



**Denbighshire Internal Audit Services**  
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# Internal Audit Follow Up – Corporate Safeguarding Review

March 2016



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## Purpose & Scope of Review

We originally carried out a review of corporate safeguarding, as requested by the Chief Executive, to ensure that there are robust arrangements in place to safeguard children and vulnerable adults across the Council and in organisations providing services on its behalf. We gave a low assurance rating due to the number of risks/issues that we raised.

We have now carried out our first follow up of corporate safeguarding to ascertain progress with addressing these risks/issues.

### Assurance Rating (Based on areas reviewed)

	High Assurance	Risks and controls well managed
	Medium Assurance	Risks identified but are containable at service level
	Low Assurance	Risks identified that require meeting with Corporate Director/Lead Member
	No Assurance	Significant risks identified that require member / officer case conference

## Audit Opinion

Overall, good progress has been made to address the risks/issues we identified as part of our original review. The governance arrangements have improved in terms of ensuring that there is adequate representation across all services on the Corporate Safeguarding Panel and through reviewing its terms of reference. The introduction of the work streams for communication, performance, and training and awareness has provided a dedicated work programme for the Panel so it can prioritise its work and monitor performance. More dedicated resources have been allocated to corporate safeguarding since our original review through the Chair of the Corporate Safeguarding Panel increasing his involvement, thus ensuring that there is sufficient capacity for continuous improvement.

Additionally, work has been undertaken to strengthen existing arrangements with Disclosure Barring Service (DBS) checks through the review of the policy and the monitoring and reporting to heads of service. This has resulted in an improvement in complying with the DBS policy.

The key area to address is to ensure that members of staff and elected members are aware of their responsibilities for corporate safeguarding. While the original agreed action is not yet due, the Corporate Safeguarding Policy has recently been reviewed and a promotion campaign developed to ensure that it is shared and to raise awareness of its existence. Similarly, while safeguarding training has continued in some services, the planned corporate training module is still being developed. In addition, not all elected members have attended the mandatory corporate safeguarding training sessions or the Council briefing session in November 2015.

Despite the fact that there is still a lack of corporate awareness of corporate safeguarding, which has not yet been embedded across all Council functions, good progress in addressing several risks/issues means that we are able to improve our assurance rating to 'Medium'. Once the training and guidance is available, this should help to address the outstanding risks/issues and the misconception that safeguarding is the role of Social Services and not a corporate responsibility.

# Action Plan Progress

**Audit Review of:** Corporate Safeguarding Review – First Follow Up  
**Date:** March 2016  
**Action Plan Owner:** Corporate Director: Communities

Corporate Risk/Issue Severity Key	
	<b>Critical</b> – Significant CET and Cabinet intervention
	<b>Major</b> – intervention by SLT and/or CET with Cabinet involvement
	<b>Moderate</b> – Containable at service level. Senior management and SLT may need to be kept informed

Risk/Issue No.	Risk/Issue	Agreed Action Responsibility & Timescale	Current Status	Further Action Needed
1.	The Corporate Safeguarding Panel is not fulfilling its roles and responsibilities as detailed in its Terms of Reference. Once the membership of the Panel is reviewed, there needs to be better marketing of the Panel, as currently there is a lack of awareness and scrutiny of its work.	The Panel’s terms of reference will be circulated and reviewed to confirm that the roles and responsibilities detailed are still relevant. <b>Corporate Safeguarding Panel – November 2015</b>	<b>Complete</b> The Corporate Director: Communities confirmed that the terms of reference have been reviewed. Panel minutes for 20 January 2016 confirm that they have been agreed by Panel members.  The terms of reference will formally be reviewed annually or more often if there are any significant changes.	
		Where services are not represented currently on the Panel, Heads of Service have been contacted to identify officers who can attend. We will also establish whether services can provide a deputy if the service representative is unable to attend. <b>Corporate Director: Communities – September 2015</b>	<b>Complete</b> The Corporate Director: Communities explained that heads of service have been contacted to confirm their Designated Lead Manager (DLM) and also to nominate a deputy. The Corporate Safeguarding Policy has been updated to show current Panel membership, including where deputies have been nominated.	

