criminal background checks DBS (previously known as CRB) were no longer required for officials such as elected Members from 2011. This council's constitution therefore makes no provision for Members to be protected, checked or supported in regard to the risks associated with safeguarding services and policies.

However Ofsted and DfE expectations, through inspections and regulations on councils to raise the quality and assurance of safety for children and young people, have increased substantially in the last 3 years. Also Parliament has placed the Safeguarding Adults Boards on a statutory basis with statutory duties associated for council's from April 2015.

**1.3. Options for key Members:**

It is vital that elected members are informed, engaged and support safeguarding children and vulnerable adults on behalf of their constituents, and the council. Key Members immediately associated with these matters include:

Those directly responsible for such services (notably the Portfolio Holders for children services, and social care);

Chairs and Members of Scrutiny Panels for Children Services and Health/Social Services;

Members involved in the Corporate parenting board, working groups such as looked after children, care leavers, fostering and adoption and related areas likely to bring them directly into contact with children or young people.

**Option 1:** It is recommended that all key members in the above roles are invited to participate on a voluntary basis in specific training in safeguarding, and submit checks through the DBS process, in the next 3 months to both protect their own positions, and that of the council. This would allow for evaluation on the benefits and issues arising from such an approach over the following 6 months.

**Option 2:** Subject to the evaluation of option 1, in a report to the Standards Committee in January 2016, Members consider making a recommendation to Council that key members receive training and submit DBS checks as outlined.

**2.0 Resource and legal considerations:**

2.1. Resources: The costs of training Members and DBS checks could be absorbed within the Childrens' services and Social and Inclusion safeguarding budgets for 2015/16, and delivered by specialist officers in those 2 directorates. Subsequent costs would need to be planned against whether option 2 is adopted and how option 1 had operated.

2.2. Legal: The statutory guidance on DBS changed the requirements, which in brief are: a simple check can be made that is applicable across organisations/roles; Members are not obliged to have such checks and there is no longer any requirement in the constitution. This report therefore seeks to cover risks with Members' agreement.

### **3.0 Financial Implications**

Overall the 2015/16 costs are neutral for the proposals as outlined.

### **4.0 Performance and Risk Management issues:**

The proposals would mitigate risk for Members and the council as outlined in the report.

### **5.0 Equality Implications:**

The children and adults receiving social care and safeguarding support from the Council are entitled to the maximum safety in relation to all those from the Council that might come into contact with them or access information about them. This safety should be no less than that expected of other public officials or employees.

### **6.0 Consultation:**

Legal, Cabinet Portfolio Holders members for children and adults social care were consulted in the preparation of this report.

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