



# **APPENDIX A**

## **Safeguarding Children, Young People & Vulnerable Adults Policy**

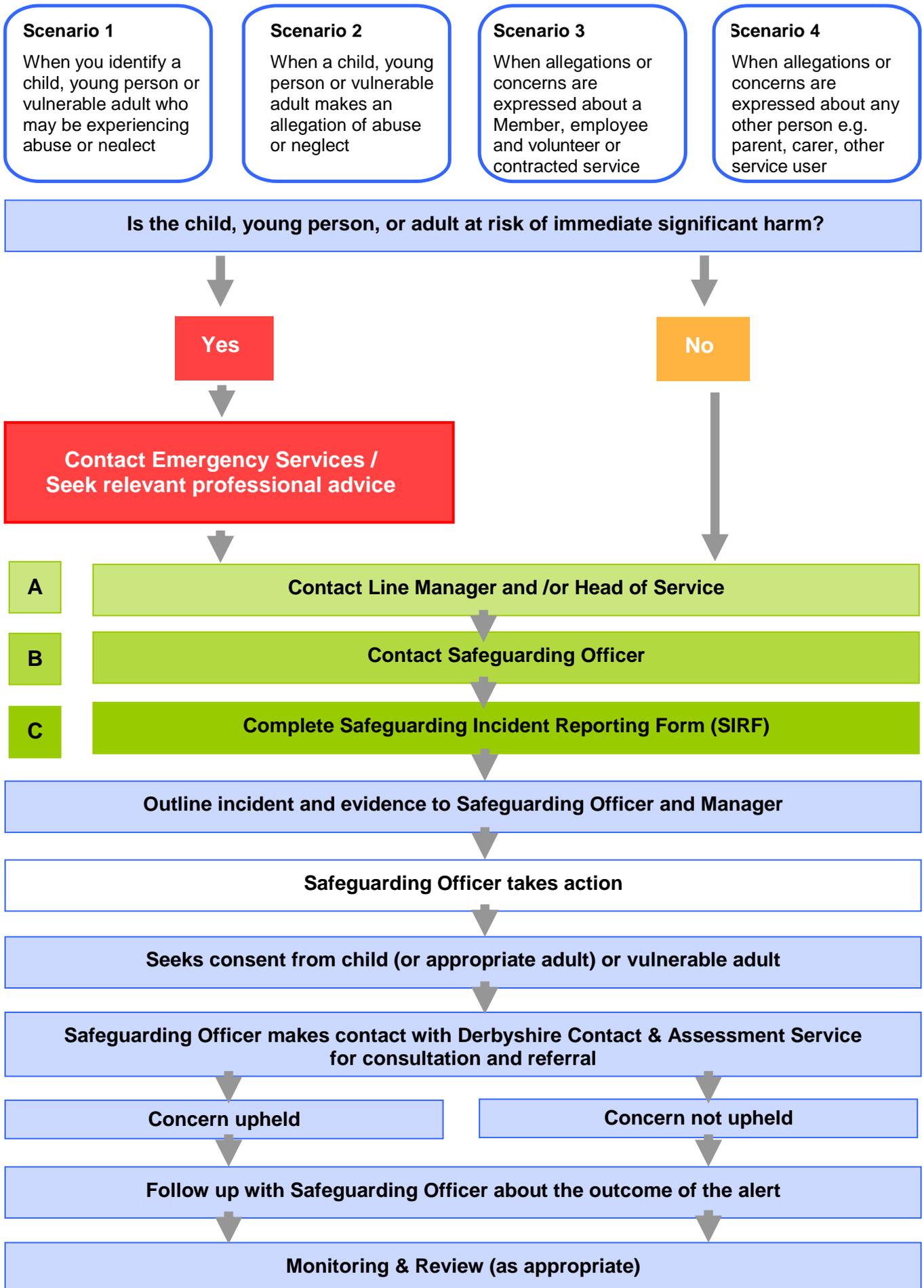
**Final Draft**

Revised December 2012

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# Safeguarding 'Quick View' Procedure Overview