	<p>Service representatives will ensure that their service is aware of the existence of the Panel and that they are aware to use them as a point of contact.</p> <p><b>Corporate Safeguarding Panel – September 2015</b></p>	<p><b>Complete</b></p> <p>Our discussions with a sample of DLMs identified how they have made members of staff in their service aware of the Panel. However, this process is not fully embedded, as we spoke to members of staff in other service areas and found that they were not aware of the Panel or their DLM.</p> <p>More dedicated resources have been allocated to corporate safeguarding, as the role of the Chair of Panel has developed into more of a facilitator role to ensure that there is sufficient capacity for continuous improvement in raising the awareness of safeguarding.</p> <p>Further work is planned to raise awareness, as the Chair of the Panel is currently meeting DLMs to discuss their responsibilities and how they can raise awareness of safeguarding within their service. It is also anticipated that corporate safeguarding will be a standing agenda item at service manager meetings.</p> <p>There is also a communications sub-group of the Panel which has developed a marketing campaign. A budget has been secured to include developing promotional material. The Team Leader (Communications &amp; Campaign Management) also attends this group to provide advice.</p>	<p>The Chair of the Panel is meeting DLMs to discuss their responsibilities and awareness raising within services.</p>
	<p>The Panel will develop a forward work programme.</p> <p><b>Corporate Safeguarding Panel – October 2015</b></p>	<p><b>Complete</b></p> <p>The Panel has prioritised three areas of work - communications, performance, and training and awareness. Each work stream has a sub-group that reports directly to the Panel. The Panel will assess its priorities every six months.</p>	

2.	Safeguarding risks are not always recorded and shared corporately to ensure that key risks have been identified and managed appropriately by services.	A communication will be sent to ensure that heads of service consider safeguarding when reviewing their risk registers. A question on safeguarding will also be included in the service challenge. <b>Corporate Director: Communities – October 2015</b>	<p><b>In progress</b></p> <p>The Corporate Director: Communities explained that Senior Leadership Team (SLT) was reminded at its meeting on 21 January 2016 to consider safeguarding when reviewing service risk registers. Therefore, it is too early for us to assess whether safeguarding risks are being considered, as risk registers have not been formally reviewed yet.</p> <p>We also note that safeguarding was briefly covered as part of a recent service challenge for Finance &amp; Assets. The Corporate Director: Communities is invited to attend the Lines of Enquiry meetings, so she can ensure that safeguarding is covered where appropriate. However, we have advised about ensuring that this is evidenced where possible, as there is nothing currently that would prompt safeguarding to be included.</p>	Risk registers to be amended to incorporate safeguarding where appropriate.  Service challenges to include a question on safeguarding where appropriate.
3.	The Deprivation of Liberty Safeguards (DoLS) process would benefit from a review as, currently, applications are not being prioritised and passed for assessment promptly. This results in poor customer service and could put the Council at risk of a legal challenge.	Establish a DoLS Co-ordinator post to manage and prioritise applications. <b>Head of Service: Community Support Services – September 2015</b>	<p><b>In progress</b></p> <p>There was a delay in appointing a DoLS Coordinator post as changes to the structure were needed before the post could be advertised.</p> <p>As part of this restructure, a new post of Team Manager for Adult Safeguarding was created and filled in January 2016, which will oversee the Protection of Vulnerable Adults, safeguarding and DoLS.</p> <p>The post of DoLS Coordinator has recently been filled, but a start date has not yet been confirmed.</p>	Once the DoLS Coordinator is in post and the restructure complete, we will assess whether the DoLS applications are being prioritised and passed for assessment promptly.
		Train more Best Interest Assessors	<b>Complete</b>	

