

Cabinet – 5 September 2018

Corporate Safeguarding Policy

Portfolio: Councillor Wilson Children's and health and wellbeing

Related portfolios: Councillor Martin Adult Social Care

Service: Children's Services

Wards: All Wards

Key decision: No

Forward plan: No

1. Summary

The reports outlines the principals behind adopting a Corporate Safeguarding Policy, promoting a "think safeguarding" approach across all Directorates. As a Council, we believe that every child and adult has a right to be safe from harm. In adopting a Corporate Safeguarding Policy the Council acknowledges its role and responsibilities to provide definite guidance for staff, Councillors, partners and those citizens whom we serve in this key field.

2. Recommendations

2.1 That Cabinet endorse the adoption of a Corporate Safeguarding Policy

3. Report detail

3.1 Safeguarding vulnerable adults and children from avoidable harm is one of Walsall Council's priorities under its "People" priority

3.2 The Policy clearly outlines the principal that "Corporate Safeguarding is everybody's business in every Directorate within the Council." and goes on to outline the way in which this principal will be put into practice across every Directorate (see Appendix 1)

This will be achieved by every Directorate nominating a "Designated Manager" for dealing with safeguarding children and adult's issues. These individuals will act as the single point of contact for members of their Directorate, providing advice and guidance in respect of safeguarding concerns and ensure that this Policy is complied with.

- 3.3 To support the implementation and embedding of this Policy across every Directorate, and as described within the Policy, Safeguarding leads nominated by each Directorate will be provided with relevant training.
- 3.4 The Policy also outlines the expectations in respect of safeguarding on Councillors including the provision of an annual refresher course to enable Councillors to update their knowledge and understanding and enable them to respond appropriately to safeguarding issue when they become aware of them.

4. Council Corporate Plan priorities

- 4.1 Safeguarding vulnerable adults and children from avoidable harm is one of Walsall Council's priorities under its "People" priority. Additionally, the Council seeks to support its children by ensuring that they have the best possible start and are safe from harm, happy, healthy and learning well.
- 4.2 This Policy reflects the Council's commitment to safeguard children and adults and to protect them from being abused by providing definite guidance for staff, Councillors, partners.

5. Risk management

- 5.1 Adopting this policy provides clear guidelines for safeguarding and promoting citizen welfare. It is consistent with the Marmot principals which identifies the role of councils in supporting individuals, families and communities and reducing health inequalities.
- 5.2 Clear guidelines also protect our employees and other adults in a position of responsibility from potential allegations of abuse.

6. Financial implications

The Corporate Safeguarding Policy requires no additional funding to implement. The delivery of training would be carried out by existing safeguarding staff employed by Children's and Adult Social Care.

The training provided to the nominated Designated Managers would form part of their annual development linking with their individual EPA's and PLATE; it requires no additional funding.

7. Legal implications

Under Part 3 of the Children Act 1989 and Part 2 of the Children Act 2004, Walsall Council, has a duty to ensure that it undertakes its functions in a way that safeguards and promotes the welfare of children.

Under Section 17 of the Crime and Disorder Act 1998, it is Walsall Council's duty to ensure that every reasonable step is taken to protect adults and prevent crime and disorder when it undertakes its functions.

Part 1 of the Care Act 2014 establishes a clear legal framework for how local authorities and other statutory agencies should protect adults with care and support needs who are at risk of abuse or neglect.

Adopting this policy supports Walsall Council in meeting these statutory duties.

8. Procurement implications/Social Value

There are no procurement implications in adopting this policy.

9. Property implications

There are no property implications in adopting this policy.

10. Health and wellbeing implications

Adopting the principal that "...Safeguarding is everybody's business in every Directorate within the Council." will support the delivery of high quality services to our most vulnerable citizens in protecting them from avoidable harm.

A Corporate Safeguarding Policy will also support the delivery of the Health and Wellbeing Strategy 2017-2020 which seeks to improve outcomes for the people of Walsall, specifically the second priority: Maximising people's health, wellbeing and safety.

