

Report to: Corporate Governance Committee/Cabinet

Date of meeting: 4th September 2013 and 24th September, 2013

Report author: Corporate Director, Modernisation and Wellbeing

Title: Proposed Corporate Safeguarding Policy and Panel

1 What is the report about?

The report proposes the adoption of a Corporate Safeguarding Policy and the establishment of a joint member/officer Corporate Safeguarding Panel.

2 What is the reason for making this report?

Denbighshire has attempted to take a proactive approach to ensuring compliance with its safeguarding responsibilities, in support of the statutory Director of Social Services, who has ultimate accountability for this. However, despite a range of approaches, we cannot be confident that robust safeguarding practice is embedded across all the Council's functions. In addition, multi-agency Safeguarding Board functions, including scrutiny functions, will increasingly be held at sub-regional and regional levels. This in turn places more responsibility on the council to assure its internal systems are working well.

3 What are the recommendations?

For Cabinet to

- 3.1 agree to the adoption of the Corporate Safeguarding Policy (attached) and
- 3.2 the establishment of a Corporate Safeguarding Panel with terms of reference as described in Appendix 8

4 Report details

Introduction

4.1 Safeguarding has traditionally been perceived as mainly the responsibility of social services, though with substantial recognition of the important role of Education. Ensuring the council has effective safeguarding measures in place to protect people remains one of the core accountabilities of the Director of Social Services who, within the Council, has "final and indivisible responsibility for safeguarding issues" (Statutory Guidance on the Role and Accountabilities of the Director of Social Services 2009).

4.2 How this key responsibility is to be discharged, across a complex multi-functional organisation, has been less clear, and a corporate function has never

been separately resourced. Successive authoritative reports over the last 10 years (Waterhouse, Laming, Pembrokeshire, to name a few)- make it abundantly clear that challenges to the resilience of safeguarding arrangements in fact arise in many different places, such that safeguarding has to be “Everybody’s Business”. However, while we are increasingly aware of the responsibilities Heads of Service and members have- say in relation to information management or health and safety, this is not necessarily the case with safeguarding. Many will not encounter issues very frequently. The consequences of getting it wrong, however, are potentially significantly greater and the chances of encountering a safeguarding issue are growing both with an ageing population and with greater access to the internet and social media.

4.3 Examples of where live safeguarding issues (specific cases or policy issues) have arisen in Denbighshire in the last 12 months include HR, in relation to safe employment processes, procedures and assurance, schools, school transport, Licensing, Press and PR (use of images), Leisure Services, as well as Adults and Children’s Services. Nor do our responsibilities end with our own services- we also have responsibilities to know we can have confidence in the safeguarding arrangements of organisations from/with whom we commission, procure or partner and a public responsibility to do something about organisations which we know are providing services but who we suspect may not have robust arrangements in place.

4.4 In Denbighshire, over the last 10 years, we have developed several approaches to maintaining a corporate profile and overview for safeguarding issues, as follows:

- In 2004, post Climbie/Laming, a Corporate Accountabilities Framework was agreed by Cabinet, which set out individual responsibilities for safeguarding children. This has subsequently been updated and Heads of Service and Lead Members were asked to identify gaps and good practice against it. While useful, there is little evidence it has been a live document which has driven practice
- the Social Services and Education Management Team (SSEMT), which has been in place for some years, has kept a watching brief on safeguarding issues, effectively on behalf of the Senior Leadership Team
- Since 2009, the Denbighshire Local Safeguarding Children Board has required partners to complete annual “s28 audits” (from the duties set out in s28 of the Children Act 2004). For Denbighshire, this has covered Social Services, Education, the Youth Service and Housing- but not, for example, HR or Leisure Services
- A rolling programme of corporate child and adult protection awareness training has run since 2009. Member training has technically been mandatory since 2012 though there has not been 100% compliance
- Following the publication of the joint CSSIW/Estyn reports on safeguarding arrangements in Pembrokeshire Council in 2011, we

developed a Corporate Safeguarding Action Plan which continues to be monitored by SSEMT. This has been the umbrella for some very good work in Denbighshire- including the implementation of self assessment audits in all schools, the development of a self assessment tool for voluntary sector contractors, revisions to arrangements for part IV meetings (allegations of professional abuse) , a substantial review of safeguarding, school transport and taxi licensing arrangements, and a very detailed programme of work on HR policies, procedures and compliance (ongoing)

4.5 There remains a degree of fragmentation and opportunism about this work, though and it is felt that we now need to take a more systematic and structured approach.