		(BIA) to undertake BI assessments. <b>Head of Service: Community Support Services – December 2015</b>	The Corporate Director: Communities confirmed that 13 members of staff have been trained as Best Interest Assessors during 2015-16, and there is a rolling programme in place to ensure that this training continues.	
		Incorporate role of BIA within new practitioner job descriptions. <b>Head of Service: Community Support Services – January 2016</b>	<b>Complete</b> The Corporate Director: Communities explained that the new practitioner job descriptions have been amended to include the BIA role.	
4.	The Corporate Safeguarding Policy has not been made available to members of staff to help ensure that they are clear of their roles and responsibilities in relation to safeguarding. A lack of awareness could result in ineffective controls being put in place to prevent or manage safeguarding incidents, resulting in serious harm or death.	The Corporate Safeguarding Policy will be reviewed to ensure that it is up-to-date. The intention is to re-launch the Policy in April 2016 to take account of new legislation and guidance.  The Policy is currently included in the induction process and on our website, but we will consider other briefing notes and guidance on safeguarding in the meantime. <b>Corporate Safeguarding Panel &amp; Communications Group – April 2016</b>	<b>In progress (Action not yet due)</b>  The Corporate Director: Communities explained that the policy has been updated. As the amendments are not significant, the policy will not have to be formally approved again by County Council.  The Policy was circulated to the Panel in January 2016 but the minutes do not confirm the approval of the Policy despite Panel members confirming that approval was given.  The Policy will be made available to members of staff and elected members on the Council's website, and a re-launch is planned for April 2016 as part of the marketing campaign developed by the communications sub-group. Training and the Chair of the Panel's discussions with DLMs will assist in raising awareness.	This action is not yet due. The next steps are to make the Policy available to members of staff and elected members and to ensure that they are aware of it.  Use of the communications sub-group for the marketing campaign will assist in raising awareness of the policy as well as any training provided.  Panel minutes should be updated to reflect that the Policy has been approved.
5.	The Safeguarding Action Plan would benefit from a review to ensure that the actions are up-to-date and still relevant. The Plan has not been effectively monitored, which could result in actions not being effectively managed. Consideration should be given to passing the	The Social Services Education Management Team (SSEMT) no longer exists, so the Corporate Safeguarding Panel will take over responsibility for monitoring the Safeguarding Action Plan. The Plan will be reviewed to determine whether existing actions are relevant and to take account of any new actions that should be	<b>Complete</b>  As the Safeguarding Action Plan related to Education and Children's Services issues, the action plan was reviewed and a decision taken to disseminate any outstanding actions into either the service business plan for Education and Children's Services or the Corporate Safeguarding	

	responsibility of monitoring the Plan to the Corporate Safeguarding Panel.	included. This will be linked to the review of the Corporate Safeguarding Policy. <b>Corporate Safeguarding Panel – October 2015</b>	Policy.	
6.	There is no formal mechanism for recording and sharing safeguarding incidents and near misses corporately. This could result in a lack of awareness, so appropriate measures may not be put in place to prevent safeguarding incidents.	This is a standing item on the Corporate Safeguarding Panel agenda. We will also share case reviews where there is a corporate perspective for lessons learned. <b>Corporate Safeguarding Panel – November 2015</b>	<b>Complete</b> From Panel minutes, there is evidence of awareness raising of safeguarding issues and where lessons can be learned. Discussions are also held following incidents in other organisations.	
		As part of the development of the CRM system, we will look at the feasibility of having a corporate system for recording safeguarding incidents. <b>Corporate Director: Communities &amp; Head of Service: Customer and Education Support – December 2015</b>	<b>No progress</b> The Corporate Director: Communities is the project sponsor for Contact 360, for implementing a new customer relationship management (CRM) system. Once Phase 1 of the project has been implemented, she plans to incorporate corporate safeguarding into Phase 2.	We recognise that this action relies on progress with the development of the new CRM system. Once the project has progressed, consideration can be given as to how corporate safeguarding incidents can be recorded in the system.
		Service representatives will report any key messages from Panel meetings to members of staff within their services. <b>Corporate Safeguarding Panel – October 2015</b>	<b>Complete</b> Our discussions with a sample of DLMs identified how they have made members of staff in their service aware of the Panel. However, this process is not fully embedded as we spoke to staff in other service areas and they were not aware of the Panel or their DLM.  More dedicated resources have been allocated to corporate safeguarding, as the role of the Chair of Panel has developed into more of a facilitator role to ensure that there is sufficient capacity for continuous improvement in raising the awareness of safeguarding.	While the awareness is not fully embedded across the Council, we are satisfied that the current actions being taken should address this issue.

			<p>Further work is planned to raise awareness, as the Chair of the Panel is currently meeting DLMs to discuss their responsibilities and how they can raise awareness of safeguarding within their service. It is also anticipated that corporate safeguarding will be a standing agenda item at service manager meetings.</p> <p>There is also a communications sub-group of the Panel which has developed a marketing campaign. A budget has been secured to include developing promotional material. The Team Leader (Communications &amp; Campaign Management) also attends this group to provide advice.</p>	
7.	<p>Not all services have considered what performance measures are needed in relation to safeguarding. Having this in place will assist in providing assurance that safeguarding arrangements are working effectively.</p>	<p>To be incorporated into the review of the Panel's terms of reference to identify whether performance management information needs to be obtained from services.  <b>Corporate Safeguarding Panel – November 2015</b></p>	<p><b>Complete</b></p> <p>The Panel's terms of reference have been reviewed and incorporate the following:</p> <ul style="list-style-type: none"> <li>• Receive and challenge information about corporate safeguarding performance and the progress against work programmes commissioned.</li> <li>• Receive and monitor information about the performance management arrangements of every service in relation to their safeguarding responsibilities.</li> </ul> <p>Performance is one of the Panel's work streams, and initially its focus is on two performance indicators:</p> <ul style="list-style-type: none"> <li>• Roles requiring Disclosure Barring Service (DBS) checks have had them.</li> <li>• References have been received for all new starters.</li> </ul> <p>Performance reports are submitted to the Panel on a quarterly basis.</p>	<p>Not applicable</p>



