

**Report To:** Partnerships Scrutiny Committee

**Date:** November 8<sup>th</sup>, 2012

**Lead Member / Officer:** Corporate Directors for Modernisation and Wellbeing and for Customers

**Report Author:** Wayne Wheatley/Sue Trehearn

**Title:** Post Pembrokeshire Safeguarding Action Plan

### **1. What is the report about?**

In August 2011, CSSIW and Estyn published the report of their joint investigation into the handling and management of allegations of professional abuse and the arrangements for safeguarding and protecting children in education services in Pembrokeshire. The report identified significant failings by the authority in safeguarding children and put in place a series of requirements. A year later, a Joint Review was undertaken to consider progress and make further recommendations. These reports identified shortcomings and made recommendations in the following areas:

- Recruitment
- Record keeping
- Processes, policies and procedures
- Training
- Reporting and scrutiny

Further specific issues have been highlighted subsequently- especially relating to the use of “time-out” rooms in Pembrokeshire schools.

Practice in Denbighshire, as in other authorities in Wales, has been audited and reviewed against the findings and recommendations in both reports and any actions for improvement have been added to the Safeguarding Action Plan (Appendix 1) so that progress can be monitored on a corporate basis.

### **2. What is the reason for making this report?**

To inform the Committee of actions taken by the authority in response to the Inspectorates’ findings in Pembrokeshire and to provide information on the implementation of actions in the corporate Safeguarding Action Plan so that progress can be considered.

To appraise the Committee of the scrutiny arrangements of the Conwy and Denbighshire Local Safeguarding Children Board (LSCB) as the statutory body with responsibility for co-ordinating and ensuring the effectiveness of child protection and safeguarding activity across both authority areas. This includes responsibility for ensuring there are effective inter-agency procedures in place for dealing with allegations of professional abuse and monitoring and evaluating the effectiveness of those procedures.

Whilst the safeguarding action plan focuses on the findings of the Pembrokeshire County Council report, it also addresses more general practice issues as well as policy and procedural points and some issues raised in the Safeguarding Action Plan will be best addressed by the Local Safeguarding Children's Board.

### **3. What are the Recommendations?**

That the Committee considers the contents of the report and progress in implementing the Safeguarding Action Plan .

That the role and scrutiny function of the LSCB in monitoring safeguarding activity across Conwy and Denbighshire is noted.

### **4. Report details.**

#### LSCB structures for scrutinising safeguarding arrangements

Under Section 28 of the Children Act 2004, the Local Safeguarding children Board (LSCB) has an overarching role in ensuring that all statutory partners of the Board and any other person providing services on their behalf, discharge their functions having due regard to the need to safeguard and promote the welfare of children. As part of monitoring processes, partners are required to undertake an annual Section 28 audit which covers safe recruitment, reporting, training and supervision policies and practice within the agency/organisation. Any actions required are identified by the Audit group and reported back to the agency to be addressed and to the Board. A shorter version of this audit has been produced for use by the voluntary sector and contracted/commissioned services. In addition, statutory partners are required to produce an annual report to the Board, identifying their key safeguarding priorities, how these have been progressed and the impact on outcomes for children and young people. They are also asked to report on any outstanding actions from the Section 28 audit.

#### Safeguarding Action Plan

Denbighshire's Action Plan was initially developed in response to Ministerial requests to audit practice against the findings of the first Pembrokeshire report. It has subsequently been developed as further issues have surfaced or been raised nationally. It has proved to be a bit like painting the Forth Bridge- but this should be taken as a positive indication of increasing awareness, vigilance and improvement.

Progress is driven through the "Social Services and Education Management Team" which meets regularly and comprises the relevant Corporate Directors and Heads of Service from these services. These arrangements do not supersede those of the LSCB but are designed to ensure an appropriate focus on Denbighshire as a complex multi-functional corporate organisation.

#### **Points 1 – 13, Pages 2 – 6 and Point 26 p 11: CRB Checks/References and HR Policies plus Safeguarding and Third Sector organisations**

Arrangements for ensuring safe employment, not least in schools, were a key area in the Pembrokeshire reports. Over the last 12 months, extensive work has been undertaken to assure ourselves that CRB checks are consistently undertaken across Denbighshire County Council, including those for volunteers, and that references are taken up and retained on employee files. The detailed progress against this work is set out in the Action Plan attached.

A key development in hand is the production of regular termly/4 monthly compliance/quality assurance reports which will enable school heads and managers across all local authority services to know routinely the status of CRB checks and references for their staff, and enable follow up.

