

Report To: County Council
Date of Meeting: 25 February 2014
Lead Member / Officer: Councillor Barbara Smith
Report Author: Linda Atkin, Head of HR
Title: Policies & Procedures

1. What is the report about?

The report relates to two HR policies which have recently been developed:

- a) Domestic Abuse, Violence against Women and Sexual Violence Policy.
- b) Disclosure and Barring Service Policy (replaces the previous CRB Policy)

2. What is the reason for making this report?

To gain Full Council approval to adopt these two policy for Denbighshire County Council.

3. What are the Recommendations?

That Full Council agrees to adopt the following policies:

- c) Domestic Abuse, Violence against Women and Sexual Violence Policy.
- d) Disclosure and Barring Service Policy

4. Report details.

Domestic Abuse, Violence against Women and Sexual Violence Policy

The Welsh Government commissioned the 10,000 Safer Lives Project to ensure that all relevant service providers and organisations are able to identify the signs of domestic abuse and are able to effectively support individuals who experience domestic abuse.

As part of this project there is a requirement for the Council to introduce a Domestic Abuse, Violence against Women and Sexual Violence Policy. The policy is based on a standard policy developed by the Welsh Government and the categories used are those defined by the 10,000 Safer Lives Project which is why there is a specific category relating to violence against women.

The policy details Denbighshire County Council's condemnation of any form of domestic abuse, violence against women and sexual violence and recognises it is both a crime and unacceptable.

It details the Council's commitment to developing a workplace culture in which there is zero tolerance for domestic abuse, violence against women and sexual violence and recognises that the responsibility for this lies with the perpetrator.

We also wish to send out a strong message that domestic abuse, violence against women and sexual violence is unacceptable.

The policy details the responsibility of Managers, HR and other employees along with what support the victim/survivor can expect from the Council. It provides managers with clear guidance on what they should do if an employee discloses to them that they have been subjected to domestic abuse, violence or sexual violence.

A very useful section of the document is the practical support that the Council can offer to an employee which will ensure that those experiencing domestic abuse and sexual violence are able to work in a safe and supported workplace.

A copy of the proposed policy is attached in Appendix 1.

Disclosure and Barring Service Policy

Denbighshire County Council has a duty to ensure the suitability of all those it employs in whatever capacity. Proper recruitment practices form a crucial part in the protection of Council's vulnerable clients.

As part of the recruitment procedures the Council uses Disclosure and Barring Service (DBS) checks where appropriate and subsequently makes a decision regarding the employment of that person within the Council.

The Disclosure and Barring Service (DBS) replaces the Criminal Records Bureau (CRB) and Independent Safeguarding Authority (ISA) and this policy has been developed to meet the changes required as a result of this merger. The new policy complies with the DBS Code of Practice.

The main policy change within this document is the increase in the period between checks. For all posts that require a Disclosure Certificate, the Council requires each post holder to be re-checked every four years – this was previously 3 years. However, in accordance with the Care Standards Inspectorate for Wales some roles may require a three yearly DBS Check in order to meet their registration requirements. All school Governors will be checked on appointment.

Other changes have been introduced as a result of the Safeguarding of the Vulnerable Groups Act regarding the definition of regulated activity for Children and Adults and as a result Heads of Services have been requested to review all posts within their service to ensure compliance with the new regulations.

The new policy stresses the importance of employees not starting without the required checks. However, it does recognise that in exceptional circumstances this may be required and has introduced a risk assessment process for such circumstances which has to be signed off and agreed by the appropriate Head of Service/Head Teacher.

A copy of the proposed policy is attached in Appendix 2.

5. How does the decision contribute to the Corporate Priorities?

The agreement and implementation of the Domestic Abuse Policy will contribute towards the council legal obligation to ensure employees have a safe working environment.

There is also potential for it to contribute towards the Council's priority to reduce sickness absence levels within the services.

This DBS Policy will ensure that the Council meets its safeguarding obligations.

6. What will it cost and how will it affect other services?

There are no additional costs associated with the implementation of either policy.

7. What are the main conclusions of the Equality Impact Assessment (EqIA) undertaken on the decision? The completed EqIA template should be attached as an appendix to the report.

Copies of the Equality Impact Assessments are attached in Appendix 3 for information.

8. What consultations have been carried out with Scrutiny and others?

The changes to the policy have been distributed for consultation with the Council's Senior Leadership Team and recognised Trade Unions. The two documents were referred to LJCC on the 12th February 2014, where both documents were recommended for adoption by Full Council.

9. Chief Finance Officer Statement

There are no cost implications resulting from the introduction of these policies.

10. What risks are there and is there anything we can do to reduce them?

There are no risks associated with the implementation of these policies.

11. Power to make the Decision

Power to make the decision is s112 Local Government Act 1972