8.	<p>There is insufficient vetting of new starters, as the authenticity of certificates supplied to prove qualifications and professional membership are not verified for key posts within the Council. This increases the risk of inappropriate appointments and may mean that children and vulnerable adults are not adequately protected if certificates are fake.</p>	<p>Determine the key posts within the Council that could have an impact on safeguarding. Then we will review the process for these posts to ensure that there are adequate checks done, either by the Council or through an external body. Every new employee contract issued makes reference to safeguarding.  <b>Corporate Safeguarding Panel – October 2015</b></p>	<p><b>In progress</b></p> <p>The Corporate Director: Communities confirmed that the key posts that will have an impact on safeguarding are governed by those that require a DBS check. She is satisfied that there are sufficient controls within the process for checking key social care roles, e.g. checking registration details for social workers with the Care Council for Wales. However, the Panel needs to ascertain the process for other key posts to determine whether the employee is legitimately qualified and/or has obtained professional membership.</p> <p>The HR Team Manager confirmed that contracts issued to new employees now refer to the safeguarding responsibilities of the employee.</p>	<p>The Panel needs to ascertain the vetting process to ensure that key posts that have an impact on safeguarding are legitimately qualified and are registered with the relevant professional organisation, where appropriate.</p> <p>Once these processes are clear, we will carry out testing to confirm the robustness of the measures in place.</p>
9.	<p>HR advises that new employees should not start work before a Disclosure Barring Service (DBS) check is returned, unless in exceptional cases. However, services are not allowing sufficient time for the DBS check to be cleared before the employee starts work. If adequate arrangements are not being put in place to counteract this, this may result in a lack of adequate protection for children and vulnerable adults.</p>	<p>To be included in the above review. HR does monitor this and the relevant head of service is contacted where an employee has started employment without a DBS check being in place. The Corporate Safeguarding Panel also receives a report from HR detailing this.</p> <p>HR is doing a presentation to SLT on Safer Recruitment in September.  <b>Corporate Safeguarding Panel – October 2015</b></p>	<p><b>Complete</b></p> <p>We confirmed that HR carried out a presentation of Safer Recruitment in September 2015. The Corporate Director: Communities also advised us that the DBS Policy has been reviewed to include checks for overseas personnel, and the Corporate Safeguarding Policy has incorporated the North Wales Professional Concerns Protocol.</p> <p>This has been built into the performance work stream, with quarterly reports being submitted at Panel meetings. Compliance with carrying out DBS and reference checks has also recently been reported to SLT, with significant improvement for the DBS checks. The main concern at this stage is compliance with carrying out reference checks for new members of staff and especially internal staff who have moved to a different service. These compliance reports will continue to be circulated to</p>	

			<p>heads of service on a monthly basis and work will be undertaken with their HR business partner where any non-compliance is identified.</p> <p>Our testing of a sample of new starters to the Council confirmed that DBS and references checks were carried out promptly.</p>	
10.	<p>There is a general lack of awareness about safeguarding amongst staff due to a lack of training. This could result in employees not fulfilling their duty of care in reporting safeguarding issues.</p>	<p>There have been training initiatives on safeguarding in some services, but a corporate safeguarding training package is currently being developed by the Learning &amp; Development Specialist (HR). It is hoped that this package will be piloted in October 2015.</p> <p><b>Corporate Safeguarding Panel – December 2015</b></p>	<p><b>In progress</b></p> <p>Training and awareness is one of the Panel's work streams. Training initiatives within some services have continued, e.g. within Education and Children's Services and Communication, Marketing &amp; Leisure.</p> <p>The Learning &amp; Development Specialist (HR) has started to design a corporate e-learning training module for corporate safeguarding, which was presented to Panel members in July 2015 for feedback.</p> <p>However, there has been a delay in further progressing the development of this training module due to key Panel members involved in the project leaving the Council. However, the new Social Services and Wellbeing (Wales) Act is due to be implemented in April 2016 and the new training module also needs to take into account the impact of the new legislation. The re-launch of the Corporate Safeguarding Policy is intended to coincide with the launch of the new e-learning training module.</p>	<p>Progress with the development and implementation of the e-learning module to raise staff awareness of safeguarding.</p>
11.	<p>Not all of the elected members have attended mandatory training on safeguarding so may not be clear of their roles and responsibilities. Having an elected member responsible for corporate safeguarding will assist in preventing the</p>	<p>We have recently carried out a training session for elected members on safeguarding.</p> <p>There are planned briefing sessions on safeguarding and Child Sexual Exploitation to County Council starting in November 2015. The</p>	<p><b>In progress</b></p> <p>The Corporate Director: Communities confirmed that the Leader has overall responsibility for Corporate Safeguarding and attends Panel meetings.</p> <p>Mandatory training sessions for elected</p>	<p>Elected members need to be clear of their roles and responsibilities in respect of safeguarding through their attendance at training sessions.</p>