11. Staffing implications

Adopting a Corporate Safeguarding Policy will require no changes in the current staffing structures or any other existing policies. Directorates are asked to nominate a Designated Safeguarding lead who will act as the single point of contact for members of their Directorate. These individuals will be provided with annual training input.

The Corporate Safeguarding Policy also supports the current expectation of Councillors laid out in the existing Members Code of Conduct.

12. Reducing inequalities

This policy relates to all children and to adults at risk over the age of 18 regardless of gender, age, ethnicity, disability, sexual orientation or religion or cultural background.

Adopting a Corporate Safeguarding Policy will support will support the delivery of high quality, effective services to vulnerable citizens and will ensure services are targeted where they are most needed.

13. Consultation

A copy of the draft policy was sent to each Directorate on 12 July for consideration at each DMT accompanied with a request for feedback.

Environment & Economy requested attendance at their DMT meeting on 6 August. Issues and clarifications discussed were:

- A explanation in relation to the ultimate statutory responsibility for the respective Executive Directors of Childrens Services and Adult Social Care
- A request for clarification about the number of Designated Safeguarding leads within each Directorate as the number of different locations within E&E mitigates against a single point of contact or single Designated Safeguarding lead. The draft policy has bene amended to reflect that a minimum of one Designated Safeguarding lead is required.
- Discussion about the type and level of training to be provided
- Concerns that sharing a concern may not result in the issue being resolved, a confidence that the issue would be addressed

A draft of the policy was sent to Legal Services on 12 July; minor amendments were received and have been incorporated.

A copy of the draft policy was forwarded to Councillors Wilson and Martin in their roles as portfolio holders on 16 July, Councillor Wilson responded on 17 July as follows:

“The only comment I would make is for number 6.3 on page 5. Whilst I understand the potential conflict of interest, I think that the training should demonstrate how elected members can be assured that their constituents’ case is being handled correctly without interfering with any safeguarding work being carried out.”

Background papers

- Corporate Safeguarding Policy

Author

Carol Boughton
Head of Safeguarding

☎ 655848

✉ Carol.boughton@walsall.gov.uk



Sally Rowe
Executive Director

28 August 2018

Councillor Wilson
Portfolio holder

28 August 2018



Corporate Safeguarding Policy

Purpose:

The purpose of this document is to introduce the Council's Policy for Safeguarding Children and Adults. The following are the objectives of the Safeguarding Policy:

To highlight how Walsall Council undertakes its legal commitments in the field of safeguarding children and adults;

To give assurance to members of the public, service users, councillors, employees and people working on behalf of the Council that there are clear arrangements in place to safeguard and protect children and adults;

To ensure that Council staff and councillors have clear guidelines for when a child or adult may be at risk of harm or their wellbeing is being adversely affected;

To ensure that staff within the council work together to protect people from abuse or harm of any kind.

Scope:

This policy relates to all children and to adults at risk over the age of 18 regardless of gender, age, ethnicity, disability, sexual orientation or religion or cultural background. By the nature of the organisation, it is inevitable that various degrees of contact with children and adults at risk will occur and it is therefore our policy to have in place clear guidelines for safeguarding and promoting their welfare as well as protecting our employees and other adults in a position of responsibility from potential allegations of abuse.

Responsibilities:

Every Councillor, every member of staff, every volunteer and every contracted service provider has a responsibility to adhere to the procedures and guidance set out in this policy.

1. Introduction

1.1. One of Walsall Council's corporate priorities is to ensure that vulnerable people are protected and are able to live as independently as possible.

1.2. As a Council, we believe that every child and adult has a right to be safe from harm. The Council acknowledges its role and responsibilities to provide definite guidance for staff, Councillors, partners and those people whom we serve in this key field.

1.3. Corporate Safeguarding is everybody's business in every Directorate within the Council. While Children's Services and Adult Social Care are the lead services for dealing with enquiries regarding allegations or concerns that children and adults may be suffering significant harm or experiencing or at risk of abuse or neglect, everyone working or contracted within the Council has a responsibility to safeguard the welfare of children, young people and adults, whatever the role of the individual.