## 1. Introduction

- 1.1. Safeguarding is 'everyone's business.' This Policy sets out South Derbyshire District Council's (from hereon referred to as 'the Council') responsibilities to ensure children, young people and vulnerable adults are kept safe from harm.
- 1.2. This Policy must also be read in conjunction with the supplementary guidance and suite of documents on the intranet site, which provides specific detail on the procedures that staff must follow:

<http://harvey/corporate/organisationaldevelopment/policy/equalities/Safeguarding/>

## 2. Purpose and Scope

- 2.1 As a service provider, the Council is committed to safeguarding children and will endeavour to work with parents and other relevant parties in planning and organising activities that ensure all children and vulnerable adults are able to take part at levels appropriate to their needs.
- 2.2 The purpose of this Policy and the associated procedures is to protect and promote the welfare of the children, young people and vulnerable adults using or receiving services provided or commissioned by the Council, and to support the Council's officers, elected members and volunteers in fulfilling their statutory responsibilities.
- 2.3 The Council recognises that Derbyshire County Council's (DCC) Children's Social Care and the Police are the lead agencies in the district with regard to child protection and DCC's Adult Social Services is the lead agency with regards to vulnerable adults. However, the Council recognises that everyone has a responsibility for child protection and protecting vulnerable adults, including all employees and elected Members.
- 2.4 Therefore, the role of the Council is not to investigate allegations of abuse, it is the responsibility for all Council Members, employees, volunteers and contracted services providers to take action when they suspect or recognise that a child, young person or vulnerable adult may be a victim of harm or abuse.
- 2.5 This Policy demonstrates how the Council will meet its legal obligations and reassure members of the public, service users, Members, employees, volunteers and those working on behalf of the Council that:
  - a) They can expect the Council to do to protect and safeguard children, young people and vulnerable adults;
  - b) They are able to safely voice any concerns through an established procedure;
  - c) All reports of abuse or potential abuse are dealt with in a serious and effective manner;
  - d) There is an efficient recording and monitoring system in place;
  - e) Members, employees, volunteers and contractors receive appropriate training;
  - f) Robust 'safer' recruitment procedures are in place.
- 2.6 This is a corporate policy. However, different service areas and venues may have specific additional policies and operating procedures that need to be adhered to when working in those particular service areas.

### **3. Legal Duties**

- 3.1 The Children Act 1989 states that the child's welfare is paramount and 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 Sections 10, 11 and 13 of the Children Act 2004 and specifies what is required of the Council.
- 3.2 When a young person reaches the age of 18 the responsibility for their well being may transfer to Adult Service Providers.
- 3.3 The Council has a duty to co-operate with Derbyshire County Council in discharging its duties as a Children's Services Authority and to promote the well-being of children and young people.
- 3.4 Derbyshire County Council is also the lead agency for the protection of vulnerable adults. The Council is committed to working in partnership with DCC in delivering their responsibilities around Safeguarding Adults.
- 3.5 Work in compliance with the Derbyshire Safeguarding Children Board and the Derby and Derbyshire Safeguarding Vulnerable Adults Partnership.
- 3.6 The Council must carry out its safeguarding responsibilities by ensuring that the needs and interests of children, young people and vulnerable adults are considered by all Members, employees, volunteers and contracted services, when taking decisions in relation to service provision

#### **Practical considerations for the Council, include**

- a) Senior management commitment to the importance of safeguarding and promoting children's welfare.
- b) A clear statement of the Council's responsibilities to children, available to staff.
- c) Clear lines of accountability for work on safeguarding and promoting well being.
- d) Using the views of children and young people to help shape services.
- e) Safer recruitment procedures for those coming into contact with children and young people.
- f) Appropriate training for staff, Member's and volunteers.
- g) A duty to promote inter-agency cooperation between named agencies, including district councils.
- h) Representation on, and participation in, local Safeguarding Children's and Vulnerable Adult's Boards.
- i) Effective working relations within the Council and with other agencies to safeguard and promote well-being and to share information effectively.

## **4. Policy Position**

### **Principles**

- 4.1 The Council believes 'Safeguarding' is a commitment to the following principles for children, young people and vulnerable adults:
- a) Their welfare is paramount
  - b) Whatever their background and culture, parental or pregnancy status, age, disability, gender, racial origin, religious belief, sexual orientation and/or gender identity, they have the right to participate in society in an environment which is safe and free from violence, fear, abuse, bullying and discrimination.
  - c) They have the right to be protected from harm, exploitation, abuse, and to be provided with safe environments to live and play.
  - d) Working in partnership with them, alongside their parents or carers and other agencies, is essential to the promotion of their welfare.