Aside from the staff/volunteers it directly employs or works with, the Council is also expected to assure itself that organisations it funds or contracts with to provide services have employment practices which safeguard children. This is plainly much more difficult for the council to achieve. However, Point 26 demonstrates the progress that has been made.

On 17<sup>th</sup> October 2012, the Chief Inspector (CSSIW) wrote to all Welsh Social Services Directors about the need to strengthen safeguarding arrangements in respect of recruitment of staff and asking them to review their procedures, following an investigation into the recruitment and Human Resource practices of five authorities. The investigation identified concerns about inadequate information in references, insufficient scrutiny of references on the part of the prospective employer and unsafe arrangements for recruiting agency social workers.

In Denbighshire, the reference policy has been amended to allow more information relating to employment concerns to be shared with other employers. Consideration is being given to include a question, on both requesting and giving a reference, to cover any safeguarding concerns in an employment context. A national conference in November will also help shape our response to the latest issues raised.

#### **Point 14 – Safeguarding Policies and Procedures**

Children and Families Service are responsible for convening and chairing all strategy meetings where there is an allegation against a person working with children (known as Part 1V meetings). Practice and procedures were reviewed following the first inspection report in August. A revised protocol for managing allegations is now being used which addresses issues raised in the report. While consideration has been given to developing this on an all Wales basis, there are no timescales for this work. This protocol includes a reviewed format/agenda for meetings, invitation lists and standard letters. The protocol is currently being considered by the LSCB for ratification and use across the Conwy/Denbighshire area.

#### **Points 15 and 16 – Employment actions**

In September 2011, the Children's Services and Education Safeguarding Officers undertook an audit of all minutes of professional abuse allegation strategy meetings for the previous three years to ensure that the recommended employment actions from those meetings had been carried out. While it could be established that there were no failings in this area, it was occasionally difficult to find the information as it was stored in different sources. Employers are now routinely asked to share their risk assessments with the Chair and to report back in writing on employment related actions. There is now also a nominated HR officer for safeguarding issues.

#### **Point 17 – School Governors**

Prior to the reports on Pembrokeshire, school governors were not routinely invited to strategy meetings. Where the allegation was against a member of school staff, either

the Head Teacher or relevant manager if non-teaching staff, were invited, as well as HR. The Safeguarding Manager for Education attended all meetings about education staff and also attended other professional abuse strategy meetings in an advisory capacity and to provide information where there was a school age child. All schools now have in place a named Governor for safeguarding who oversees these key roles of the school (see Point 23 below), who will be invited to all strategy meetings involving school staff, in addition to those mentioned above.

#### **Point 18 – Reporting to the LSCB**

Mechanisms are in place for information about allegations of professional abuse and the outcome of investigations in each authority area, to be reported to the LSCB Practice Development Group on a quarterly basis and there is a process in place for exceptions reporting to the Serious Case Review Group on individual cases of concern. The Practice Development Group has responsibility for ensuring local procedures are in place and are currently reviewing a draft protocol for joint social service and police and single agency child protection enquiries. The Pembrokeshire report noted that a local protocol covering how all forms of allegations of harm will be investigated is good practice.

#### **Point 20 - School Safeguarding Audit Checklist**

The safeguarding audit was implemented in June 2012 across all schools in the county. All schools have completed and returned the audit. The “gaps” identified by schools under the key headings are being addressed. Comprehensive Governor training is underway. 22 schools have received this training this term.

All schools have in place a clear child protection policy reviewed annually. Safe recruitment training, highlighted in the audit by 39 schools, is to be addressed by HR. The quality assurance framework document relating to schools and education has been re-sent to schools and used extensively in all training to management teams of schools and governor training.

#### **Point 23 – School Governor with responsibility for safeguarding.**

All schools have in place a named Governor for safeguarding who oversees these key roles of the school. The named governor has responsibility to fulfil the areas of operation relating to this role in the QA framework document and agenda items on governor body meetings relating to safeguarding.

#### **Point 27 – Restrictive Interventions / Time Outs Rooms in Schools/ Establishments**

Denbighshire has a common policy across all secondary schools on ‘ use of Reasonable Force and Restrictive Physical Intervention’ The policy was formulated by the Secondary Deputies and LA Officers group. The policy will be in schools by late October 2012 after which consultation with primary schools will commence. The aim of the policy is for it to be accepted by all governing bodies of all schools by Easter 2013. The use of Time Out rooms is covered in the policy.

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

One of the council’s priorities is to safeguard vulnerable people and enable them to live independently.

**6. What consultations have been carried out?**

Officers across the authority have contributed to actions in the plan and it has also been received positively by the multi-agency LSCB.

**7. Power to make the Decision**

Children Act 2004 s 28