1.4. "Safeguarding" is a wider concept than the protection of children and adults and includes promoting:

- Physical, emotional and mental health
- Protection from harm and neglect (including financial abuse)
- Education, training and leisure
- Contribution to society
- Social and economic well-being

1.5. Although every organisation working with children, young people and adults should be committed to safeguarding and promoting their welfare, a number of organisations have statutory roles or duties:

- Under Part 3 of the Children Act 1989 and Part 2 of the Children Act 2004, Walsall Council has a duty to ensure that it undertakes its functions in a way that safeguards and promotes the welfare of children
- under Section 17 of the Crime and Disorder Act 1998, it is Walsall Council's duty to ensure that every reasonable step is taken to protect adults and prevent crime and disorder when it undertakes its functions
- Part 1 of the Care Act 2014 establishes a clear legal framework for how local authorities and other statutory agencies should protect adults with care and support needs who are at risk of abuse or neglect.

2.0. Scope of this document

2.1. The following are the objectives of the Safeguarding Policy:

- to highlight how Walsall Council undertakes its legal commitments in the field of safeguarding children and adults
- to give assurance to members of the public, service users, councillors, employees and people working on behalf of the Council that there are clear arrangements in place to safeguard and protect children and adults
- to ensure that Council staff and councillors have a clear understanding for recognising when a child or adult may be at risk of harm

2.2. As a Council we believe that it is unacceptable for a child or an adult to be abused or harmed in any way. This is reflected in the following principles which form the basis of the Policy:

- every child and adult has a right to participate in a safe society without any violence, fear, abuse, bullying and discrimination
- every child and adult has the right to be protected from harm, exploitation and abuse
- as a Council we will put the welfare of children and adults centrally in our policies and procedures
- as a Council we will work closely in partnership with children, their parents, carers and adults and other agencies to safeguard and promote the welfare of children and adults
- we will respect the rights, wishes, feelings and privacy of children and adults by listening to them and minimising any risks that may affect them
- invest in preventative work and early intervention and try to avoid situations where abuse or allegations of abuse or harm may occur

3.0. Outcomes

3.1. This Policy reflects the Council's commitment to safeguard children and adults and to protect them from being abused.

3.2. We will measure the impact in order to achieve the following high level outcomes:

- A clear understanding amongst staff, councillors and those working on behalf of the Council of the policies for safeguarding children and adults.

- Robust corporate and Directorate procedures in place to ensure compliance with the policy introduced here.
- Clear and accessible communication arrangements in place across the organisation, including information about the key officers in each Directorate who are responsible for children and adult safeguarding issues.
- Consistency between these procedures which are operational and associated protocols for safeguarding children and adults.

3.3. Staff and councillors will receive information and training regarding safeguarding and this will result in a continuous and permanent arrangement within the Council.

4.0. Roles and Responsibilities

4.1. Every member of staff, councillor, volunteer and service provider has a responsibility in the field of safeguarding and a duty to adhere to the procedures set out in this policy.

4.2. By following the correct procedures, we will ensure that the appropriate steps are implemented to deal with any allegation or concern and ensure that services are planned and delivered in a way which safeguards children and adults, and that staff and Councillors are enabled to conduct themselves safely.

4.4. This means that every Directorate within the Council has a key role to play and has to take full ownership of safeguarding matters. In addition, every Directorate needs to understand where safeguarding issues are most likely to arise in their particular service and ensure they adhere to this policy in managing them safely.

4.5 Clear arrangements and procedures are in place across in both Children's Services and Adult Social Care to ensure that enquiries into allegations and concerns that children and adults may be suffering or at risk of suffering harm receive due consideration.

5.0. Functions of Key Officers and Councillors

5.1. The Chief Executive has the general responsibility for ensuring that there is an effective safeguarding policy and procedures for children and adults in place and that they are implemented.