### **Policy Statement**

- 4.2 The Council is committed to safeguarding children, young people and vulnerable adults from abuse when they are engaged in services organised and provided by, or on behalf of, the Council. The Council will:
- a) Endeavour to keep residents and service users safe from abuse. Suspicion of abuse will be responded to promptly and appropriately. We will always act in the best interests of the child, young person or vulnerable adult.
  - b) Proactively seek to promote the welfare and protection of all children, young people and vulnerable adults living in South Derbyshire at all times.
  - c) Ensure that unsuitable people are prevented from working with children, young people and vulnerable adults through robust 'safer recruitment' procedures.
  - d) Deal with any concern raised by a Member, employee, volunteer, contracted service provider, or member of the public appropriately and sensitively.
  - e) Safeguarding referrals made by a Member, employee, volunteer or contracted service provider cannot be anonymous and should be made in the knowledge that, during the course of enquiries, the referrers may be required as prosecution witnesses.
  - f) Not tolerate harassment of any Member, employee, volunteer, contracted service provider or child, young person or vulnerable adult who raises concerns of abuse or neglect.
  - g) Work in co-operation with DCC and make appropriate changes and amendments to improve the Council's safeguarding policies and procedure as recommended by the Derby and Derbyshire Vulnerable Adults Partnership and the Derbyshire Safeguarding Children Board.
  - h) Prevent abuse by using good practice to create a safe and healthy environment and avoid situations where abuse or allegations of abuse could occur.
  - i) Establish an appropriate governance structure, made up with representatives from Service areas across the Council to monitor activity and make necessary improvements around this agenda, led by the Safeguarding Officer. This Forum will link to the appropriate Safeguarding Boards, subgroups and report to the Corporate Management Team.

## Scope

- 4.3 This Policy covers all Members, employees and volunteers at the Council, including contracted service providers.
- 4.4 While Members, employees, volunteers and contracted services providers are likely to have varied levels of contact with children, young people and vulnerable adults as part of their duties and responsibilities for the Council, everyone should be aware of the potential indicators of abuse and neglect and be clear about what to do if they have concerns. Responsibilities are limited and it is important to remember the following:

It is **not** the responsibility of any South Derbyshire District Council Member, employee, and volunteer or contracted service provider to determine whether abuse is actually taking place

### HOWEVER

It **is** the responsibility of the elected member, employee, and volunteer or contracted service provider to take the actions set out in the procedure, if they are concerned abuse is taking place

## 5. Safeguarding Roles, Responsibilities and Governance in the Council

- 5.1 The roles and responsibilities of Members, Officers, volunteers, contractors and other bodies funded by the Council are outlined below:
- (a) **Chief Executive or Officer from the Corporate Management Team (CMT).** The Chief Executive and the CMT are responsible for ensuring that this Policy and related procedures are implemented, monitored and consistently reviewed. The Chief Executive is also responsible for nominating an Officer to represent the Council on the Local Child and Adult Safeguarding Boards and relevant sub-groups.
  - (b) **Lead Member.** The Member who is 'champion' for Safeguarding is responsible for ensuring the implementation, consistent monitoring and improvements of the Safeguarding Policy and related procedures
  - (c) **Safeguarding Officer** is responsible for dealing with reports or concerns about the protection of children, young people and vulnerable adults appropriately and in accordance with the procedures that underpin this Policy. The Head of Corporate Services will be responsible for approving the 'Safeguarding' Policy and related procedures are implemented, monitored and consistently reviewed on a regular basis.
  - (d) **Heads of Service** must ensure that appropriate employees are subject to Disclosure & Barring Service (DBS) checks and that their staff comply with this Policy and the related procedures.