	<p>misconception that safeguarding is the role of Social Services and Education.</p>	<p>Leader has agreed to include corporate safeguarding into his portfolio.  <b>Corporate Director: Communities – December 2015</b></p>	<p>members were held in May and July 2015.</p> <p>A Council briefing training session on Safeguarding and Protection was held in November 2015, with further sessions being planned for March 2016 (Child Sex Exploitation) and June 2016 (Lessons from Rotherham). The Corporate Director: Communities hopes that these sessions will cover those members who have not attended the mandatory training sessions.</p> <p>Our analysis of the training sessions held (May, July and November 2015) identified that:</p> <ul style="list-style-type: none"> <li>• 43% of members have not attended any corporate safeguarding training.</li> <li>• 25% of members have attended the Council briefing session but not any of the mandatory sessions.</li> <li>• 32% of members have attended a mandatory training session and the Council briefing.</li> </ul>	
12.	<p>Safeguarding arrangements with third party contractors are not robust to ensure that they have appropriate processes in place to manage safeguarding. Due to a lack of awareness, project managers within the Council may not incorporate safeguarding into the contract management process.</p>	<p>To be discussed with the Interim Head of Finance and Assets &amp; Head of Legal, HR and Democratic Services.</p> <p>Key points of conversation to be addressed include:</p> <ul style="list-style-type: none"> <li>• Contractor DBS checks</li> <li>• Ensuring that Council staff responsible on site for the contractor and managing the tendering/contract process are clear of their responsibilities in respect of safeguarding</li> <li>• Ensure contracts terms and conditions (including JCT) in relation to DBS checks are appropriate</li> <li>• Ensure that self-assessment arrangements as part of contract</li> </ul>	<p><b>In progress</b></p> <p>The Corporate Director: Communities confirmed that she has discussed this issue with the Interim Head of Finance, Assets &amp; Housing and the Strategic Procurement Manager, as this needs to be considered as part of the wider Procurement Transformation Project that is currently being implemented. It was also recently raised as part of the Service Challenge.</p> <p>The Programme Manager leading this project explained that there is a draft commissioning form, which includes a question on safeguarding. This should act as a prompt for services tendering for contracts where there may be</p>	<p>The commissioning form will be in place by 1 April 2016, which should provide more control where there are contracts where DBS checks need to be carried out.</p> <p>We will carry out a further review to take into account additional measures put in place as a result of the Procurement Transformation project.</p>

		<p>management are appropriate <b>Corporate Director: Communities - December 2015</b></p>	<p>safeguarding issues.</p> <p>The Legal Services Manager also confirmed that the standard terms and conditions for contracts are currently being reviewed, and can look at JCT and other types of contracts to ensure that the information in relation to DBS checks is appropriate.</p> <p>The Corporate Director: Communities advised us that she is project sponsor for the Modernising Education programme so can monitor to ensure that safeguarding is considered in any contract arrangements.</p>	
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## Report Recipients

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- Corporate Director: Communities
- Chair of Corporate Safeguarding Panel (Lead Officer for Young People, Safeguarding and Workforce Development)
- Leader of the Council
- Chief Executive Officer
- Safeguarding Panel Members

## Key Dates

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Review commenced	February 2016
Review completed	March 2016
Reported to Corporate Governance Committee	23 March 2016
Proposed date for next follow up review	To be agreed with Corporate Governance Committee