5.2. The Chief Executive is also responsible for the development of effective corporate governance and satisfying all the statutory requirements. However, there are other Key Officers who have safeguarding responsibilities.

5.3. The Executive Directors for Children's Services and Adult Social Care have the final responsibility for safeguarding issues. They are responsible for ensuring that the Council has appropriate safeguarding measures in place to protect children and young people, adults and vulnerable older people and are responsible for reporting at a corporate level to councillors on their effectiveness.

5.4. These Directors are also responsible for the following:

- supervising the process of implementing, monitoring and improving the safeguarding and protection procedures for children and adults
- ensuring that there are robust reporting arrangements and processes in place for safeguarding children and adults and to report at a corporate level and to Councillors
- ensuring the effectiveness of the Walsall Safeguarding Children Board (WSCB) and the Walsall Safeguarding Adult Board (WSAB)
- ensuring that lessons are learned as a result of practice and directorate reviews in respect of children and adults and that they are applied as necessary by every agency,

acknowledging that the effectiveness of arrangements are dependent on the quality of the contribution of every agency

- raising the profile, supporting the policy and ensuring that the Council complies fully with the Policy for Safeguarding Children and Adults
- ensuring that every member of staff in Children's Services and Adult Social Care understands and implements high standards in terms of identifying risks and safeguarding practices
- promoting greater awareness amongst the public of issues relating to safeguarding children and adults and ensuring social work practices evolve in light of appropriate research
- raising standards in practice by means of ensuring that professional supervision, training and other opportunities to learn and reflect are available, so that staff are supported appropriately
- submitting observations, in the statutory role, to Councillors

5.5. Whilst every member of staff has a responsibility to safeguard and promote the welfare of children and adults, the Executive Directors are the Senior Officers in the Council with the final accountability for this area of work.

6.0 Councillors

6.1. Because of the importance of safeguarding for all Councillors, it is a requirement that every Councillor attends training in respect of safeguarding children and adults. Training will be provided to all new members and register will be kept of those attending; this will be reported as part of the performance monitoring arrangements. The training will raise awareness amongst Walsall Councillors of this Policy and increase their understanding of the safeguarding procedures that exist within the Council.

6.2. An annual refresher course will be provided to enable Councillors to update their knowledge and understanding and enable them to respond appropriately to safeguarding issue when they become aware of them

6.3. Constituents will occasionally ask for assistance with these issues or ask Councillors to intervene on their behalf. Councillors should advise the constituent to seek legal advice. It is not appropriate for Councillors to become involved as it could give rise to a conflict of interest with the Council's statutory responsibilities to safeguard children and adults, investigate and take action in respect of allegations of abuse or neglect.

6.4. If Councillors become aware of individual cases of safeguarding concerns relating to children or adults arising from work with their constituents they have a responsibility to report these concerns to the relevant Directorate.

6.5. Councillors will receive the following information in respect of safeguarding:

- Councillors on the Education and on the Children's Services Overview will have an important role in scrutinising information contained in the Executive Director of Children's Services Annual Report which will include the annual report for the Walsall Safeguarding Adult Safeguarding Board
- Councillors on the Social Care and Health Overview and Scrutiny Committee also have an important role in scrutinising information in relation to adult social care and ensuring that adults with care and support needs receive support and protection and will receive a report from the Executive Director of Adult Social Care on an annual basis which will include the annual report for the Walsall Safeguarding Adult Safeguarding Board
- Councillors on the Corporate Parenting Board will receive information in respect of looked after children

- Councillors of the Health and Wellbeing Board will receive a joint report from the Executive Directors for Children's Services and Adult Social Care
- The Executive Directors of Children's Services and Adult Social Care will report on the work of the Council to all Councillors on an annual basis
- It is the duty of councillors to ensure that effective corporate policies and procedures are in place and followed throughout the organisation

6.6. Any lessons from Walsall Safeguarding Children Reviews or Adult Safeguarding Reviews will also be identified to Councillors as part of these reports

6.8. This Policy is in addition to the Member's Code of Conduct and the principals within the Code of Conduct should always be applied to every situation.