- (e) **Line Managers** (and Managers responsible for contracted service providers) are responsible for ensuring that employees follow this Policy and its related procedures and receive the safeguarding training and support they need, in line with their responsibilities and level of contact with children, young people and vulnerable adults
- (f) **All Members, employees and volunteers** are responsible for carrying out their duties in a way that actively safeguards and promotes the welfare of children, young people and vulnerable adults. They must also act in a way that protects them from wrongful allegations of abuse as far as possible. They must bring safeguarding concerns to the attention of the Safeguarding Officer.
- (g) **Contractors, sub-contractors or other organisations funded by or on behalf of the Council** are responsible for applying the appropriate DBS checks, delivering safeguarding training commensurate with their level of contact with children, young people and vulnerable adults; and ensuring their employees comply with their organisational Safeguarding Policy and Procedures.

## 6. Safeguarding Procedures

### Introduction

- 6.1 The procedure for reporting a concern or allegation, informs all the Council's Members, employees, volunteers and those contracted service providers that have accepted this Policy, of what actions they should take if they have concerns or encounter a case of alleged or suspected child, young person or vulnerable adult abuse or neglect. There are four main situations when Members, employees, volunteers and contracted service providers may need to respond and report a concern or case of alleged or suspected abuse. These are set out below:

**Scenario 1 - When you identify a child, young person or vulnerable adult who may be experiencing abuse or neglect**

**Scenario 2 - When a child, young person or vulnerable adult makes an allegation of abuse or bullying, you should:**

- Seek advice from the appropriate professional services
- Stay calm and listen carefully to what is said and allow the person to talk at their own pace, being careful not to compromise potential evidence
- if you believe the person is 'at risk' of immediate significant harm, which includes situations which any Member, employee or volunteer would reasonably believe requires the emergency services, then you must contact the relevant emergency service and notify the Safeguarding Officer, Line Manager or Head of Service
- Find an appropriate opportunity to explain, as it is likely that information will need to be shared with other responsible people.
- Only ask questions for clarification and do not ask leading questions (that suggest certain answers as this could compromise evidence)
- Reassure the child, young person or vulnerable adult that they have done the right thing in telling you
- Tell them what you will do next and who you will inform
- Immediately report to and inform the Safeguarding Officer, Line Manager or Head of Service (as appropriate and where possible)
- Record all details you are aware of on the Safeguarding Incident Reporting Form (SIRF) as soon as possible, which is available on the Council's Intranet.

- ☑ The Safeguarding Officer has a consultation with Derbyshire Contact and Assessment Service (DCAS) or makes formal referral
- ☑ The Safeguarding Officer will provide details of the alert outcome to the referring Member, employee, and volunteer or contracted service provider (as appropriate).

**Remember:** You may be the first person that a child, young person or vulnerable adult has trusted and it has probably taken a great deal of courage to tell you that something is wrong.

**Scenario 3 - When allegations or concerns are expressed about a Member, employee, volunteer or contracted service provider, you should:**

- ☑ Take the allegation or concern seriously
- ☑ Immediately inform the Safeguarding Officer, Line Manager, Head of Service or Manager (as appropriate).
- ☑ The Safeguarding Officer informs Human Resources at the earliest opportunity, and provides a report of the incident and the intended action in accordance with the Council's formal employment procedure.
- ☑ Record all details you are aware of on the Safeguarding Incident Record Form (SIRF) as soon as possible, which is available on the Council Intranet.
- ☑ The Safeguarding Officer has a consultation with Derbyshire Contact and Assessment Service (DCAS) or makes formal referral
- ☑ The Safeguarding Officer makes contact with the Derbyshire County Council's Local Authority Designated Officer (LADO).
- ☑ Any Member, employee or volunteer can make a referral to the County Council's LADO if they believe a case has been inappropriately or ineffectively investigated by the Council.

**Scenario 4 - When allegations or concerns are expressed about any other person (i.e. parent, carer, other service user), you should:**

- ☑ Take the allegation or concern seriously.
- ☑ Immediately report to and inform the Safeguarding Officer & Line Manager or Head of Service (as appropriate).
- ☑ Record details on the Safeguarding Incident Reporting Form. (SIRF), which can be found on the Council's intranet
- ☑ The Safeguarding Officer has a consultation with Derbyshire Contact and Assessment Service (DCAS) or makes formal referral
- ☑ The Safeguarding Officer will provide details of the alert outcome to the referring Member, employee or volunteer.