Proposal

4.6 Attached is a draft corporate Safeguarding Policy and Guidelines based heavily on that recently adopted in Gwynedd. A similar approach recently taken in Anglesey has also been considered. The policy in Gwynedd was adopted following Estyn inspection and as the result of requirements set out by the Inspectorate.

4.7 The proposal is being brought forward as the approach would provide a logical development to the work we have previously done with the Corporate Accountabilities Framework and on the Corporate Safeguarding Action Plan.

4.8 The aim of the policy and guidelines is to establish structured means for ensuring that safeguarding is an issue taken on by every service in the Council as well as all elected members.

4.9 Key aspects of the policy and guidelines are:

- it covers both children and adults
- it is based around safeguarding, not just protection
- it includes the notion of Designated Managers within every service for dealing with safeguarding matters (who receive appropriate training)
- Designated Managers come together with senior officers and lead members to form a Corporate Safeguarding Panel which is accountable to Cabinet. The Corporate Panel would be expected to produce an Annual Report for reporting internally but also to the LSCB
- every service is expected to have safeguarding policies and procedures covering their particular area of the business
- it covers the responsibilities of elected members
- it includes a core dataset for reporting purpose. This includes some of the usual PIs but also key HR data (CRB checks, reference compliance) plus % of councillors attending safeguarding training). There would be some overlap for us

here with Corporate Plan reporting and the dataset will need to evolve to ensure it does add value to current reporting.

4.10 The appendices provide, in addition

- basic information about signs of abuse and referral pathways- which link to child and adult protection procedures
- a useful section on Code of Conduct and Safe Working practices
- a section setting out the training support to be provided initially. This would also need to be developed over time
- cross referencing with our Safe Recruitment (HR) Policies
- guidelines for councillors on safe contact
- dealing with allegations of professional abuse (also links with child and adult protection procedures)

4.11 Though this makes up a substantial document, the package does seem to provide a credible approach to making a reality of safeguarding as a corporate concern. The package would foster consistency of approach and accountability but also be tailored to the issues facing particular services.

5 How does the decision contribute to the Corporate Priorities

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

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

The main cost implications will be threefold- officer time to perform the Designated Manager role and for training for Designated Managers, support for the administration of the Corporate Safeguarding Panel and money for training to ensure that staff and elected members are able to attend training at an appropriate level to meet their role and requirements. There are already resources in the system that respond to safeguarding issues when they arise. In most cases, the proposed arrangements would be a refocusing of existing effort rather than representing completely new work. Children's Services have agreed to provide support for the operation of the Corporate Safeguarding Panel.

7 What are the main conclusions of Equality Impact Assessment (EqIA)?

The adoption of the policy and panel arrangements could have positive implications, especially for older people and disabled people. No negative implications are identified.

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

The report will be considered by Corporate Governance on September 4th.

9 Chief Finance Officer statement

The adoption of the Policy and creation of the Panel should not create significant additional costs, however any additional costs emerging will have to be funded from within existing resources.

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

The main risk with the proposals is that they become a bureaucratic exercise in compliance. However, the converse risk is that we do not have a systematic approach to ensuring safeguarding requirements are thought through for every service area of the council. The risk of over bureaucratization can be mitigated by a focus on procedures and reporting which are deft and add real value for services as well as ensuring better accountability.

11 Power to make the decision

s 28 Children Act 2004

s.17 Crime and Disorder Act 1998

s.111 Local Government Act 1972