7.0. Designated Managers within Every Directorate

7.1. Every Directorate within the Council will be required to nominate a minimum of one "Designated Manager" for dealing with safeguarding children and adult's issues within each service within the Directorate.

7.2. The Designated Managers are responsible for:

- acting as a key source of advice and support for other staff in the Directorate on how to access advice on safeguarding issues
- being familiar with Walsall Council's Corporate Policy for Safeguarding Children and Adults
- ensuring that there are effective internal procedures to deal with concerns within the Directorate by working closely with Children's Services and Adult Social Care to achieve this
- ensuring that the process of complying with this Policy is monitored through an annual report to the Corporate Management Team (CMT)
- attending the relevant training for Designated Managers

7.3. Any member of staff with concerns regarding the behaviour of a colleague towards children or an adult should contact the Designated Manager within their Directorate immediately.

8.0. All Service Leads

8.1. All Service Leads, through their Management Teams will be jointly responsible for ensuring that all the statutory requirements in terms of safeguarding and promoting the welfare of children and adults receive due consideration. This includes the quality, content and frequency of training provided and maintaining sufficient staff training records.

8.2. All Service Leads are expected to fully comply with this Corporate Policy and to adhere to the Safe Recruitment Policy & Safe Recruitment Guidance Manual (Employment) accessible via the Inside Walsall intranet website.

9.0. Every Line Manager

9.1. Every Line Manager is responsible for ensuring that the staff for whom they are responsible receive the safeguarding training which they need, proportionate to their responsibilities. The Workforce Development Team will incorporate Corporate Safeguarding into all training delivered. A priority will be the training of Designated Safeguarding Managers in each Directorate.

9.2. Every member of staff and all volunteers are responsible for undertaking their duties in a manner which safeguards and promotes the welfare of children and adults. They must also act in a way which protects them against false allegations of abuse as far as possible and in accordance with this policy. They must bring issues of concern regarding the safety and welfare of children

and adults to the attention of the Designated Manager in their Directorate. Staff who feel unable to raise any identified issues with their Designated Manager should utilise the Council's Whistleblowing Policy, available on the Inside Walsall staff intranet and external WSCB and WSAB websites.

10.0. Contractors, Sub-contractors or Other Organisations funded by or on behalf of Walsall Council

Contractors, sub-contractors or other organisations funded by or on behalf of the Council are responsible for arranging the necessary checks through the Disclosure and Barring Service and for ensuring that their staff comply with regulatory and contractual arrangements relating to safeguarding children and adults. Some organisations are also required to undertake an annual self-assessment of safeguarding arrangements, and to report outcomes, as part of contract monitoring arrangements. It is expected that this will apply to more organisations over time. Contractors are also responsible for informing relevant managers of the Council about any concerns they may have and to refer protection issues. Compliance with Walsall Council's expectations regarding safeguarding will be monitored via existing contract monitoring arrangements.

11.0. Clarity Regarding the Referral Process

11.1. Any member of staff with concerns regarding the safety of an individual, or the behaviour of a colleague towards children or an adult should contact the Designated Manager within the Directorate immediately.

11.2. If a Councillor (or any member of the public) has concerns regarding the safety of an adult or a child then the following should be contacted immediately:

Children: please contact the Multi Agency Safeguarding Hub (MASH) on **0300 555 2866** between 8:45am and 5:15pm (Monday to Thursday) and 8:45am and 4:45pm (Friday).

Adults: please contact **0300 555 2922** between 8:45am and 5:15pm (Monday to Thursday) and 8:45am and 4:45pm (Friday).

11.3. The Emergency Duty Team should be contacted on 0300 555 2922 if the issue arises after 5.00pm, Monday to Thursday, after 4.30pm on a Friday or on weekends and Bank Holidays.

11.4. The Police must be contacted immediately if a child or adult is in immediate danger.

11.5. If the Designated Manager is unavailable, then the matter must be referred to the relevant team without delay.