**Who should complete the Safeguarding Incident Reporting Form (SIRF)**

- 6.2 It is the responsibility of the person who directly observes or witnesses the event (e.g. living situation) that is being recorded or who has participated in the meeting / conversation, to complete the record. Where this is not possible and records are completed or updated by other people, it must be clear from the record which person

provided the information. Preferably, the person with first-hand knowledge should read and sign the record. **There must be clear differentiation between opinion and fact.**

- 6.3 Records of decisions must show who has made the decision, the basis for it, the date and time.

### **Recording Concerns**

- 6.4 If any Member, employee or volunteer has concerns about the welfare or safety of a child, young person or vulnerable adult, or has concerns about the behaviour of a Member, employee or volunteer, it is vitally important to record all relevant details regardless of whether or not the concerns are shared with the Police or Derbyshire County Council A record must be kept (even if no referral is subsequently made) of:
- The Safeguarding Officer will provide details of the alert outcome to the referring Member, employee or volunteer.
  - Date and time of incident or disclosure.
  - Parties involved, including any witnesses to an event.
  - What was said and done, and by whom.
  - Any action taken by the Council and staff to look into the matter.
  - Where relevant, the reasons why a decision was taken not to refer those concerns to a statutory agency.
  - Any interpretation or inference drawn from what was observed, said, or alleged should be clearly recorded as such
  - Name of person reporting the concern, name and designation of the person to whom the concern was reported, date, time and their contact
  - The record should be signed
- 6.5 Records may be used for: evidence for investigations and inquires; Court Proceedings; Monitoring Quality Assurance; and Disciplinary procedures.
- 6.6 The Safeguarding Officer will then manage the process and follow guidance on information sharing, confidentiality, consent and making appropriate referrals to Derbyshire County Council.

## **7. Recruitment**

- 7.1 The Council is committed to safer recruitment procedures set out by the Derbyshire Safeguarding Children Board (DSCB) and the Derby & Derbyshire Safeguarding Vulnerable Adults Partnership. Where it is identified that services or staff have regular or frequent contact with children, young people and vulnerable adults then appropriate procedures are initiated by the recruiting Manager and the relevant Human Resources Officer (who should receive Safer Recruitment training from DSCB and DSVAP).

### **Risk Assessment**

- 7.2 It is the responsibility of the recruiting manager to undertake a risk assessment for the job description and person specification for those roles likely to involve regular and/or substantial unsupervised contact with children, young people or vulnerable adults before recruitment takes place. This will ensure that only appropriate individuals are selected to undertake Disclosure & Barring Service (DBS) checking procedures. The risk assessment for an adult working with vulnerable adults must also take into

account other forms of potential abuse, which do not necessary apply when working with children (e.g. financial abuse).

### **Disclosure & Barring Service (DBS) Checks**

- 7.3 The Council's scope for working directly with children, young people or vulnerable adults is limited. DBS checks should only be sought where a Member, employee or volunteer has substantial, regular or unsupervised contact with children, young people or vulnerable adults as part of their duties or responsibilities for, or on behalf of, the Council.

Specific procedures and guidance on safeguarding children, young people and vulnerable adults can be found here:

<http://harvey/corporate/organisationaldevelopment/policy/equalities/Safeguarding/>

## **8. The Way Forward: Action Plan**

- 8.1 Implementation of the Safeguarding Children, Young People and Vulnerable Adults Policy is through the actions listed in the attached action plan at Appendix A. None have cost implications, although officer time is needed to implement them.
- 8.2 The main anticipated outcomes for delivering the Equalities & Safeguarding Action Plan are:
- To ensure the Council has a properly documented and formally approved strategy and implementation plan in place.
  - To ensure that the Council has governance structures in place that clearly defines roles and responsibilities and reporting lines for 'safeguarding'.
  - To ensure that 'safeguarding' is adequately incorporated within the Council's recruitment and training procedures.
  - Consequently, to embed "safeguarding" practices into all council services.

## **9. Action Plan Monitoring**

- 9.1 The delivery of this Policy will be monitored on a quarterly basis by the Head of Corporate Services. An Annual Report will also be presented to the Management Team and Members.